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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island.

PRAYER

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

Let us pray.

God of love and laughter, what can we give You for all of Your benefits? You send the sunshine and rain and bring the bountiful harvest. You dispatch angels to protect us from dangers that we do not even see. You save us from ourselves and fill the void of our spirits with Your abiding presence. You keep us from wariness and despair. Great and marvelous are Your works; just and true are Your ways.

Thank You for the peace You give each of us, even in the midst of life's storms. Supply all the needs of our Senators out of the abundance of Your celestial riches. Transform our gratitude into service to those who know daily the pain of privation and hopelessness. Help us to express our faith in deeds of love. We pray in Your great name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable LINCOLN CHAFEE 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 PRESIDING OFFICER. 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, June 4, 2004.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LINCOLN CHAFEE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

SCHEDULE

Mr. SESSIONS. Mr. President, this morning the Senate will resume consideration of the Department of Defense authorization bill. It is the leader's hope that we would be able to temporarily set aside the pending amendment so that other Senators can offer and debate their amendments. Senators are encouraged to come to the floor to speak on the merits of the bill. There will be no rollcall votes today.

The next rollcall vote will be in relation to the Kennedy bunker-buster amendment and that vote will occur Tuesday of next week prior to the policy luncheons.

I remind all Senators that under an agreement reached yesterday, all first-degree amendments to the Defense bill must be filed at the desk no later than 5 p.m. on Monday. It is the leader's intention to complete action on this bill next week. Senators should expect a busy week next week as we move toward completion of the Defense authorization bill.

I see Senator DASCHLE is in the Chamber and yield any time that he would consume.

RECOGNITION OF THE MINORITY LEADER

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

COMPLETING DEFENSE AUTHORIZATION

Mr. DASCHLE. Mr. President, I thank the distinguished Senator from Alabama and share his and the leader's view that given the agreements we have reached with regard to consideration of amendments on the DOD authorization bill, that we can work in a way that will accommodate that goal of completing our work on the bill before the end of next week.

FAREWELL TO SENATE PAGES

Mr. DASCHLE. Mr. President, I would like to again say farewell this morning to a wonderful group of young men and women who have served as Senate pages over the last 5 months and thank them for their contributions to the day-to-day operations of the Senate. This particular group of pages has served with distinction, and they have done a marvelous job of balancing their responsibilities to their studies and to this body. Today is their final day as Senate pages.

I want to say thank you to Andrew Blais of Rhode Island; Katherine Buck of New Hampshire; Sam Cannon of Utah; Erin Chase of South Dakota; Eric Coykendall of Arizona; Julie Cyr of Vermont; Joe Galli of Maine; Watson Hemrick of Tennessee; Jennifer Hirsch of Arkansas; Garrett Jackson of Mississippi; Kara Johnson of Illinois; Ben Kappelman of Montana; Andrew Knox of Vermont; Adam Lathan of Alabama; Betsy Lefholz of South Dakota; Brittney Moraski of Michigan; Alex Ogden of North Carolina; Jaclyn Pfahler of Montana; Aaron Porter of Tennessee; Ingrid Price of Utah; Laura Pritchard of Virginia; Laura Refsland

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



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of Wisconsin; Ryan Smith of Kentucky; Kyra Waitley of Idaho; Nathanael Whipple of California; and Elizabeth Wright of Montana.

I suspect few people understand how hard Senate pages work. On a typical day, pages are in school by 6:15 a.m. After several hours of classes each morning, pages then report to the Capitol to prepare the Senate Chamber for the day's session.

Throughout the day, and sometimes into the night, pages are called upon to perform a wide array of tasks, from obtaining copies of documents and reports for Senators to use during debate, to running errands between the Capitol and the Senate office buildings, to lending a hand at our weekly conference luncheons. Once we finish our business here for the day, no matter what time, the pages return to the dorm and prepare for the next day's classes and Senate session and, we hope, get some much-needed sleep.

Despite this rigorous schedule, these young people continually discharge their tasks efficiently and cheerfully. In fact, as one page said, "We like working hard. When things get hectic, that's when we like it best."

This page class had the good fortune to witness some historic moments. They saw President Bush present the Congressional Gold Medal to Dorothy Height, one of the giants of the modern civil rights movement in America. They were present for important debates in this chamber over such critical issues as the budget and the wars in Iraq and Afghanistan. They have seen, and had their photos taken with, celebrities, including Governor Arnold Schwarzenegger. Two days ago, they saw another famous visitor, the actor Mike Myers, better known to some as "Austin Powers, International Man of Mystery."

I hope the close-up view that these exceptional young people have had of the Senate at work these last few months has made this institution a little bit less of a mystery. Our Government "of the people, by the people, and for the people" requires the active involvement of informed citizens to work.

I understand that many, if not most, of this semester's pages have decided to volunteer on political campaigns, both Republican and Democratic, when they return home. I am told the campaigns run the gamut from local school board candidates to Senate candidates.

I am sure I speak for all Senators when I say, we applaud your continued involvement in the democratic process. And we wish you well in all that you choose to do in your future. We hope we will see some of you back here some day, as staffers, or as Senators. We are grateful for the excellent work you have already given the Senate these past 5 months.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. I thank the distinguished Democratic leader for his ex-

cellent remarks. They are timely, and I would join in them. The pages have added so much to the Senate's ability to function. We appreciate them. I know Adam Lathan from Alabama has been a big help to me, and each Senator has had pages who have helped tremendously. I think it appropriate we express our appreciation at this time for their superb service.

Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2400, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2400) to authorize appropriations for fiscal year 2005 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 Services, and for other purposes.

Pending:

Kennedy amendment No. 3263, to prohibit the use of funds for the support of new nuclear weapons development under the Stockpile Services Advanced Concepts Initiative or for the Robust Nuclear Earth Penetrator (RNEP).

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

EDUCATION

Mr. REID. Mr. President, it is now quarter to 7 in Nevada. Children are walking on their way to school. Here in the East, children are already at school. In Nevada we have a wide range of school districts. We have 17 school districts, one for each county. The school district in Las Vegas, the Clark County School District, is approaching 300,000 students. It is one of the largest school districts in America. Esmeralda County, Goldfield, has 84 students. Because of the feeling I have and the complaints I received about the Leave No Child Behind Act, I thought it appropriate that I meet with those 17 school superintendents. I did that last week when I was home during the Memorial Day break. Jim Hager, the superintendent from Washoe County—that is Reno, which is the second largest school district—is the president of the Superintendents Association. At my request he convened this meeting.

I have had many meetings over the years, as we all have, dealing with a broad range of subjects, but I have never had a meeting that was more meaningful, more informative, more educational to me than the meeting I

had with the school superintendents. My only regret is I didn't spend more time with them. We spent an hour and 15 minutes. That is what we had scheduled. It was a tremendously good meeting.

I had no agenda with the superintendents other than to listen to them. I didn't bring them into the room and proceed to give a Senate filibuster to them. I wanted to make sure that every one of the 17, from the smallest school district to the largest, had an opportunity to speak—and that is what we did.

Every one of the 17 has tried so hard to comply with the intent and the actual substance of the Leave No Child Behind Act. They simply said, though, that in an effort to comply with this new law, they have robbed Peter to pay Paul with their budgets. They have compromised on all kinds of very important programs within the school districts. They have tampered with and eliminated art programs, programs for the academically talented, athletic programs, music programs, and history classes in an effort to meet the requirements of Leave No Child Behind.

There is no question, when I went to high school, that the courses I took—English, math, and sciences—were important. I was taught those subjects, of course. But also it was important that I have a full education, that I have the opportunity to participate in athletics, that teachers be given the opportunity to teach other subjects than math, science, and English. A superintendent said they had even had to shorten the time allotted for recess. Some say, Good, the kids are out too much. You know, recess time is time just like the time people take for coffee breaks. People take a break to get away from the drudgery, or even if somebody loves their job, a break is important. Children need a break just like adults. They have even shortened the time allotted for recesses.

Instead of just ignoring the law, they have tried to comply with it, all 17 superintendents. I commend them for their unified efforts in that regard. But there is only so much they can do with a law that is basically flawed, a law that is flawed because there are no resources to fulfill the requirements of that law. One after the other, these educators gave examples of how the No Child Left Behind Act is leaving these children behind. It is simply not reaching its goal.

One superintendent said: What if you, in Washington, passed a law that every child, to graduate from high school, had to dunk a basketball?

It didn't matter how hard I tried. I could never dunk a basketball. I couldn't dunk the basketball when I graduated high school at age 17.

If they passed a law saying every child who graduated from high school had to high jump 6 feet, they could not do it; if every child had to run a mile in 6 minutes, they could not do it. Physically and emotionally, it is impossible for children to do those things.

A select few can do it but not very many. But that is what we have required.

The Leave No Child Behind Act is based on the premise that we can track the progress of every school by using a one-size-fits-all approach, including standardized tests.

What I heard from these superintendents was their problems aren't standardized. The one-size-fits-all approach doesn't always work.

The Clark County School District is the fastest growing school district in the country. The New York Times published this week an article on education in Las Vegas, painting a very realistic picture of what we are facing. We are in the midst of a massive program to build 88 new schools to accommodate about 12,000 new elementary and secondary aged students who move into the county every year. This number is going to increase.

Clark County's teacher recruitment effort spans nationwide and costs more than \$1 million a year—just to recruit the teachers. According to Superintendent Carlos Garcia, about 2,000 were hired last year. They need 1,600 more teachers, as we speak.

To cite one pervasive challenge that Nevada as a whole and Clark County in particular faces, the Clark County School District has 81 documented foreign language barriers—not 18. I didn't make a mistake; 81 different languages are spoken in the Clark County School District.

There are so many children entering our public schools who do not speak English that, under the Leave No Child Behind, most of our public schools will eventually be on the "watch list" or considered a "failing school." Like many parts of this country, we know it costs more to educate these children.

The Leave No Child Behind Act promises that resources will be provided, but we haven't kept that promise to the 17 superintendents in Nevada—and the rest of this country. We have underfunded the Leave No Child Behind—not by a little but by billions and billions of dollars every year. We have not kept our promise, but we still expect fourth grade children who are struggling to learn English to perform well on a test they can't understand.

I don't say this to be boastful, but I did OK in school. But if I did not speak English, it would not have mattered what my mental capacity was. In the fourth grade, I would have had problems with a fourth grade test.

We haven't kept our promise. I don't think for one minute that these children are not aware they are part of a cell group causing their schools to fail—simply because they do not comprehend the language.

Superintendent Garcia told me something that certainly got my attention. He said: I am so tired of walking into a classroom of fourth graders and seeing kids with their heads down on their desks crying because they can't read the test.

He said: I see children with their heads on their desks crying—not because they are stupid, not because they are dumb, but because they cannot understand what they are being asked to do.

As a result, not only is that child failing but the whole school district is failing. The school that the child is in could be failing as a result.

These children are being left behind because they are forced to take tests in a language they can't speak, and it hasn't changed a thing. They still can't dunk a basketball. Testing a child doesn't make him any smarter any more than weighing a steer makes that steer heavier.

Superintendent Garcia said the obsession with testing is actually causing some children to learn because they are taking fewer lessons. Many high school kids are so worried about standardized tests that they only want to take math. They are afraid of failing the standardized tests, leaving no time for other classes—sometimes even history courses.

The distinguished junior Senator from Tennessee and I have sponsored legislation talking about having American government taught in school. We are not going to be able to do that.

Does this program we have make a child better prepared to succeed in college or in life? No.

I personally would have been a failing student in a failing school if this law had been enacted when I was growing up.

I decided to go to law school because I had a part-time counselor and teacher by the name of Mrs. Dorothy Robinson who pulled me out of the junior class in high school and said: I have looked over all of your tests and I think you should be a lawyer. I don't know what tests I took. I think she was trying to be nice to me. But I followed what she suggested. From that minute forward, I said: I am going to be a lawyer. I had never met a lawyer, I had never been to a courthouse, and I had never been involved in a court case, but because of Mrs. Robinson having confidence in me—not because of some standardized tests—I decided that was what I wanted to do, even though my grammar was atrocious. My parents were uneducated. She was able to do that, and it wouldn't have happened if she had been more concerned about punitive measures in our school if I had failed a standardized test.

It is easy to look at Clark County's woes under this law because it educates more than half of our State's elementary and secondary students. However, there are other counties in Nevada facing challenges that are much different but no less significant.

A school system right next door to Clark County is Nye County, which has seen much slower growth than Clark County but still growth. It is the largest school district in the continental United States. It is huge. Superintendent Rob Roberts is a West Point

graduate who worries about problems such as children riding schoolbuses in the desert with no air-conditioning. Nye County can only buy used buses because they are spending so much money on the Leave No Child Behind Act. They literally drive a million miles a year to get kids to school and back. And they are going to eliminate an extra bus which allows students from some of these outlying districts to participate in athletics and music programs and other enrichment programs. They are going to eliminate that. They can't afford it. Gas prices are going to speed up that demise.

Other counties have seen enrollment decline as industries such as mining went through cycles. Lincoln County is one of them, and it is struggling to keep its head above water to provide transportation for its increasingly scattered student population.

Elko County has been gradually slowing the decline in its enrollment. But they have increased expenses because of the Leave No Child Behind Act. They did what 14 or 15 other school districts wanted to do; that is, hire a grant writer. They had to pay a lot of money to do this. Most school districts can't afford a grant writer. They have people who try to write for grants but don't know how. One of the superintendents said: I tried to write for a grant. I do not know how.

Mineral, Lander, and Carson City Counties are also in the position of needing to hire grant writers—just to find new ways to supplement their financially strapped school districts, because the Leave No Child Behind Act is bankrupting the school districts.

In Esmeralda County, some of the children travel up to 160 miles every day to school. Transportation expenses are 70 percent of their budget. They are cutting special events because of rising transportation costs.

The Humboldt County superintendent concurred—that there are all kinds of problems with this Leave No Child Behind Act. They are concerned about the costs associated with the transfer of students to new schools, if one of the schools fails its annual yearly progress.

Under the Leave No Child Behind Act, if you do not like a school and it is failing, you can demand that your child go to a school someplace else.

These counties can't afford to haul these kids around. These are not schools located two or three blocks away, or 2 miles away—it could be 180 or 190 miles away.

White Pine County has two local schools that perform well. Parents know that they do a good job. But because of a situation with one or two special education students struggling in math—these are children who are emotionally or physically or mentally handicapped—these two fine schools will be classed as "failing" schools.

Douglas County's superintendent knows about the stigma of a failing school. Superintendent John Soderman

said he appreciates the accountability principles in the law but the punitive implications are brutal. It is the "label of blame" law.

Pershing County is fretful over the way its 23-percent special education students are being left behind.

Pershing County: The largest city in Pershing County is Lovelock, with 23 percent of the students in special education in that school district. They will be left behind.

Churchill County asked me when the Federal Government planned to fully fund this law. I said I did not know. Storey County is the historic county seat of Virginia City. The superintendent said the law was too inflexible.

Again, you cannot legislate a child to be able to dunk a basketball.

Every one of these counties agreed that providing teachers with professional development, ensuring that they are highly qualified in their subject—or, as in the case of Lyon County, multiple subjects—is proving to be expensive and frustrating.

The meeting with these superintendents took place in Nate Mack Elementary School in Henderson, NV. We were greeted by a student band featuring drums and xylophones. Another class presented a wax museum of famous Nevadans in history. They were dressed as historical characters. The first child, a little girl, was a special education student. She was physically handicapped, but she played her part very well.

Now, is this little girl going to make that school a failing school? If we had a law that was meaningful and fair and educated students, that little girl would not make it a failing school. She would make it a successful school. This law is going to make it a failing school because of this little girl.

I was so impressed with this wax museum of famous Nevadans. They were trained not to smile. They did not frown. They were mimes, there to be wax. They were not to move. They did a wonderful job dressed as the historical characters they studied.

These are examples of how experienced, creative teachers can find exciting ways to help children learn. Music and history are integral to education, but the Leave No Child Behind law focuses on standardized tests.

I hope these children and their instructors will continue their lessons in music and in history, their athletics and art classes, even though there will not be standardized tests on these subjects.

This was one of the best meetings, if not the best, I have ever had. It opened my eyes. But I am not alone. I am sure many Senators have heard similar stories from educators in their States. I hope we can work together to fix this law, mainly by either changing it or funding it, and do the other things needed that we have to do to achieve the laudable goal of ensuring that no child is ever left behind.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Mr. President, I thank the Senator from Nevada. He is a thoughtful and excellent speaker on issues important to the country.

I do not agree with him that the big problem we have in education today is the No Child Left Behind Act. My home county of Mobile is a large school system. What the Federal goal of No Child Left Behind set to accomplish was to encourage systems to confront schools that are failing; that we, in fact, have schools in America today that are not functioning well. As a matter of fact, they are failing. Some are failing utterly.

Who is the person who loses? Is it the wealthy American who, if their children are sent to a failing public school, do they leave them there? No, they do not leave them there. They move to another part of town, or perhaps they put them in a private school they believe is better. That happens all over America.

What about our low-income people who are sent by law to a school in Nevada or any other State and that school is failing by objective standards and those children are not learning and they are not gaining the kind of education critical to their success later in life?

In most aspects of the No Child Left Behind bill that passed—and I was on the Education Committee when we marked it up. Senator KENNEDY was there with other Democrats, and I believe it passed unanimously out of committee and moved forward in a bipartisan way to the Senate. If there is something wrong with it, I am willing to look at it and fix it.

Frankly, I would like to have accountability and virtually no controls, objective evaluation of how children are doing, and allow the school system to function as it will.

If we love these children, if we care about children deeply, and they are in a school that is failing, don't we want to help them?

What happened to the superintendent in my hometown? He realized they had schools that were not functioning well. They created a bonus to encourage outstanding teachers to go to those poor school systems to raise that level up because he cared about them. He did not want to ignore it and did not want to go along with some idea that self-esteem is the only thing that counts. If a child cannot read, how can they have self-esteem as they move forward? We have to confront that early and move in that direction.

No Child Left Behind basically requires the school system to have tests to make sure children are progressing.

If they are not progressing, we want to act to help them. If the whole school is not progressing, students in the whole school are not progressing in a rational way. They ought to be held to account and improvement ought to be made.

We simply cannot and will not continue to shuffle children through a system when they are not learning. That is what it is all about. If we care about children, we want them to have the best. If we care about children, we want to inquire as to whether or not their school is functioning and whether or not they are learning.

I feel strongly about this. I have talked to superintendents and teachers throughout my State. My wife taught a number of years. I taught 1 year. I don't think teachers are sufficiently appreciated. A lot of the problems are Federal regulations. One of them is IDEA, the Disabilities Act Program. We can do better with those. We are working, and I have been working, as a lead sponsor to give more flexibility and respect to the teachers and principals—many of them with master's degrees in special education—to help those children in the best way and remove them from Federal court and State court and lawsuits.

I note under President Bush's leadership, we have had greater increases in education since he has been President in funding from the Federal Government than we have throughout the entire time that President Clinton was President. There has been increased funding on the Federal side, but we do not want the Federal Government to be the prime sponsors of education in America. It is a local school deal that we care about.

IRAQ

I want to share a few thoughts about the war in Iraq. It is an important matter for the entire world. It is a defining moment for us as we confront terrorism and instability and violence in the world. How can we make this world better?

I had the honor Wednesday of hosting seven Iraqi citizens at the meeting of the Senate Steering Committee which I chair. These were courageous men who wanted to personally thank the Senate and the American people for liberating their nation. They urged us to stay the course in Iraq. I ask unanimous consent that the article in the Washington Post about these seven men be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit No. 1.)

Mr. SESSIONS. These Iraqis have a special perspective on the Abu Ghraib prison. It was there that they each had their right hand amputated by the Saddam Hussein regime. Their crime? Doing business with American dollars. Those were atrocities. That was life in Abu Ghraib before the liberation in Iraq, substantially different than under the American Army, even allowing for

the physical abuse and psychological abuse we have seen in the photographs recently.

There were several hours of videotapes that were discovered and found of other atrocities that came to my attention. This was discovered in the seizure of records and documents in Iraq by the American soldiers. People's hands, fingers, tongues, heads being cut off, as well as people being pushed off buildings—all on videotape.

These were not low-level rogues. These were not isolated instances. It was systematic torture by a regime that used torture, mutilation, and murder as a means to a political end. The videotapes were made, in fact, at Saddam Hussein's request and direction so he could be certain his brutal orders were carried out. In fact, that is what dictators such as Saddam Hussein do. If you have seen some of the films of the history of Saddam Hussein's regime, you know he used random terror, random violence, death and destruction and mutilation as a tool to instill fear throughout the populace and help strengthen his hold on that country and to make sure nobody would cross him.

America can never make these Iraqi men whole, but the sacrifice of our troops has made them free and has given each one of them a new life and a new hope. Thanks to the good will of doctors and businesses that donated money and services, they have been fitted with prosthetic hands. As I greeted each one of them in the Mansfield Room Wednesday, they proudly extended their newly restored right hands. I have shaken many important hands during my political life, but never was I more honored to shake a hand of one than these men.

Sunday is June 6, the 60th anniversary of D-Day. I would like to read a prayer that President Roosevelt delivered after the invasion. As I read it, I ask my colleagues to reflect on our mission and our troops in Iraq and Afghanistan.

President Roosevelt said:

Almighty God, our sons, pride of our Nation, this day have set upon a mighty endeavor; a struggle to preserve our republic, our religion, and our civilization, and to set free a suffering humanity . . . They fight to end conquest . . . They fight to liberate . . . They yearn but for the end of battle, for their return to the haven of home.

Success may not come with rushing speed, but we shall return again and again; and we know by Thy grace and the righteousness of our cause, our sons will triumph.

Just as we did 60 years ago, our President and our people today pray for our brave soldiers in Iraq. They are serving superbly. They are serving with professionalism. They are serving with restraint and poise and discipline under very difficult circumstances. They are out in crowds every day. Most people are friendly. You never know when someone out there may not be. Sometimes there are protests and people are shouting and raising guns in the air and chanting or even throwing rocks.

We have seen them on television show discipline and poise and restraint and allow this spasm of anger to vent itself because, in the long run, that is probably going to be healthy as the Iraqis go through this painful transition from oppression to a decent government.

So we pray for their return home. We celebrate the magnificence of their service and the triumphs of their cause. Our cause is just. Our resolve must be firm. Our troops are brave and courageous. Some things have changed in 60 years. We have the ability to win a war much faster with less risk to our troops but still at great risk, and much less risk to innocent civilians.

Medical technology allows us to heal wounded soldiers faster and provide help to amputees. The Internet allows photographs of misconduct to reach the public with lightning speed. But some things remain the same. Mothers and wives of soldiers worry just as much. The pain felt by the families of a lost soldier hurts just as much. Those who live under tyranny, fear, with a thirst for liberty and a desire for peace, are just as grateful to those who bring them peace, liberty, and freedom. We pray for the Iraqi people that their suffering be ended, that they be liberated from tyranny.

Shortly before I met with the seven Iraqis who had their hands cut off as punishment by Saddam Hussein, I was meeting a group of schoolchildren from Alabama. I told them I was going to be meeting with these Iraqis, and the schoolteacher called me aside, a young teacher who was with the group. He said: Just tell them—this was so sincere—just tell these people we care about them. We want nothing but them to have a good government, and we wish them the best in the future. He said: Tell them that is not Washington talking. That is the people of America. That is what we want.

I shared that with them because I thought it was a meaningful expression of American love and affection for the good and decent people of Iraq who suffered so long.

So we pray for the Iraqi people. We pray that their suffering will be ended, that their liberation will continue, that tyranny will not return, and that economic progress and scientific advancement and education will flourish in their country.

D-Day brought about the last days of Nazi tyranny. As we liberated the country and the world was horrified to see the images of brutality, torture and murder that were brought to light in the prison camps, the world will forever remember what occurred there. We have a permanent record of those horrible events at the Holocaust Museum. They remind us to be vigilant forever against tyrants, wherever they be.

I urge my colleagues to meet with these seven Iraqis, to view the videotapes that showed what happened in those days under Saddam Hussein. This was Abu Ghraib prison not long ago. As

we look at the unfortunate actions at Abu Ghraib, as our military proceeds to investigate and take actions about our failures there, I urge my colleagues to reflect on the liberation of Abu Ghraib and to gather some perspective. Nothing we can say makes what happened in Abu Ghraib by our soldiers right. It was wrong. It cannot be justified. Our Nation was humiliated, and it occurred under our watch.

But to put it in perspective, we must reflect on who we are as a people, what is our purpose. Our Government investigated the images of abuse with the intent to prosecute those who committed criminal acts. Saddam Hussein investigated the images of mutilation to ensure that his torture was carried out.

American soldiers have shed their own blood to bring freedom to the Iraqi people and security to America and the world. Saddam Hussein spilled the blood of others to maintain his reign of terror and to expand his dictatorship. America wants peace, democracy, and freedom for the people of Iraq and Afghanistan. The terrorists want to destroy America and the values we hold dear.

President Bush, Secretary Rumsfeld, Condoleezza Rice, Secretary Powell, the Joint Chiefs of Staff, our troops, this very day are working to secure our Nation, to secure Iraq, and to establish a framework for an Iraqi government where state-sponsored torture, mutilation, murder, and terrorism can be a painful memory of the past. And the American people understand it. They understand what we are trying to do, that we only want the best for Iraq. They want our Government to succeed. But this is an election year and we have had some comments that, frankly, are wrong and need to be talked about.

I have waited. I have not responded aggressively. But the senior Senator from Massachusetts, summarizing his take on the Abu Ghraib abuses and photographs that came out, said:

Shamefully, we now learn that Saddam's torture chambers reopened under new management: U.S. management.

That is not correct, Mr. President. That is absolutely wrong. It has undermined and is an attack on our soldiers who serve in Iraq. It makes their job more difficult, it puts them at greater risk, and it provides ammunition for those in Iraq who are frustrated and want to oppose American efforts there. It was not good and it was wrong and should not have been said. You watch Saddam's torture videos and try to explain to the American people how the actions of President Bush or Secretary Rumsfeld or General Myers or General Abizaid or General Sanchez equate with this kind of activity. No, sir, that is not correct. It is wrong.

Saddam persecuted the people in prison. We are prosecuting people who violated the law of the United States concerning how to handle prisoners. Within days of the report being made

public, a single young soldier brought forth this information. Within a day, a criminal investigation was ongoing. Within a week, a public statement was made that abuses had occurred and an investigation was ongoing. A formal investigation by a two-star general was commenced. And we are making every effort to find out what happened, who did it, and punish those who did it. Some have already been court-martialed and sentenced to prison, and others will be. That is what the American people do.

When I was with the seven Iraqis who had their hands cut off by Saddam Hussein in his prison, one of the reporters asked one of them about these abuses. He said, well, President Bush—that is not his policy; it was Saddam Hussein's policy. The American people are punishing those who did wrong. They were not punished under Saddam Hussein. They were encouraged.

I think we need to talk about this. Former Vice President Gore, in a recent speech at New York University, said:

How dare they subject us to such dishonor and disgrace. How dare they drag the good name of the United States of America through the mud of Saddam Hussein's torture prison.

That is the kind of broad-based condemnation of the American soldiers who, at this moment—because three-fourths plus of this body sent them to Iraq to carry out an American policy to strike down terrorism and create a new government there—are putting their lives at risk for us because we sent them there. They ought not to be condemned in this fashion by the former Vice President of the United States of America. I don't know what has gotten into his head. It is wrong.

Last night, I was at Walter Reed and I met great soldiers. Time and again, they told me they want to go back. Some of them have lost limbs. Some are in serious condition. Some are coming along nicely and, in fact, are going back to Iraq. These are the best of America. They love this country, and they love the rule of law. They care about doing the right thing, and they want to see our policies succeed—the policies we sent them to carry out. We sent them. We owe them support and help and affirmation. We don't need political second-guessing by armchair quarterbacks.

Mr. President, I ask unanimous consent that an article 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, May 24, 2004]
FOR SEVEN IRAQIS, A VITAL PART OF LIFE IS RESTORED

(By Vince Bzdek)

HOUSTON.—Nine years ago in Abu Ghraib prison, on the night before doctors were to cut off his right hand, Nazaar Joudi wrote a letter to his wife. It was the final act he was to perform with the hand, which was to be methodically removed on Saddam Hussein's

orders as punishment for the crime of doing business in American dollars.

"Do not be sad," Joudi wrote to Um Fuqaan that night. "Hopefully Allah will replace my hand with an even better one. . . . God will reward you for standing next to your husband and being my right hand."

Thanks to a Fairfax-based film producer, a half-dozen health care providers and businesses in Houston, and a legendary "white knight in blue spectacles," Joudi's promise to his wife came true last Monday.

Doctors and prosthetists moved by the plight of Joudi and six other Iraqi merchants whose right hands were amputated at Abu Ghraib finished fitting each of the men with \$50,000 "bionic" hands. Black tattoos of crosses that had been carved into the men's foreheads to label them criminals were removed by a Houston plastic surgeon a few weeks earlier. All the services and products were donated.

As resentment of Americans in Iraq seems to swell each day, these seven Iraqis are unabashed in their gratitude, not just for their new hands, but for the U.S. role in ending what they call the "reign of horror" that claimed the lives of as many as 2.5 million of their countrymen.

"Tell the American people what all Iraqis want to tell to them," Salah Zinad said. "Tell them: Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you."

The other six Iraqis were equally effusive, their appreciation undimmed by the current prisoner abuse scandal at Abu Ghraib, outside Baghdad, and other occupation worries back home.

"We have freedom in Iraq. Now we say anything we want," Zinad said. "Under Saddam we whispered."

In recent interviews, the seven Iraqis were unflagging in their confidence about Iraq's future and the U.S. role in it.

Zinad on the prisoner abuse: "Some American soldiers are a problem. Not all Americans. These Americans who did this will be punished. Under Saddam, such abuses were rewarded and praised. Iraqis understand the difference."

Qasim Kadhim on Americans who think the invasion of Iraq was a mistake: "I think those people have made a mistake, because under Allah, all people are brothers. We must help each other if we have a problem. . . . How do we do it if nobody helps us?"

Basim Al Fadhly on why many Iraqis are angry: "They have good reasons to be angry. There have been many mistakes because of cultural differences. Iraq is not a country like America yet. We were 35 years under Saddam. But that does not mean Iraqis don't want democracy. People like freedom, but with freedom you need life."

The seven have become celebrities in Houston as they learn how to use their artificial limbs and soak up a bit of Texas hospitality when not at the hospital. They've watched an Astros game in the owner's box, donned cowboy duds for a barbecue at the historic Y.O. Ranch, even spent a night at the dog track.

This week, they make a pilgrimage to Washington to employ their new limbs shaking the hands of more Americans they want to thank, including soldiers at Walter Reed Army Medical Center who have undergone amputations. They also plan to lay a wreath at the Tomb of the Unknowns.

"Saddam is the past," Kadhim said. "Now we must make business contacts in America."

AMPUTATION CITY

Their odyssey began almost exactly a year ago, with an overheard conversation in a Baghdad cafe.

Don North, a former correspondent for both ABC and NBC who is currently a freelance producer, was in Baghdad last June helping set up the U.S.-sponsored Iraq Media Network when he received a videotape from one of the Iraqi journalists working for him. It showed doctors amputating the hands of nine Iraqi prisoners in Abu Ghraib in 1995.

"I'd seen a lot of videotape, but this was truly gruesome and shocking," North said. In Baghdad, the owner of a small video production shop had been asked to make 10 copies of the tape by secret police in 1995. He clandestinely made an extra to keep as evidence of the atrocities. That was the copy that found its way to North.

Al Fadhly said that, after a year in hellish prisons and five months in Abu Ghraib, he was almost relieved when he heard he and the eight other merchants were going to be freed after having their hands amputated.

"We were the lucky ones," Al Fadhly said. "Others stayed in prison much longer. Thirty thousand in Abu Ghraib went to the hangman's noose."

Their trial lasted 30 minutes. Al Fadhly said all nine men believe they were scapegoated by Hussein because his economy was collapsing after the Persian Gulf War, and U.S. currency was anathema to him. Two weeks after the men lost their hands, they said, the law banning trade in foreign currency was thrown out.

Hussein had the nine hands brought to him, to be sure the sentence was carried out, said Farhad Taha, an attending physician at the amputations who was later interviewed by Al Fadhly, who now works for the media network.

Amnesty International estimates that hundreds, perhaps thousands, of Iraqis had their hands amputated for similar crimes. "Baghdad is Amputation City," North said. "Within a block you run into two to three people without a leg, or an arm, or an ear." Hussein's secret police, like Hitler's, kept meticulous records of who was killed or maimed, and why. A committee of former prisoners is sorting through 2 million to 4 million files in hopes of accurately quantifying the scope of the depravity.

One of the nine maimed men escaped to Europe after his release, and another has died. Over the next nine years, the seven who remained in Baghdad kept a low profile, living the life of scarred outcasts. They also became their own support system, forever bonded by their time in prison.

"They were their own best friends," North said.

HOUSTON'S "WHITE KNIGHT"

After viewing the tape, North was determined to make a documentary about the men. "It was already a famous story in Baghdad." When he met the seven, North decided he would shed his role of detached observer. "I decided I wasn't going to leave it up to chance that some doctor who saw my documentary would offer to help," he said.

An oil engineer from Houston, Roger Brown, overheard North talking about the men in a Baghdad cafe. He suggested North contact Houston's "white knight in blue spectacles," famed TV newsman Marvin Zindler.

Zindler is the kind of institution only Texas could spawn: a woofer-voiced champion of underdogs and the underprivileged who sports white pants, a silver hairpiece and blue-tinted eyeglasses.

Although Zindler made his name with muckraking, populist journalism—he uncovered the scandal memorialized in "The Best Little Whorehouse in Texas"—these days he uses his airtime on the ABC affiliate's "Eyewitness News" more to comfort the afflicted than to afflict the comfortable. "Why'd we

do this?" Zindler replies to a question. "Because the guys had their hands cut off."

Zindler is 82 but looks much younger thanks to 30 reconstructive surgeries. ("I was fired from my first TV job for being too ugly," he explains.) Those surgeries yielded a good friend in Joe Agris, Zindler's plastic surgeon. After talking to North, Zindler called Agris to get the good deeds rolling.

Agris, who has volunteered time in Vietnam and Nicaragua doing reconstructive surgery on children, rounded up the doctors, nurses, hospitals and clinics to give the men new hands. North spent his days off making the logistical arrangements. It took months to line up all the benefactors and cut through the red tape, but by early April the amputees were bound for Houston.

The Methodist Hospital, the Institute for Rehabilitation and Research, and Dynamic Orthotics and Prosthetics in Houston donated the operating rooms, rehab and training; Houston-based Continental Airlines paid for the seven Iraqis' flight; the Marriott and Warwick hotel chains housed them; and the Minneapolis branch of a German prosthetics company, Otto Bock, provided the artificial hands.

The Iraqis were met with a surprise in their first days in Texas: the prospect of another round of surgeries to further shorten their arms. Agris and another surgeon he'd enlisted, Fred Kestler, determined that the Abu Ghraib surgeries had left the men with far too much real pain and "phantom pain"—painful sensations where the limb used to be. Operations were needed to repair the nerves and create a new, smooth surface for the artificial hands.

Last week, the men had recovered enough for the final fitting of their bionic hands, microprocessor-assisted marvels that receive instructions from the brain via electrodes attached to muscles in the arm. The Iraqis are training themselves to fire the right muscles to control hand functions, a process that will take months. Already, they can throw balls, shake hands, raise a glass.

Agris and North will go back to Baghdad with the seven in early June to make sure they have the proper medical support. Agris has arranged to visit other amputees, and he will help Baghdad hospitals upgrade their knowledge about amputations and prosthetics.

"The thing that'll win hearts and minds in the humanitarian effort, not guns," Agris said. "You take care of someone's child, not only do you help the child but you win over the family. And the family talks to the neighbors and you win over the neighbors. It just escalates."

He thinks Al Fadhly, Joudi, Kadhim, Salah and the other three men—Laith Aggar, Hassan Al Gereawy and Al'aa Hassan—will change some minds, too.

"I think we're going to see a ripple effect, especially with a guy like Al Fadhly who's got a job working for the coalition's new TV station. They're bringing back a different attitude, a different look."

READY FOR HOMECOMING

No one turned down North, Zindler or Agris when they asked for help. L. Paul Bremer, the U.S. administrator of Iraq, wrote an executive memo authorizing the trip. The Homeland Security Department issued seven "medical emergency" visa waivers, and the Air Force transported the group to Germany to catch the Continental flight to Houston.

"This is really who we are as a country," Agris said.

After nearly two months in Houston, the Iraqis admit they are getting homesick. Kadhim has developed what he says is too much of a fondness for Budweiser, Aggar is

eager to get back to his jewelry shop, and the seven men have run up a \$6,000 phone and laundry bill at the hotels.

North is shopping his documentary about the men to major television networks. He worries, however, that the publicity the Iraqis have received and their new, expensive hands might make them targets back home. "Anybody in Iraq who is a decent, productive member of society has become a target," he said.

But the Iraqis themselves aren't that worried. "Saddam's friends don't have much power any more," Aggar said. "Iraq is many millions of people. They are only hundreds. They are the ones who live in fear now."

"Allah will watch over us," Kadhim added. "Once Saddam has his trial, it will be over. Hopefully, it will be quickly."

When Al Fadhly gets home, the first thing he plans to do with his new hand is wave vigorously to his friends and neighbors. Kadhim plans to embrace his seven boys and daughter all at once. Aggar said he will, for the first time, properly shake the hand of the friend who watched over his house and family while he was in prison.

Last week at Dynamic Orthotics, Joudi didn't answer when asked what he would do first. He was already busy using his prosthetic to try something he hadn't done since the night before he lost his hand. He was writing a letter to his wife.

Mr. SESSIONS. Mr. President, I was moved last night to be with those supersoldiers and have dinner with them and talk with them and their families. They are so fine and so indicative of the strengths and values of America.

I yield the floor.

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

Mr. COCHRAN. Mr. President, as the Senate continues its consideration of the National Defense Authorization Act, I wish to commend our military forces for the exemplary and successful performance of their missions in the war on terrorism.

This bill provides the authorization for appropriations of funds needed to enable them to continue to protect our national security interests in Iraq, in Afghanistan, and elsewhere in the world. In Afghanistan, the Taliban leadership has been removed and is no longer able to provide a safe haven for al-Qaida operatives or to train terrorists or to plan attacks against people around the world. In Iraq, Saddam Hussein is in prison, and 46 of the most wanted operatives in his regime are no longer a threat to others.

Our military forces have helped provide an opportunity for Iraq to start a transition to democracy. The President's envoy to Iraq, Ambassador Paul Bremer, has led this impressive transition to peace and sovereignty. Under Ambassador Bremer's leadership, and with the assistance of many courageous Iraqi citizens, unemployment has fallen by nearly one-half. And for the first time in decades, Iraq's marketplaces are filled with consumer goods. More than 395,000 jobs have been created for the Iraqi people. All 22 universities and 43 technical institutes and colleges are open. Almost 2,500 schools

have been rehabilitated, and 240 hospitals and more than 1,200 health clinics are now open for the Iraqi people. Five million children have been immunized for measles, mumps, and rubella. Electricity generation has surpassed prewar levels and is more evenly distributed now than it was before. The number of telephone subscribers, including cell phone users, is nearly one-third above the level it was before the liberation began. More than 90 percent of Iraqi towns and provinces have local government councils. These are individuals who have voluntarily assumed responsibilities for moving their communities into this new era of self-government.

Iraq has a functioning judiciary now and is on its way to providing true and equal justice for all. More than 200,000 Iraqis are now serving in their own security forces, and 25,000 troops from other countries are present in Iraq as well, contributing to the peacekeeping operations.

This authorization bill also provides support for other defense activities in the central command area of responsibility and elsewhere around the world where our interests are threatened. It is important that we pass this bill.

Chairman WARNER and Senator LEVIN and their committee staff members have worked hard to put together a comprehensive authorization bill for the day-to-day operation and activities of our military forces. The bill provides essential authority for the funding that is necessary to keep our troops safe in the field, enabling them to protect themselves with the latest technologies and innovations that are available.

The amendment that has been offered by the chairman and ranking minority member authorizes an additional \$25 billion in supplemental appropriations for operations in Afghanistan and Iraq.

The other day, our Appropriations Committee, the Subcommittee on Defense, conducted a hearing with General Pace, the Vice Chairman of the Joint Chiefs of staff, and representatives from the Office of Management and Budget and the Department of Defense, the civilian leadership. We were able to question them about the use of these funds and what it was for.

It is specifically allocated to services. It is not just a lump sum of money available to spend in any way the Department or the military chooses, but it is described in this supplemental appropriations bill that will be before the Senate as well.

This contingent emergency reserve fund is important to ensure that the Department of Defense has the ability to respond to the rapidly changing environment in which our troops are currently operating. The authorization for this additional funding helps ensure that the core funding authorized in the bill for routine operations of the Department, such as the training of troops, base operations, maintenance, and the planned procurement of equipment continue uninterrupted in the

next fiscal year, while still ensuring that our troops in Afghanistan and Iraq have the resources needed to perform their important missions.

This funding will likely be used to provide ammunition and supplies, fuel for aircraft and vehicles, and maintenance for the equipment, and to provide force protection needs, such as body armor and other armor for vehicles that are used by our troops.

In my State of Mississippi, more than 3,000 National Guard and Air National Guard troops have been deployed since Operation Iraqi Freedom began. A few weeks ago, we welcomed home to our State a battalion of combat engineers who had been sent to Iraq right after the airport at Tikrit had been overtaken. They built a perimeter around that airfield to protect it and to protect this operation from those who would do harm to our troops. They built structures for the defense of other military forces and activities throughout northern Iraq. Then they came home. They came home to the welcome that was earned—well earned—because of their brave service. They suffered not one casualty in the performance of their duties. They were under fire, but they protected themselves successfully. Thirty-two members of that battalion received Bronze Medals for their heroism and their courage under fire.

It makes me very proud that these soldiers from my State carried out their mission so successfully and with such distinction. I am proud of them and other troops from our State and throughout the country who have been called on to serve in this war on terrorism, many without complaints, many volunteering for that service in particular.

It has been a very impressive performance in behalf of the security interests of our great country. We appreciate their service, we appreciate their skill, and we want to be sure this legislation contains the resources that will be necessary for them to continue to safely carry out their duties in the future.

I urge my colleagues to support this bill.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BURNS. Mr. President, first, I wish to thank my good friend from Alabama. Who says that words do not have weight and they are not remembered a long time. I was glad he recited the prayer from President Roosevelt on the eve of D-Day some 60 years ago this weekend. Words do have weight, and they are remembered a long time.

When we hear that prayer, maybe we ought to start thinking as a body and as representatives of our constituencies that maybe this might be the better approach to completing the mission in Iraq. Last night, the Senator from Alabama and 32 other Senators visited Walter Reed Army Medical Center. It is a moving experience whenever one sees warriors come home with limbs gone, but it is also moving to see

the miracles of healing, of what modern-day medicine and technology has done to rehabilitate these young people to put them back into the mainstream of American life.

It is remarkable to see their spirit because everything around them is negative. Yet they find a way to say this is my country, this one I will die for because I also understand there are generations behind us to which we must pass this great country.

Some of us inherited these freedoms. We have not paid for them. They were given to us. Sometimes we use them a little loosely because we did not earn them. That makes a lot of difference.

Last night was a remarkable night. I visited a young man from Montana who just within the last week returned. He lost one leg, the whole leg. With a series of surgeries and skin grafts and probably 6 or 8 months of hard rehabilitation, he will be back home again in the central part of Montana.

Earlier this week, we also got the word that a soldier, Owen Witt, from Sand Springs, MT—Sand Springs has one grocery store and one post office; that is all that is there—was killed in the line of duty in Iraq. David and Karen, his folks, ranch in that part of the world. Of course, we send them our prayers and our thoughts at this time.

When I talked with his mother, she said two of them in that community went into the Army as soulmates. Both of them wanted to go to the same outfit. His good friend, Kevin Rogge, is still over there, and we will be in touch with him, we hope, before the next couple of weeks are out.

Again, I go back to that prayer. Maybe it would be a good approach for every representative to go back and read that prayer because we all understand what the mission is. The people on the ground understand what the mission is. They are willing to take the risk. They are willing to see it through to victory: to liberate and do away with a tyrant, to give freedom to people who have never known it in their lifetime. That is a high calling and a calling worth our attention.

I was struck also a while ago when the distinguished minority leader was talking about No Child Left Behind. I remind this body that No Child Left Behind, when it went to the States, had enough flexibility in that law that the States could set their rules and regulations on how they wanted this to apply. If there is a little bit of tension or nervousness from our teachers or a little bit of pressure and they are a little uncomfortable because of testing, they are supposed to be a little uncomfortable because, for the first time, we are looking at not only the job they are doing but the job the administration of the school is doing and how we are doing as supporters of public education.

We all better be a little bit nervous, and if there is something wrong in my State and I can help it, I will go after it now. Do not come to the floor and

make excuses why it isn't working if you have not been involved.

There was some nervousness among my teachers. We are slowly getting those worked out. We are finding there is a comfort level whenever we see the progress of young people who are now being taught the basics, and the basics are the Three R's: reading, writing, and arithmetic.

That is what it is all about. The funds from the Federal Government are flowing at a level never seen before in the history of this country. Now, is it a perfect law? No. Is it a step in the right direction? It is.

I congratulate my friend from Mississippi, who talked about the contingency report. It is very important.

My good friend from New Mexico was with us last night, and it was truly a moving event when talking to those young people.

Let us comment a little bit about the budget. We are having a tough time. I do not think we as individuals have seen the urgency of having a budget. Having a budget is bigger than any one of us in this Senate. I urge my colleagues this coming week, as we go into the appropriations season, to work doubly hard to come up with a budget.

Also, my good friend from New Mexico has worked on an energy bill. That needs passing, too, this next week. Look around us and see what is happening in energy in this country and how it can slow down this economy.

This economy is booming. More people own homes now than at any time in the history of the country. More people are working in my State of Montana than ever before. We did not have huge unemployment. Even though our economy nationwide was stagnant, we continued to grow.

A lot of things in this country are working to the positive side, and we are not talking about them. More people are working today than at any time in the history of this country. More homes are being bought. There are more first-time home buyers. That is an accomplishment. We are putting more people back to work. That is an accomplishment.

I thank my good friend from Alabama this morning for allowing me this 5 or 10 minutes. I wanted to remind people that it is not all doom and gloom. If my colleagues think it is doom and gloom, then it is going to be doom and gloom. If my colleagues think we cannot win in Iraq, we will not win in Iraq.

Last night, I heard a young man comment—and my colleagues think words do not have weight? He said: Senator, you can pull us out of Iraq and bring us home, but the people who want to bring us down will follow us. They will be here. I do not think we want that.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

RECENT ECONOMIC NEWS

Mr. DOMENICI. Mr. President, I rise to talk this morning about good news.

This morning we just received a current report on how many new jobs were created in America in the past quarter. There were 248,000 jobs created in May.

There is so much talk about unemployment. People say this Presidential race is going to depend on jobs and the performance of our President with reference to jobs and the American economy during his term. We all know that about the time he was elected, this country was going into recession. That means the big growth that occurred for about 4 years prior to that had reached its peak and was on the way down. That means if something was not done, we would have to wait for the natural give and take of the American economy to right itself. Who knows how long that would have taken. Perhaps it would have taken 2, 3 or 4 years to right itself because the lessons of economics take that long. Once the economy starts down, one has to wait for the economy to right itself, and who knows how long that will take. That recession was coupled with the bust of the stock market. Who knows when it would have filled that gap.

The recession did not last very long because somebody did something right. I surmise that Congress did not do anything right because I can look around and see what happened. They did not do anything. The President did something that was right. He suggested that we ought to interrupt that recession and startup the American economy again by cutting taxes.

I have been here when numerous tax bills were passed. They were passed in the name of new jobs, in the name of putting people to work, in the name of making sure there was some kind of fairness—whatever reason they were passed. Essentially one has to look at them and see how they worked and how good were they in comparison to the tax cuts that were done at the request of President Bush.

Frankly, I looked down the other day and saw this list of tax cuts that have occurred during this President's time. They were pushed and shoved through Congress, Democrats voting almost to a man against them. But if one looks at the list, it is the most astounding list of appropriate tax cuts for growth I have ever seen in my 31 years.

Normally, we pass all kinds of irrelevant tax cuts when we pass a tax cut bill. I think the Senator from Alabama knows that. This tax package, with Congress usually working its way to change the President's approach and do the wrong thing, adopted all of the essential features of the President's tax bill. They were directed at small business in America.

Guess what. It worked. Small business in America is booming. The job creator in America, small business, is absolutely moving ahead. Jobs are being added. Families that own businesses are buying trucks, adding on to their buildings because we were smart enough to adopt a tax bill that invited investment, invited growth type items for them.

My colleagues can look at the list. Even Congress went along with the President and adopted the right ones. I will admit there were two that were socially minded. That was the child credit and trying to get the marriage tax penalty closer to reality, closer to fairness, but all the rest had to do with growth.

What happened to all the clamor about jobs? In the last 10 months, this economy in America has created 1.4 million new jobs. Now, there was a lot of talk about the President and 2 million jobs that he lost. What a joke. First, he did not lose them. We had a recession going and he did not create that, but he did cause a shallow recession. Now we are kind of up, up and away on job creation.

I surmise this will continue right up and through the election. If it does, that 2 million jobs argument going on across America can be wiped out, and we will be back to the best way to create jobs is to create a tax system and tax cuts that are directed at corporate and small business in America so they can add jobs and still grow and prosper or indeed do better than they were doing. That is what the President did.

Unemployment had reached 7.8 percent during that shallow recession. It is now down to 5.6 percent. That is not too shabby. As a matter of fact, I predict it will continue to go down. I say to my friend that it has gone from 7.8 to 5.6 and holding steady or coming down.

The second argument being made is that these tax cuts caused this big deficit.

Let me suggest there are at least three things that can cause a deficit to grow. One is if you spend more, and one is if you have a recession or a downturn in the economy, and then the third one is if you cut taxes. Of course, if you cut taxes and assume it will not do anything in the economy, then you will do a straight line and say the tax cuts created part of the deficit.

Let me tell you, the numbers are absolutely startling. If they are correct, for those who think we will fix this by increasing taxes, they have to be in some way reading tea leaves that have already lost all their flavor and are not good for anything. That is because the Congressional Budget Office, which is a neutral body, has said the weak economy caused 40 percent of the deficit we have accumulated. Let me repeat. When a recession occurs, you don't collect taxes—you collect less, I should say, because there are fewer workers and businesses are making less money, and in a sense the weak economy causes losses in the tax take by the American Government and other things that create growth. So 40 percent came from that, from that one thing, the recession.

Increased spending? We know what we increased the spending for. Some was of our own doing, just because we spent it, but most of it was because of homeland security, increased defense

costs, and the like. Who would not have done that? That had to be done. That was increased spending by 36 percent. So we have 40 and 36 that had nothing to do with taxes. You would think, from those who are talking about it, that the tax cut created it all. It created the total of 40 plus 36, which is 76 percent. That leaves something like 24 percent that came from tax cuts.

If the tax cuts stimulated the economy and pulled us out of the recession, then you can almost say if we wait around that one will disappear because, with significant economic growth, the tax revenues of the country will go up almost automatically.

I can remember at one point when I was chairman of the Budget Committee, we were getting estimates of the tax take of the United States. We were so inept at measuring the result of the tax cuts and economic growth that every quarter we underestimated by a substantial amount how much revenue was coming into the Government. We had three successive quarters when the revenues came in at \$50 billion more than we expected. As a matter of fact, I assume that within the next 4 or 5 months with this growth, if it remains and is sustained, we will start seeing the revenue numbers of America change.

They are not going to change for the worse; they are going to change for the better. There is already a slight change, but I am not willing to brag about it yet because it has not passed \$20 billion. It is under \$20 billion. You know, we have to be careful assuming that estimates are going to remain right because they change from being right to being wrong, in terms of their validity.

We will get there, though. Soon this prosperous economy will start producing more revenue. The deficits will have to be affected positively. If we continue to restrain our budget growth, the country will have everything right. It will have the tax cuts that we have done still in place—there are a couple of more that we need to do. They will be in place and America will be able to say under the leadership of George Bush, the country came out of recession and started growing. Even with a war we did it right, and the Americans at home are investing in small businesses. And it is growing. American corporations are incurring more and more surplus and are looking around for investments, and that is good.

I repeat, I am very proud of what this President did. As with Iraq, this President has courage. On the economy, he exercised courage. There were more people around, including some Republicans—maybe more than a few—who were beating down his door, saying: Don't cut taxes. We are in a recession and the deficit is growing. Don't cut taxes.

He was steadfast. He said the only way to fix it is to cut taxes and cut

them in a way that investment will occur, that savings will occur. That is what we did, at his behest and under his leadership.

I yield the floor.

Mr. SESSIONS. Mr. President, before the Senator leaves, I thank him for his excellent comments. He served so ably as chairman of the Senate Budget Committee. He has been a Member of this Senate 31 years and has seen a lot of things occur.

I guess my question to the Senator is this: For some reason, the media or whatever, created an image—and some of the speeches on this floor nurtured that image—that President Bush created this economic slowdown that occurred. But as I remember, and I ask the Senator is it not correct, the third quarter of President Clinton's last year in office was negative growth, and the first quarter—and the President didn't take office until mid-January when he got sworn in—the first quarter of the year he inherited was negative growth. Then we had the September 11 attack. So a number of things that came together were not his fault. Is that fair to say?

Mr. DOMENICI. That is absolutely correct. Incidentally, in my list of things that have hurt the economy, that we had to eliminate, I failed to mention that we, the United States, had imposed upon us the 9/11 incident. It caused a lot of turmoil in this economy. I am not saying that trying to ignore the terrible deaths that occurred and the wrath that Americans have for the terrorists. But that should be in the list, also, of things that would add to the economic downturn.

But the Senator is correct. The President not only inherited a recession, but it continued afterwards, and it could not have been caused by President Bush because it occurred too quickly. With an economy this size you can't do anything in 2 months. If you wanted to hurt it, you couldn't hurt it. It is too big, too powerful. As a matter of fact, if you want to cut taxes, you have to be patient because they do not bring the economy back tomorrow or next week. It takes a while.

It took a while. While the doubters ran around the country talking about no jobs, the economy was percolating underneath and created the jobs. That is what happened today.

I forgot to mention one thing we did not do that is currently a political issue and is in this campaign. That is, what do we do about the fact that most of these tax cuts—I just told you what my view is about them, which is that they help—are temporary? They should not have been temporary; Congress would have made them permanent. But the problem is, the Budget Act of the United States, which governs budgets and governs the mandatory change in taxes, has provisions in it that mean you cannot cut taxes permanently. You can only do it over a number of years and your authority runs out. So many of these tax cuts are going to run out.

I am grateful they are not going to run out before this growth, but they are going to stop growth because those people involved in investing are expecting to have the same tax cut for a while. They don't expect to be turned off and on like a spigot. If you want them to respond, you have to tell them when you act on them you don't have to worry about next month that you are going to be in a business that you lost a hundred-thousand-dollar tax credit, or you lost whatever it was. You have to leave them in. I think we ought to have a full-blown debate on that. I hope we can. I don't know if we can because we don't have that budget and I am not sure we can do a tax bill without a budget.

Senator NICKLES is trying hard. There are some on our side who will not let us do it. I regret it because I believe for those who talk about "no more tax cuts because of the deficit," they actually have it backwards. Because of the deficit, you should be making sure the tax cuts remain because you can put more people to work. You can cause more revenues to come into the country. You can stabilize for long periods of time the status of the American economy, which is good at this point, not bad. I thank the Senator.

Mr. SESSIONS. I thank the distinguished Senator from New Mexico. His wisdom should not be lost on this body. It is very valuable, and we thank him for that.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. DOLE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. SESSIONS. Madam President, I want to follow up on Senator DOMENICI's comments and those of Senator BURNS about the growth we have in the economy.

This was a great announcement today about the 248,000 new jobs created last month. The month before that, we created 288,000 jobs, and the month before that, 315,000 new jobs. This is some of greatest growth we have had in many years. The third quarter of last year was over 8-percent growth.

People started to dismiss the economic growth. Where are jobs? All the experts told us that jobs follow growth. They don't come in the same week in which there is growth. We have had tremendous growth over the last four quarters. Actually, certainly the last three quarters represent the highest growth in 20 years. That 8-percent growth was the highest growth in 20 years, and this job expansion today is something we have to celebrate. It is the kind of thing that gives us confidence in America. We did it not by not raising taxes, creating bureauc-

racies, make-work programs and governmental deals; we did it by allowing the American people to have more of their own money so they could invest in their communities.

I know the Senator from North Carolina traveled her State as I traveled my State the last recess, and every city mayor I talked to said his sales taxes were up. Those are real numbers, aren't they? When a town's sale taxes are up—little and big towns—that means something good is happening out there. People are able to have more money to buy and spend and create growth in the economy.

Manufacturing jobs are up—something I know the Senator from North Carolina worries about as I do in Alabama. We see growth in manufacturing jobs for the first time in a long time.

Those are good things that are happening. If we stay the course, if we invest in the American people to allow freedom, productivity, innovation, and the dream of profit and progress to occur and continue to occur, I believe we will continue to have good growth in America.

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.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

AMENDMENTS NOS. 3281, 3282, 3283, AND 3244, AS MODIFIED, EN BLOC

Mr. SESSIONS. Madam President, on behalf of the managers, I have a set of amendments to the Defense bill that have been cleared by both managers. Therefore, I ask unanimous consent that the amendments be considered and agreed to and the motions to reconsider laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 3281

(Purpose: To express the sense of the Senate that the Department of Defense should support the construction of schools in housing privatization agreements that severely impact student populations)

At the end of subtitle F of title III, insert the following:

SEC. 353. SENSE OF THE SENATE REGARDING THE IMPACT OF THE PRIVATIZATION OF MILITARY HOUSING ON LOCAL SCHOOLS.

(a) FINDINGS.—The Senate finds the following:

(1) There are approximately 750,000 school-aged children of members of the active duty Armed Forces in the United States.

(2) Approximately 650,000 of those students are currently being served in public schools across the United States.

(3) The Department of Defense has embarked on military housing privatization initiatives using authorities provided in subchapter IV of chapter 169 of part IV of subtitle A of title 10, United States Code, which

will result in the improvement or replacement of 120,000 military family housing units in the United States.

(4) The Secretary of each military department is authorized to include the construction of new school facilities in agreements carried out under subchapter IV of chapter 169 of part IV of subtitle A of title 10, United States Code.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Department of Defense should support the construction of schools in housing privatization agreements that severely impact student populations.

AMENDMENT NO. 3282

(Purpose: To require a Comptroller General study and report on use of alternative technologies to address groundwater contamination at Department of Defense installations)

At the end of subtitle C of title III, add the following:

SEC. 326. COMPTROLLER GENERAL STUDY AND REPORT ON ALTERNATIVE TECHNOLOGIES TO DECONTAMINATE GROUNDWATER AT DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) COMPTROLLER GENERAL STUDY.—The Comptroller General of the United States shall conduct a study to determine whether or not cost-effective technologies are available to the Department of Defense for the cleanup of groundwater contamination at Department installations in lieu of traditional methods, such as pump and treat, that can be expensive and take many years to complete.

(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) An identification of current technologies being used or field tested by the Department to treat groundwater at Department installations, including the contaminants being addressed.

(2) An identification of cost-effective technologies described in that subsection that are currently under research, under development by commercial vendors, or available commercially and being used outside the Department and that have potential for use by the Department to address the contaminants identified under paragraph (1).

(3) An evaluation of the potential benefits and limitations of using the technologies identified under paragraphs (1) and (2).

(4) A description of the barriers, such as cost, capability, or legal restrictions, to using the technologies identified under paragraph (2).

(5) Any other matters the Comptroller General considers appropriate.

(c) REPORT.—By April 1, 2005, the Comptroller General shall submit to Congress a report on the study under subsection (a). The report shall include the results of the study and any recommendations, including recommendations for administrative or legislative action, that the Comptroller General considers appropriate.

AMENDMENT NO. 3283

(Purpose: To authorize a program to commemorate the 60th anniversary of World War II)

At the end of subtitle G of title III, add the following:

SEC. 364. PROGRAM TO COMMEMORATE 60TH ANNIVERSARY OF WORLD WAR II.

(a) IN GENERAL.—For Fiscal Year 2005, the Secretary of Defense may conduct a program—

(1) to commemorate the 60th anniversary of World War II; and

(2) to coordinate, support, and facilitate other such commemoration programs and activities of the Federal Government, State and local governments, and other persons.

(b) PROGRAM ACTIVITIES.—The program referred to in subsection (a) may include activities and ceremonies—

(1) to provide the people of the United States with a clear understanding and appreciation of the lessons and history of World War II;

(2) to thank and honor veterans of World War II and their families;

(3) to pay tribute to the sacrifices and contributions made on the home front by the people of the United States;

(4) to foster an awareness in the people of the United States that World War II was the central event of the 20th century that defined the postwar world;

(5) to highlight advances in technology, science, and medicine related to military research conducted during World War II;

(6) to inform wartime and postwar generations of the contributions of the Armed Forces of the United States to the United States;

(7) to recognize the contributions and sacrifices made by World War II allies of the United States; and

(8) to highlight the role of the Armed Forces of the United States, then and now, in maintaining world peace through strength.

(c) ESTABLISHMENT OF ACCOUNT.—(1) There is established in the Treasury of the United States an account to be known as the “Department of Defense 60th Anniversary of World War II Commemoration Account” which shall be administered by the Secretary as a single account.

(2) There shall be deposited in the account, from amounts appropriated to the Department of Defense for operation and maintenance of Defense Agencies, such amounts as the Secretary considers appropriate to conduct the program referred to in subsection (a).

(3) The Secretary may use the funds in the account established in paragraph (1) only for the purpose of conducting the program referred to in subsection (a).

(4) Not later than 60 days after the termination of the authority of the Secretary to conduct the program referred to in subsection (a), the Secretary shall transmit to the Committees on Armed Services of the Senate and House of Representatives a report containing an accounting of all the funds deposited into and expended from the account or otherwise expended under this section, and of any amount remaining in the account. Unobligated funds which remain in the account after termination of the authority of the Secretary under this section shall be held in the account until transferred by law after the Committees receive the report.

(d) ACCEPTANCE OF VOLUNTARY SERVICES.—(1) Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept from any person voluntary services to be provided in furtherance of the program referred to in subsection (a).

(2) A person providing voluntary services under this subsection shall be considered to be an employee for the purposes of chapter 81 of title 5, United States Code, relating to compensation for work-related injuries. Such a person who is not otherwise employed by the Federal Government shall not be considered to be a Federal employee for any other purposes by reason of the provision of such service.

(3) The Secretary may reimburse a person providing voluntary services under this subsection for incidental expenses incurred by such person in providing such services. The Secretary shall determine which expenses are eligible for reimbursement under this paragraph.

AMENDMENT NO. 3244

(Purpose: To prohibit the storage of mercury from the National Defense Stockpile at certain facilities)

On page 411, after line 6, add the following:

SEC. 3303. PROHIBITION ON STORAGE OF MERCURY AT CERTAIN FACILITIES.

(a) PROHIBITION.—The Secretary of Defense may not store mercury from the National Defense Stockpile at any facility that is not owned or leased by the United States.

(b) NATIONAL DEFENSE STOCKPILE DEFINED.—In this section, the term “National Defense Stockpile” means the stockpile provided for in section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c).

MORNING BUSINESS

Mr. SESSIONS. Madam President, I ask unanimous consent that there be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

LADIES AUXILIARY DEPARTMENT PRESIDENT LYNN MUSSELMAN

Mr. SPECTER. Madam President, we often recognize military veterans for their many contributions to our country. Where would this country be were it not for their sacrifices made in times of wars? Today, I would like to recognize other Americans who also give freely of their time and energy to the public good. These unsung heroes are the women of veterans' auxiliaries who conduct youth activities, community service and promote the ideals of America without compensation and without sufficient recognition.

One such woman is Lynn Musselman, the Pennsylvania department president for the VFW's Ladies Auxiliary. Lynn's late father Otto Musselman was a combat engineer in the European Theatre during World War II. As a result of her father's service, Lynn decided to join the VFW Ladies Auxiliary in Sellersville, PA, in 1973. The rest is a lifetime of very active public service. While serving as auxiliary president, she has held a number of chairmanships and has served as a trustee. On the department level, Lynn has chaired the Youth Activities, Voice of Democracy, Community Service, Scotland School, Americanism and Loyalty Day and Membership Committees. For her ability in gaining high participation by Auxiliaries in each program under her direction, the National Office of the Veterans of Foreign Wars has cited her accomplishments. It is no wonder that in June 2003 she was elected as department president.

In addition to her full time job as the controller for a commercial roofing company, she is also a member of the Quakertown American Legion Auxiliary No. 242 and a life member of Freedom Valley Girl Scout Council for 39 years.

In June 2004, President Musselman completes her tour of duty as Department President; and I officially recognize her for her outstanding service to veterans and her country.

AMVETS DEPARTMENT
COMMANDER REGIS W. RILEY

Mr. SPECTER. Madam President, today, I would like to recognize an American patriot, one who has served his country faithfully and dutifully for over 30 years both in military service and as a leader of one of Pennsylvania's most active veteran service organizations—the American Veterans or, AMVETS as it is called. In June 2004, Regis W. Riley will complete his elected tour of duty as AMVETS Department Commander. As he departs this position of responsibility, it is appropriate that he be recognized not only for his successful year as Department Commander, but also for his many contributions and his many years of leadership in AMVETS.

Following his honorable discharge from active duty in the U.S. Army in 1974, Rege, as he is known to all, worked his way through the ranks of AMVETS in a number of leadership positions including Post Commander for 9 years, Commander of the Western Region, and President of the Pennsylvania State War Veterans Council. Rege is also a voting member of the Pennsylvania State Veterans Commission.

His dedication to the cause of veterans has been his hallmark including coordination of the Memorial Day, Pearl Harbor Day, and Veterans Day Ceremonies in the Mon Valley and surrounding areas and service in the cause of homeless veterans as Chairman of the National Homeless Veterans Committee. He is a recipient of the Leadership of Excellence Pin, the National AMVETS' Recruiter of the Year Award and in 2001, he was honored as the Department of Pennsylvania AMVET Member of the Year.

As Rege departs the position as Department Commander, it is appropriate that Pennsylvanians, particularly Pennsylvania's veterans say thank you for dedication and leadership and a job well done.

VFW PENNSYLVANIA STATE
COMMANDER CHARLES PRINCE

Mr. SPECTER. Madam President, today, I would like to recognize an American patriot, one who has served his country faithfully and dutifully for over 50 years. During this period when recognition was recently given to America's greatest generation through the World War II Memorial in Washington, DC, it is my honor and pleasure to recognize an American patriot, one who has served his country faithfully and honorably not only in World War II, but also in the Korean War. Charles Prince served in the United States Navy aboard four Navy men-of-war, the

USS *Missouri*, the USS *South Dakota*, and USS *Quincy* and the USS *Donaldson*. For his service, he received the Victory Medal, American Campaign Ribbon, Asiatic Pacific Ribbon with seven stars, the Philippine Liberation Ribbon with two stars and the Good Conduct Medal.

Following his military service, Charles Prince did what many veterans returning to Pennsylvania did; he joined the Veterans of Foreign Wars and the American Legion. He rose through the ranks of the VFW and became the Post Commander in Confluence, PA and All American District Commander for the 23rd District in 1996. On June 28, 2003, Charles Prince was elected State Commander, Veterans of Foreign Wars and in June 2004, he will complete this tour of duty. In addition, Charles has been an advocate for national security and veterans employment and has served on VFW committees in support of these endeavors.

His government service did not end with the military. After 17 years of service in the Somerset county Assessment Office, he retired as Somerset County Appraiser.

While Commander Prince is rightfully proud of his service to his country, I suspect that he ranks as the greatest event in his life his 55 years of marriage to his wife Jean. I wish them continued health and happiness.

AMVETS LADIES AUXILIARY DEPARTMENT
PRESIDENT DELIA ANN KREILING

Mr. SPECTER. Madam President, on the occasion of completion of her tour as Pennsylvania's President of the AMVETS Ladies Auxiliary, it is honor and pleasure to cite Delia "Dee" Ann Kreiling for her leadership, her many years of service with AMVETS and her compassion in the care of veterans.

Dee's late father Elmer was a World War II veteran and like the daughters of many veterans, she saw service in the cause of veterans as a duty. As the coordinator of Veterans Services at the University of Pittsburgh, she has overseen for many years a staff of student veterans who assist eligible veterans and family members in receiving their education benefits. During the past year, Dee has focused her energies on "Sharing and Caring," a program of service to hospitalized veterans. In 2001, she was the recipient of the Pennsylvania AMVETS Ladies Auxiliary Member of the Year Award.

In addition to her enthusiasm in addressing veterans' issues, Dee has also been active for several years in "Shoes for the Needy" and the St. Jude's Ranch for Children.

On behalf of Pennsylvanians and Pennsylvania veterans, I salute her for her many contributions and for her leadership.

VEST BUSTER

Mr. LEVIN. Madam President, I have long been concerned about a new .50

caliber handgun manufactured by Smith and Wesson Corporation declared the "most powerful production revolver in the world today." Now, the Violence Policy Center reports that these handguns can blast through the body armor of our nation's law enforcement officers. This should disturb all Americans and all who care about the safety of our law enforcement personnel.

This new weapon fires a .500 Smith and Wesson Magnum bullet packing a muzzle force of 2,600 foot-pounds. The bullet is half an inch wide and is more powerful than comparable ammunition because it is much longer and contains more gunpowder. According to the Violence Policy Center's analysis, the .500 Smith & Wesson Magnum round far exceeds the protection level of the highest grade of concealable body armor normally used by law enforcement officers.

Body armor has saved the lives of countless numbers of law enforcement officers because of its ability to stop handgun rounds. The .500 Smith & Wesson Magnum round is more powerful than some rifle rounds. According to data compiled by the Violence Policy Center, during the 1990 to 1999 period, 20 officers were killed by gunshot wounds as a result of rounds penetrating their body armor. A rifle fired each one of these rounds. However, the .500 Smith & Wesson Magnum takes pistol power to rifle-power level and presents a deadly challenge to the life-saving record of law enforcement's body armor.

The decision to produce the .50 caliber handgun represents a great step backward in efforts to improve gun safety. Instead of sensible steps to make guns safer and keep guns from getting into the wrong hands, this moves in the opposite direction, creating a handgun that is reported to have double the power of most assault rifles.

I am a cosponsor of the Military Sniper Weapon Regulation Act, a bill which would change the way .50 caliber sniper rifles are regulated by placing them under the requirements of the National Firearms Act. This bill would subject the sniper rifles to the same regimen of registration and background checks as other weapons of war, such as machine guns. The new Smith and Wesson .50 caliber handgun should be included in this legislation.

ADDITIONAL STATEMENTS

LOCAL LAW ENFORCEMENT ACT
OF 2003

• Mr. SMITH. Mr. President, I wish 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.

On May 10, 2001, in North Richland Hills, TX, David Israel Avery, 17, was charged with criminal mischief for allegedly attacking two gay teens.

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.●

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2498. A bill to provide for a 10-year extension of the assault weapons ban.

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 Ms. MURKOWSKI:

S. 2504. A bill to make improvements to the Arctic Research and Policy Act of 1984; to the Committee on Governmental Affairs.

By Mr. MCCAIN (for himself and Mr. LEAHY):

S. 2505. A bill to implement the recommendations of the Federal Communications Commission report to the Congress regarding low power FM service; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 1840

At the request of Mr. CONRAD, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1840, a bill to amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm and ranch land to voluntarily make their land available for access by the public under programs administered by States.

S. 2015

At the request of Ms. CANTWELL, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2015, a bill to prohibit energy market manipulation.

S. 2072

At the request of Mr. CRAIG, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2072, a bill to amend the Internal Revenue Code of 1986 to allow a nonrefundable tax credit for elder care expenses.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN (for himself and Mr. LEAHY):

S. 2505. A bill to implement the recommendations of the Federal Communications Commission report to the Congress regarding low power FM serv-

ice; to the Committee on Commerce, Science, and Transportation.

Mr. MCCAIN. Madam President, I rise today to introduce the Low Power Radio Act of 2004. This bill would allow the Federal Communications Commission (FCC) to license Low Power FM stations on third adjacent channels to full power stations without limitations and eliminate the requirement that the FCC perform further testing on the economic impact of Low Power FM radio. Additionally, the bill seeks to protect stations that provide radio reading services, which some have suggested are more susceptible to interference than other stations because they are carried on a subcarrier frequency. I am pleased to be joined in this effort by Senator LEAHY who is a co-sponsor of the bill. I thank him for his support.

This bill would also right a serious wrong. Four years ago, Congress wrongly delayed the full implementation of a new community based radio service called "Low Power FM" due to broadcasters' grossly exaggerated claims of interference. The FCC recently found, based on data from an independent engineering study, that the broadcasters' claims of interference are groundless. As required, the FCC sent a report to Congress in February describing the study's results and suggesting legislative actions to further the growth of Low Power FM. This bill would implement these recommendations.

In January 2000, the FCC launched Low Power FM radio service to "enhance locally focused community-oriented radio broadcasting." Low Power FM stations are just that—low power radio stations on the FM band that generally reach an audience within a 3.5 mile radius of the station's transmitter. In rural areas, this signal may not reach many people, but it provides rural citizens with another media outlet—another voice in the market. In urban areas, this signal may reach hundreds of thousands of people and provide not just local content, but very specific neighborhood news and information.

Localism is increasingly important in today's changing media landscape. Rampant ownership consolidation has taken place in the radio industry since passage of the Telecommunications Act of 1996. Since that time, many Americans have complained that the large media conglomerates fail to serve local communities' interests and seem to use their local station license as a conduit to air national programming. Low Power FM was introduced, in part, to respond to such complaints.

Low Power FM is an affordable broadcasting option for many community organizations because a full power radio station license is extremely expensive and broadcast spectrum is very scarce. In 2003, the average cost to acquire a commercial radio station was more than \$2.5 million dollars.

Between May 1999 and May 2000, the Commission received over 3,400 applica-

tions for Low Power FM stations from non-commercial educational entities and community organizations. However, before the Commission could act on many of the applications for this new community service, broadcasters frightened legislators into halting the full implementation of Low Power FM. Broadcasters masqueraded their true concerns about competition from a real local radio broadcaster in thinly veiled claims of interference.

Due to the broadcasters' subterfuge, Congress added language to a 2000 appropriations bill requiring the FCC to hire an independent engineering firm to further study broadcasters' claims of interference. Well, the results are in! I am not happy to report that after spending almost two years and over two million dollars, the independent study revealed what the FCC and community groups had said all along: LPFM will do no harm to other broadcasters. The study has stripped the broadcasters of their veiled claims by concluding that Low Power FM stations on third adjacent channels would cause virtually no interference to other broadcast stations.

The broadcasters masquerade has now cost American taxpayers over two million dollars. This was two million dollars taken from the FCC's budget that could have been used to further study efficient spectrum use to promote public safety needs, process license applications faster, hire more high quality engineers for the FCC and much more. Perhaps, we should send a bill to the National Association of Broadcasters. Nevertheless, that is the past, and it is time to focus on the future.

That brings us to the future of Low Power FM. The FCC, as required by the appropriations language, has reported the study's findings to Congress and recommends full implementation of Low Power FM. This bill simply follows the FCC's recommendation: begin licensing Low Power FM stations on third adjacent channels to full power stations without limitations. Additionally, the bill seeks to protect full power stations that provide radio reading services. It is estimated that about 1.1 million people in the U.S. are blind, and it is important to ensure this helpful radio reading service remains interference free.

The enactment of this bill will immediately make available a number of Low Power FM frequencies. By some estimates, Congress' legislation delaying the full implementation, which mostly affected metropolitan areas, led to the elimination of half the Low Power FM applications filed during 2000.

For example, Congress' action eliminated the LPFM slot in Fresno applied for by El Comite de los Pobres. The group had hoped to address the dearth of local programming for the Latino community by airing bilingual coverage of local issues. New Orleans' Music Business Institute's application

was eliminated as well. The Music Business Institute teaches young people how to get into the music business. The Institute had planned to use the station to help start the musical careers of local artists, and to educate listeners about the city's jazz and blues musical heritage. Let's get these valuable stations on air.

There are some wonderful LPFM stations that are up and running. A recent article published in *The Nation* called these stations, "beacons of grassroots democracy." The article discussed WRFR in Rockland, Maine: "Shunning the canned programming approach of Rockland's two Clear Channel stations, WRFR offers an array of local talent, tastes and interests, and was recently named Maine station of the year by a state music association. Although country music, a Maine favorite, is heavily represented, hardly any WRFR deejay restricts himself to a single era, genre or Top-40 play list." Started by a local city council member who was concerned about the lack of local media outlets in his town, today, WRFR has over half the city listening. This is what scares broadcasters about LPFM: competition.

In 2000, the Southern Development Foundation established a Low Power FM station in Opelousas, Louisiana, which sponsors agriculture programs, leases land to farmers, raises money for scholarships for needy kids and helps citizens learn to read. The station director told a local community newsletter: "You've got local radio stations that are owned by larger companies. There should be some programming concerning the music that is from here, and the people from here. But there's not."

I ask the public and commercial broadcasters to come clean and join us in promoting LPFM. More good radio brings about more radio listening and that's good for all broadcasters. Therefore, in the interests of would-be new broadcasters, existing broadcasters, but most of all, the listening public, I urge the enactment of the Low Power Radio Act of 2004.

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. 2505

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) The passage of the Telecommunications Act of 1996 led to increased ownership consolidation in the radio industry.

(2) At a hearing before the Senate Committee on Commerce, Science, and Transportation, on June 4, 2003, all 5 members of the Federal Communications Commission testified that there has been, in at least some local radio markets, too much consolidation.

(3) A commitment to localism—local operations, local research, local management, locally originated programming, local artists,

and local news and events—would bolster radio listening.

(4) Local communities have sought to launch radio stations to meet their local needs. However, due to the scarce amount of spectrum available and the high cost of buying and running a large station, many local communities are unable to establish a radio station.

(5) In 2003, the average cost to acquire a commercial radio station was more than \$2.5 million dollars.

(6) In January, 2000, the Federal Communications Commission authorized a new, affordable community radio service called "low power FM" or "LPFM" to "enhance locally focused community-oriented radio broadcasting".

(7) Through the creation of LPFM, the Commission sought to "create opportunities for new voices on the air waves and to allow local groups, including schools, churches and other community-based organizations, to provide programming responsive to local community needs and interests".

(8) The Commission made clear that the creation of LPFM would not compromise the integrity of the FM radio band by stating, "We are committed to creating a low power FM radio service only if it does not cause unacceptable interference to existing radio service."

(9) Small rural broadcasters were particularly concerned about a lengthy and costly interference complaint process. Therefore, in September, 2000, the Commission created a simple process to address interference complaints regarding LPFM stations on an expedited basis.

(10) In December, 2000, Congress delayed the full implementation of LPFM until an independent engineering study was completed and reviewed. This delay was due to some broadcasters' concerns that LPFM service would cause interference in the FM band.

(11) The delay prevented millions of Americans from having a locally operated, community based radio station in their neighborhood.

(12) Approximately 300 LPFM stations were allowed to proceed despite the congressional action. These stations are currently on the air and are run by local government agencies, groups promoting arts and education to immigrant and indigenous peoples, artists, schools, religious organizations, environmental groups, organizations promoting literacy, and many other civically-oriented organizations.

(13) After 2 years and the expenditure of \$2,193,343 in taxpayer dollars to conduct this study, the broadcasters' concerns were demonstrated to be unsubstantiated.

SEC. 2. REPEAL OF PRIOR LAW.

Section 632 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, (Pub. Law 106-553; 114 Stat. 2762A-111) is repealed.

SEC. 3. MINIMUM DISTANCE SEPARATION REQUIREMENTS.

The Federal Communications Commission shall modify its rules to eliminate third-adjacent minimum distance separation requirements between

(1) low-power FM stations; and

(2) full-service FM stations, FM translator stations, and FM booster stations.

SEC. 4. PROTECTION OF RADIO READING SERVICES.

The Federal Communications Commission shall retain its rules that provide third-adjacent channel protection for full-power non-commercial FM stations that broadcast radio reading services via a subcarrier frequency from potential low-power FM station interference.

• Mr. LEAHY. Madam President, I am pleased today to join Senator MCCAIN in introducing important legislation to increase the number of frequencies available for low power radio stations in America. Low power stations serve their communities with broadcasting that reflects local needs and local preferences. In this way, low power FM offers a valuable counterpoint to nationwide media consolidation. For this reason, I have been a strong supporter of low power FM for many years now. In fact, I recently urged FCC Chairman Powell to expedite licensing for new low power stations.

Unfortunately, for many years now, the number of low power FM stations the FCC could license has been limited by unrealistic and unnecessary rules requiring these small stations to find available frequencies far from any full power broadcaster. Interference must be avoided if we are to make use of the airwaves. The current rules, however, go beyond what is necessary to protect full power stations from interference, and instead protect them from competition. The focus of today's legislation is the so-called "third-adjacent rule," which requires that a low power station not broadcast within three frequency intervals of a full power station.

For example, if a full power station were broadcasting at 101.1, the first-adjacent frequencies would be 99.9 and 101.3 and those would be unavailable for broadcasting. The second-adjacent frequencies would be 99.7 and 101.5 and they too would be off-limits. Finally, the third-adjacent frequencies would be 99.5 and 101.7, and under the current rule, those frequencies would also be unavailable. Thus, the existence of just one full power station effectively keeps low power radio from broadcasting anywhere between 99.5 and 101.7. It is easy to see how a radio dial can quickly become off-limits for any low power broadcaster.

A recent study by the FCC concludes that this third-adjacent rule is not necessary to protect full power broadcasters from unreasonable interference. Our new bill simply implements those findings and conclusions. It eliminates the third-adjacent rule, and allows the FCC to license low power stations in accordance with its own studies and findings about potential interference from these stations.

Of course, the need for low power FM radio must be balanced against other important uses of nearby frequencies. I have worked hard to protect reading services for the blind, and this bill protects those services by retaining the third-adjacent rule where such services would be affected. In addition, this bill protects commercial broadcasters of all sizes from actual interference by leaving intact the FCC's expedited interference claim review procedures.

I look forward to working with my colleagues to move this important bill forward, to strengthen local broadcasting. •

AMENDMENTS SUBMITTED AND PROPOSED

SA 3281. Mr. SARBANES (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 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 Services, and for other purposes.

SA 3282. Mr. SESSIONS (for Mr. McCAIN) proposed an amendment to the bill S. 2400, *supra*.

SA 3283. Mr. SESSIONS (for Mr. WARNER (for himself and Mr. LEVIN)) proposed an amendment to the bill S. 2400, *supra*.

SA 3284. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2400, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3281. Mr. SARBANES (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 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 Services, and for other purposes; as follows:

At the end of subtitle F of title III, insert the following:

SEC. 353. SENSE OF THE SENATE REGARDING THE IMPACT OF THE PRIVATIZATION OF MILITARY HOUSING ON LOCAL SCHOOLS.

(a) FINDINGS.—The Senate finds the following:

(1) There are approximately 750,000 school-aged children of members of the active duty Armed Forces in the United States.

(2) Approximately 650,000 of those students are currently being served in public schools across the United States.

(3) The Department of Defense has embarked on military housing privatization initiatives using authorities provided in subchapter IV of chapter 169 of part IV of subtitle A of title 10, United States Code, which will result in the improvement or replacement of 120,000 military family housing units in the United States.

(4) The Secretary of each military department is authorized to include the construction of new school facilities in agreements carried out under subchapter IV of chapter 169 of part IV of subtitle A of title 10, United States Code.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Department of Defense should support the construction of schools in housing privatization agreements that severely impact student populations.

SA 3282. Mr. SESSIONS (for Mr. McCAIN) proposed an amendment to the bill S. 2400, to authorize appropriations for fiscal year 2005 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 Services, and for other purposes; as follows:

At the end of subtitle C of title III, add the following:

SEC. 326. COMPTROLLER GENERAL STUDY AND REPORT ON ALTERNATIVE TECHNOLOGIES TO DECONTAMINATE GROUNDWATER AT DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) COMPTROLLER GENERAL STUDY.—The Comptroller General of the United States shall conduct a study to determine whether or not cost-effective technologies are available to the Department of Defense for the cleanup of groundwater contamination at Department installations in lieu of traditional methods, such as pump and treat, that can be expensive and take many years to complete.

(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) An identification of current technologies being used or field tested by the Department to treat groundwater at Department installations, including the contaminants being addressed.

(2) An identification of cost-effective technologies described in that subsection that are currently under research, under development by commercial vendors, or available commercially and being used outside the Department and that have potential for use by the Department to address the contaminants identified under paragraph (1).

(3) An evaluation of the potential benefits and limitations of using the technologies identified under paragraphs (1) and (2).

(4) A description of the barriers, such as cost, capability, or legal restrictions, to using the technologies identified under paragraph (2).

(5) Any other matters the Comptroller General considers appropriate.

(c) REPORT.—By April 1, 2005, the Comptroller General shall submit to Congress a report on the study under subsection (a). The report shall include the results of the study and any recommendations, including recommendations for administrative or legislative action, that the Comptroller General considers appropriate.

SA 3283. Mr. SESSIONS (for Mr. WARNER (for himself and Mr. LEVIN)) proposed an amendment to the bill S. 2400, to authorize appropriations for fiscal year 2005 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 Services, and for other purposes; as follows:

At the end of subtitle G of title III, add the following:

SEC. 364. PROGRAM TO COMMEMORATE 60TH ANNIVERSARY OF WORLD WAR II.

(a) IN GENERAL.—For fiscal year 2005, the Secretary of Defense may conduct a program—

(1) to commemorate the 60th anniversary of World War II; and

(2) to coordinate, support, and facilitate other such commemoration programs and activities of the Federal Government, State and local governments, and other persons.

(b) PROGRAM ACTIVITIES.—The program referred to in subsection (a) may include activities and ceremonies—

(1) to provide the people of the United States with a clear understanding and appreciation of the lessons and history of World War II;

(2) to thank and honor veterans of World War II and their families;

(3) to pay tribute to the sacrifices and contributions made on the home front by the people of the United States;

(4) to foster an awareness in the people of the United States that World War II was the central event of the 20th century that defined the postwar world;

(5) to highlight advances in technology, science, and medicine related to military research conducted during World War II;

(6) to inform wartime and postwar generations of the contributions of the Armed Forces of the United States to the United States;

(7) to recognize the contributions and sacrifices made by World War II allies of the United States; and

(8) to highlight the role of the Armed Forces of the United States, then and now, in maintaining world peace through strength.

(c) ESTABLISHMENT OF ACCOUNT.—(1) There is established in the Treasury of the United States an account to be known as the “Department of Defense 60th Anniversary of World War II Commemoration Account” which shall be administered by the Secretary as a single account.

(2) There shall be deposited in the account, from amounts appropriated to the Department of Defense for operation and maintenance of Defense Agencies, such amounts as the Secretary considers appropriate to conduct the program referred to in subsection (a).

(3) The Secretary may use the funds in the account established in paragraph (1) only for the purpose of conducting the program referred to in subsection (a).

(4) Not later than 60 days after the termination of the authority of the Secretary to conduct the program referred to in subsection (a), the Secretary shall transmit to the Committees on Armed Services of the Senate and House of Representatives a report containing an accounting of all the funds deposited into and expended from the account or otherwise expended under this section, and of any amount remaining in the account. Unobligated funds which remain in the account after termination of the authority of the Secretary under this section shall be held in the account until transferred by law after the Committees receive the report.

(d) ACCEPTANCE OF VOLUNTARY SERVICES.—(1) Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept from any person voluntary services to be provided in furtherance of the program referred to in subsection (a).

(2) A person providing voluntary services under this subsection shall be considered to be an employee for the purposes of chapter 81 of title 5, United States Code, relating to compensation for work-related injuries. Such a person who is not otherwise employed by the Federal Government shall not be considered to be a Federal employee for any other purposes by reason of the provision of such service.

(3) The Secretary may reimburse a person providing voluntary services under this subsection for incidental expenses incurred by such person in providing such services. The Secretary shall determine which expenses are eligible for reimbursement under this paragraph.

SA 3281. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 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 Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 394, after line 22, insert the following:

SEC. 3122. REPORT ON EFFORTS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION TO UNDERSTAND PLUTONIUM AGING.

(a) **STUDY.**—(1) The Administrator for Nuclear Security shall enter into a contract providing for a study group of scientists to carry out a study to assess the efforts of the National Nuclear Security Administration to understand the aging of plutonium in nuclear weapons. In contracting for the performance of such services, the Administrator shall seek to enter into that contract with the study group of scientists that is affiliated with MITRE Corporation and known as the JASON group.

(2) The Administrator shall make available to the contractor under this subsection all information that is necessary for the contractor to successfully complete a meaningful study on a timely basis.

(b) **REPORT REQUIRED.**—(1) Not later than two years after the date of the enactment of this Act, the Administrator shall submit to Congress a report on the findings of the contractor on the efforts of the Administration to understand the aging of plutonium in nuclear weapons.

(2) The report shall include the recommendations of the contractor for improving the knowledge, understanding, and application of the fundamental and applied sciences related to the study of plutonium aging.

(3) The report shall be submitted in unclassified form, but may include a classified annex.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. BURNS. Madam President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Friday, June 4, 2004, at 10 a.m., on a judicial nomination in the Dirksen Senate Office Building, Room 226. *Witness List:*

Panel I: Members of Congress.

Panel II: Judge Michael H. Watson to be U.S. Circuit Judge for the Southern District of Ohio.

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

PRIVILEGE OF THE FLOOR

Mr. BURNS. Madam President, I ask unanimous consent that privilege of the floor be granted to Mark Kaniut of my staff during consideration of this legislation.

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

MEASURE PLACED ON THE CALENDAR—S. 2498

Mr. SESSIONS. Madam President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The Senator is correct.

The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 2498) to provide for a 10-year extension of the assault weapons ban.

Mr. SESSIONS. Madam President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection is heard.

The bill will be placed on the calendar.

UNANIMOUS-CONSENT REQUEST—H.R. 4478

Mr. SESSIONS. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4478, the SBA reauthorization bill, that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Madam President, this bill passed the House yesterday. Senator SNOWE and a number of our colleagues on both sides of the aisle are negotiating with the White House to accommodate women's businesses in particular. It is my understanding there is the real possibility that some accommodation can be reached in the next couple of days. In order to accommodate that possibility, I object to moving at this point.

The PRESIDING OFFICER. Objection is heard.

ORDERS FOR MONDAY, JUNE 7, 2004

Mr. SESSIONS. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 1:30 p.m., on Monday, June 7. I further ask consent that following the prayer and the 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 begin a period of morning business until 2:30 p.m., with the time equally divided between the two leaders or their designees; provided that at 2:30 p.m. the Senate resume consideration of Calendar No. 503, S. 2400, the Department of Defense authorization bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PROGRAM

Mr. SESSIONS. On Monday, following morning business, the Senate will resume consideration of the Department of Defense authorization bill. Again, it is the leader's hope that we could set the pending amendment aside so other Senators could offer their amendments. We will debate the Defense bill throughout the afternoon on Monday. As announced earlier, there will be no rollcall votes on Monday. The next vote will occur on Tuesday morning prior to the weekly party luncheons. That vote will be in relation to the Kennedy earth-penetrator amendment.

I also remind Senators that under an agreement reached yesterday, all first-degree amendments to the Defense bill must be filed at the desk by no later than 5 p.m. on Monday. This agreement will allow us to move the bill forward, and it is the leader's intention to complete action on the bill next week. Therefore, Senators should expect a busy week, with rollcall votes throughout.

ADJOURNMENT UNTIL MONDAY, JUNE 7, 2004, AT 1:30 P.M.

Mr. SESSIONS. Madam 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.

There being no objection, the Senate, at 11:27 a.m., adjourned until Monday, June 7, 2004, at 1:30 p.m.