



United States  
of America

# Congressional Record

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

Vol. 149

WASHINGTON, FRIDAY, OCTOBER 17, 2003

No. 146

## Senate

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

### PRAYER

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

Let us pray.

O God, our rock, our fortress, and our deliverer, the author and fountain of all truth, Your name is holy and You are worthy of our praise. Thank You for Your love and power. You have been better to us, Lord, than we deserve. We thank You for unmerited mercies that are new each day. You have kept us from falling and our enemies have not prevailed. Purify not only our words but our thoughts, that our lives will be acceptable to You.

Bless our Senators as they labor for liberty. May they remember to call on Your name during moments of perplexity. Give them Your wisdom, and make them fruitful in their efforts to do Your will. And, Lord, sustain our military people who are in harm's way.

We pray this in Your holy name. Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. FRIST. Mr. President, this morning we will be proceeding immediately to a series of stacked votes on some of the pending amendments to the Iraq-Afghanistan supplemental. Last night,

we were able to reach an agreement which has put us in a position to finish this bill today. Following the early sequence of votes, the chairman will be working on either clearing or scheduling for votes the other pending amendments.

In addition, under the order there are a few other amendments that may yet be offered. I ask those Senators who still intend to offer amendments to share those amendments with both sides so they can be reviewed. This will be helpful and allow us to schedule any necessary debate and votes in a timely way today.

The Senate will finish the bill today. We will remain in session until it is complete. A busy session is expected, and I ask for Members' patience as we approach the final hours of this bill. I remind my colleagues they should remain close to the Chamber throughout today's session to allow us to finish at the earliest hour.

During this morning's series of votes, all votes after the first will be 10 minutes in length. We will be closing these votes quickly, and it is imperative that Members remain in or around the Senate Chamber to avoid missing a vote.

Having said that, I believe we are ready to begin, and I thank Members for their patience and cooperation during this busy morning.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

Mr. DASCHLE. Mr. President, I thank everyone who has worked with us to get to this point. We have had a very good debate. We have many amendments to be considered today. I hope we can have a good debate on those that are yet to be offered.

We have tried to protect Senators who have indicated a desire yet to offer amendments following the stacked votes. I need to discuss with the major-

ity leader his plans for the conference. Obviously, I have noted, both to him personally as well as publicly, that before we are able to go to conference, we need to have assurances that the Democrats will be at the table and that we will be working in conference, unlike what is now happening on energy as well as prescription drugs and other bills. So I will talk with him through today on that and hope to reach some accommodation with regard to the importance of having a full conference on this bill, given the differences that now exist between the Senate and House versions of the legislation.

I look forward to the votes ahead and appreciate everybody's help.

### RESERVATION OF LEADER TIME

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

### EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR IRAQ AND AFGHANISTAN SECURITY AND RECONSTRUCTION ACT, 2004

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1689, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1689) making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

Pending:

Byrd/Durbin amendment No. 1819, to prohibit the use of Iraq Relief and Reconstruction Funds for low-priority activities that should not be the responsibility of United States taxpayers, and shift \$600 million from the Iraq Relief and Reconstruction Fund to Defense Operations and Maintenance, Army, for significantly improving efforts to secure and destroy conventional weapons, such as bombs, bomb materials, small arms, rocket-propelled grenades, and shoulder-launched missiles, in Iraq.

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



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S12769

Bond/Mikulski amendment No. 1825, to provide additional VA Medical Care Funds for the Department of Veterans Affairs.

Durbin amendment No. 1837, to ensure that a Federal employee who takes leave without pay in order to perform certain service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred.

Daschle amendment No. 1854, to achieve the most effective means of reconstructing Iraq and to reduce the future costs to the American taxpayer of such reconstruction by ensuring broad-based international cooperation for this effort.

Reid (for Landrieu) amendment No. 1859, to promote the establishment of an Iraq Reconstruction Finance Authority and the use of Iraqi oil revenues to pay for reconstruction in Iraq.

Boxer modified amendment No. 1843, to make retroactive the relief of hospitalized members of the uniformed services from the obligation to pay for food and subsistence while hospitalized.

Reid (for Chafee/Leahy) modified amendment No. 1807, to provide for humanitarian assistance and reconstruction in Liberia.

Durbin amendment No. 1879, to provide funds for the prevention, treatment, and control of, and research on HIV/AIDS.

Corzine amendment No. 1882, to establish a National Commission on the Development and Use of Intelligence Related to Iraq.

#### AMENDMENT NO. 1837

The PRESIDING OFFICER. Under the previous order, there are now 2 minutes evenly divided prior to a vote on the Durbin amendment No. 1837.

The Senator from Alaska.

Mr. STEVENS. This amendment would require Federal agencies to pay any difference between military pay and civilian compensation for employees of the Federal Government who are called to active duty. We have concerns about requiring all Federal agencies to absorb the cost of implementing this program. The Congressional Budget Office estimates the initial cost is \$80 million this year.

We have not opposed this amendment. I offered to take it to conference. The authors have demanded a vote. I will not oppose the vote. I intend to work with the two authorization committees that have jurisdiction over this matter, the Senate Armed Services and Governmental Affairs Committees, to ensure this is the appropriate policy to address the Guard and Reserve retention. I believe it will be modified in conference.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Of the nearly 1.2 million members of the National Guard and Reserve, 120,000, or 10 percent, are Federal employees; 14,000 Federal employees are currently mobilized and serving on active duty. We ask with this amendment that the Federal Government treat its employees the way State after State after State has decided to treat them. If they are activated, we will make up the difference in their lost pay, the difference be-

tween their pay as activated members of the military and what they would have earned with the Federal Government.

We know we are asking the Guard and Reserve to accept greater and longer responsibilities, with more hardship for their families. I would like to make it clear with a record vote this morning that we want the Federal Government to serve as an example for governments across America to stand behind the men and women in uniform, to make up their difference in pay, stand by their families, as they risk their lives to serve our country.

I urge my colleagues to give this a strong, overwhelming vote so the conference will stand behind it and this will become the law of the land.

Mr. STEVENS. Have the yeas and nays been requested?

The PRESIDING OFFICER. The yeas and nays have not been requested.

Mr. DURBIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. I call to the attention of the Senate there will be a normal time limit on this amendment. All amendments thereafter will be limited to 10 minutes, with 2 minutes equally divided, 1 minute each before each amendment. I urge Senators to stay in the Chamber so we can move on this bill as rapidly as possible.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

The result was announced—yeas 96, nays 3, as follows:

#### [Rollcall Vote No. 390 Leg.]

#### YEAS—96

Akaka	DeWine	Lincoln
Alexander	Dodd	Lott
Allard	Dole	Lugar
Allen	Domenici	McCain
Baucus	Dorgan	McConnell
Bayh	Durbin	Mikulski
Bennett	Edwards	Miller
Biden	Ensign	Murkowski
Bingaman	Enzi	Murray
Bond	Feingold	Nelson (FL)
Boxer	Feinstein	Nelson (NE)
Breaux	Fitzgerald	Pryor
Brownback	Frist	Reed
Bunning	Graham (FL)	Reid
Burns	Graham (SC)	Roberts
Byrd	Grassley	Rockefeller
Campbell	Gregg	Santorum
Cantwell	Hagel	Sarbanes
Carper	Harkin	Schumer
Chafee	Hatch	Sessions
Chambliss	Hollings	Shelby
Clinton	Hutchison	Smith
Cochran	Inouye	Snowe
Coleman	Jeffords	Specter
Collins	Johnson	Stabenow
Conrad	Kennedy	Stevens
Cornyn	Kerry	Sununu
Corzine	Kohl	Talent
Craig	Landrieu	Thomas
Crapo	Lautenberg	Voinovich
Daschle	Leahy	Warner
Dayton	Levin	Wyden

#### NAYS—3

Inhofe      Kyl      Nickles

#### NOT VOTING—1

Lieberman

The amendment (No. 1837) was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DURBIN. Mr. President, I ask unanimous consent that Senator SARBANES be added as a cosponsor of my amendment.

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

#### AMENDMENT NO. 1854

The PRESIDING OFFICER. Under the previous order, there are now 2 minutes evenly divided on the Daschle amendment No. 1854.

Mr. STEVENS. Mr. President, this amendment will cap future funds for reconstruction unless the President certifies that additional funds are "equal to or exceeded by" an amount contributed by members of the international community. The President may waive the requirement if he deems it in the interest of national security. But part of this money is money for reconstruction and development of Iraq. The amendment will potentially impact on the momentum for reconstruction which, as we have said, is critical to bringing our troops home as soon as possible. I don't think you can have it both ways. I don't think you can support the troops for military operations and oppose reconstruction efforts.

At the appropriate time I intend to move to table the amendment.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. DASCHLE. Mr. President, the essence of this amendment is really very simple. We have to demonstrate at some point that we are not alone, that we have help from the international community. We are going to have committed this year \$166 billion in help for Iraq. That may be unprecedented. I don't know of another time in all of history when we have committed that much money to one country in 1 year. What this simply says is that from here on out, after that \$166 billion is committed, the President needs to go to the international community and make the case and ask for help. That is all it does. It says we have to get some additional help from the international community after we have expended the \$166 billion. But even if we don't get it, the President can come back and certify that it is still in our national interest for us to dedicate more of American resources to this effort.

I hope our colleagues on both sides of the aisle will support the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. STEVENS. Mr. President, I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to table amendment No. 1854. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 391 Leg.]

#### YEAS—55

Alexander	DeWine	McConnell
Allard	Dole	Miller
Allen	Domenici	Murkowski
Bennett	Ensign	Nickles
Bingaman	Enzi	Roberts
Bond	Fitzgerald	Santorum
Breaux	Frist	Sessions
Brownback	Graham (SC)	Shelby
Bunning	Grassley	Smith
Burns	Gregg	Snowe
Campbell	Hagel	Specter
Chafee	Hatch	Stevens
Chambliss	Hutchison	Sununu
Cochran	Inhofe	Talent
Coleman	Kyl	Thomas
Collins	Landrieu	Voinovich
Cornyn	Lott	Warner
Craig	Lugar	
Crapo	McCain	

#### NAYS—44

Akaka	Durbin	Levin
Baucus	Edwards	Lincoln
Bayh	Feingold	Mikulski
Biden	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Byrd	Harkin	Nelson (NE)
Cantwell	Hollings	Pryor
Carper	Inouye	Reed
Clinton	Jeffords	Reid
Conrad	Johnson	Rockefeller
Corzine	Kennedy	Sarbanes
Daschle	Kerry	Schumer
Dayton	Kohl	Stabenow
Dodd	Lautenberg	Wyden
Dorgan	Leahy	

#### NOT VOTING—1

Lieberman

The motion was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senate will be in order.

Mr. STEVENS. Mr. President, we have a 10-minute limit and that vote went over again.

The next amendment is the Landrieu amendment.

#### AMENDMENT NO. 1859

The PRESIDING OFFICER. Under the previous order, there are now 2 minutes of debate equally divided prior to the vote on the Landrieu amendment No. 1859.

The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, on October 14, an amendment offered by the Senator from North Dakota was tabled by a vote of 57-39. This is a similar amendment.

This amendment states that no further funds will be committed for reconstruction beyond those in the underlying bill; all future reconstruction

funds must come from revenues from Iraqi oil production.

They could not spend any State Department money. They could not spend any Defense Department money—no funds except from moneys secured through oil production.

This is another one of those amendments that will slow down the momentum of reconstruction in Iraq and really is another amendment that possibly will delay the return of our troops.

I intend at the proper time to make a motion to table this amendment.

The PRESIDING OFFICER. Who seeks recognition? The Senator from Louisiana.

Ms. LANDRIEU. I thank the Chair.

Mr. President, with all due respect to the chairman, who is doing a good job of leading us through this bill, I say emphatically this amendment is in line with Security Council Resolution 1483, which was drafted in large measure by this administration when we lifted the sanctions on Iraq. Resolution 1483 passed by the Security Council was a U.S.-led effort.

This resolution says we should use the oil reserves in Iraq for Iraq's reconstruction. This resolution says we should ask Iraq to be a partner, not a beggar. This resolution says we should not create a welfare state in Iraq but we should create a strong and vibrant democracy.

Iraq, at conservative estimates, can generate \$40 billion a year, and it could go up to \$100 billion a year.

Mr. BIDEN. Mr. President, I rise in support of the Landrieu amendment. The amendment would require the President to direct the Coalition Provisional Authority in Iraq to establish, in consultation with the Iraqi Governing Council or a successor entity in Iraq, an Iraq Reconstruction Finance Authority. The authority would be required to obtain financing for the reconstruction of Iraq's infrastructure from three sources: First, issuing securities or other financial instruments; second, international loans; and third, collateralizing this debt with revenue from future sales of Iraqi oil.

This amendment does not require a single dollar of Iraqi oil revenue to be paid to the United States to reimburse us for the substantial costs we have already paid and will continue to pay to stabilize and rebuild Iraq. Instead, it establishes a body in Iraq that would be designed to use future oil receipts as collateral to fund Iraq's reconstruction after the \$20 billion in this bill is expended. That is a critical distinction and it is why I am supporting this amendment.

Because of the huge investments that will be required to increase Iraqi oil output beyond pre-war levels of 2.5 to 3 million barrels per day, we should not expect that collateralizing future oil receipts will significantly impact the huge investments that we will continue to have to make even after we pass this bill. Iraqi oil is not the bonanza that it was advertised to be by some in the administration prior to the war.

I would have preferred to give the President the option to set up the Iraq Reconstruction Authority rather than requiring him to as the amendment does, and I would have preferred giving the authority the option to collateralize oil rather than requiring it to do so. However, I believe that the Senator from Louisiana has written her amendment in such a way that it meets my fundamental concern that we not be perceived as attempting to "steal" Iraqi oil.

I yield the floor.

The PRESIDING OFFICER (Mr. CHAFFEE). The Senator's time has expired.

Ms. LANDRIEU. Senator LEVIN, Senator DORGAN, and Senator STABENOW offer this amendment for the Senate's consideration.

Mr. STEVENS. Mr. President, I move to table the amendment and ask for the yeas and nays, and I ask that the Chair instruct the clerks to deliver to the Chair this vote at the end of 10 minutes.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to table amendment No. 1859. The clerk will call the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 392 Leg.]

#### YEAS—52

Alexander	Ensign	Murkowski
Allard	Enzi	Nelson (NE)
Bennett	Feingold	Nickles
Bingaman	Fitzgerald	Roberts
Bond	Frist	Santorum
Brownback	Graham (SC)	Sessions
Bunning	Grassley	Shelby
Burns	Gregg	Smith
Chafee	Hagel	Snowe
Chambliss	Hatch	Specter
Cochran	Hutchison	Stevens
Coleman	Inhofe	Sununu
Collins	Kyl	Talent
Craig	Lott	Thomas
Crapo	Lugar	Voinovich
DeWine	McCain	Warner
Dole	McConnell	
Domenici	Miller	

#### NAYS—47

Akaka	Dayton	Lautenberg
Allen	Dodd	Leahy
Baucus	Dorgan	Levin
Bayh	Durbin	Lincoln
Biden	Edwards	Mikulski
Boxer	Feinstein	Murray
Breaux	Graham (FL)	Nelson (FL)
Byrd	Harkin	Pryor
Campbell	Hollings	Reed
Cantwell	Inouye	Reid
Carper	Jeffords	Rockefeller
Clinton	Johnson	Sarbanes
Conrad	Kennedy	Schumer
Cornyn	Kerry	Stabenow
Corzine	Kohl	Wyden
Daschle	Landrieu	

#### NOT VOTING—1

Lieberman

The motion was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1843

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate prior to the vote on Boxer amendment No. 1843.

The Senator from Alaska.

Mr. STEVENS. This amendment, which we offered to accept, deals with reimbursement for the costs of services and food to military personnel while in the hospital. We offered to accept the amendment, but the Senator demands a vote. I have already accepted the amendment so I would renew my request that we pass it by a voice vote.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. The amendment I have offered would continue the good work of Congressman BILL YOUNG, Senator STEVENS, and Senator GRAHAM. It would reimburse our troops, who are injured and in hospital, for the meals they were charged for. What we have done previously, with the help of Senator STEVENS, is prospectively say they will not be charged for meals, but those who went into Afghanistan and Iraq are getting hit with \$200 and \$300 bills. Maybe they lost a leg or an eye and when they come out they go back to their job. One was a sheriff who got hit with a \$200 bill. This would completely remove that burden. I would ask that there be a recorded vote.

The PRESIDING OFFICER. The yeas and nays were previously ordered.

The question is on agreeing to amendment No. 1843. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 393 Leg.]

YEAS—99

Akaka	DeWine	Leahy
Alexander	Dodd	Levin
Allard	Dole	Lincoln
Allen	Domenici	Lott
Baucus	Dorgan	Lugar
Bayh	Durbin	McCain
Bennett	Edwards	McConnell
Biden	Ensign	Mikulski
Bingaman	Enzi	Miller
Bond	Feingold	Murkowski
Boxer	Feinstein	Murray
Breaux	Fitzgerald	Nelson (FL)
Brownback	Frist	Nelson (NE)
Bunning	Graham (FL)	Nickles
Burns	Graham (SC)	Pryor
Byrd	Grassley	Reed
Campbell	Gregg	Reid
Cantwell	Hagel	Roberts
Carper	Harkin	Rockefeller
Chafee	Hatch	Santorum
Chambliss	Hollings	Sarbanes
Clinton	Hutchison	Schumer
Cochran	Inhofe	Sessions
Coleman	Inouye	Shelby
Collins	Jeffords	Smith
Conrad	Johnson	Snowe
Cornyn	Kennedy	Specter
Corzine	Kerry	Stabenow
Craig	Kohl	Stevens
Crapo	Kyl	
Daschle	Landrieu	
Dayton	Lautenberg	

Sununu	Thomas	Warner
Talent	Voinovich	Wyden

NOT VOTING—1

Lieberman

The amendment (No. 1843) was agreed to.

Mrs. BOXER. Mr. President, I move to reconsider the vote.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1879

The PRESIDING OFFICER. Under the previous order, there are 2 minutes equally divided prior to the vote on the Durbin amendment.

The Senator from Illinois.

Mr. DURBIN. Mr. President, this is the morning's headline in the Washington Post: "Global Fund Slows Aid."

That is aid going to fight HIV, tuberculosis, and malaria. There is not enough money to fight the global epidemic which, like no other, threatens this Nation and every nation on Earth.

Don't take my word for it. A quote from Secretary of State Colin Powell before the General Assembly just days ago:

AIDS is more devastating than any terrorist attack, any conflict or any weapon of mass destruction.

We promised \$3 billion in the authorization bill to fight global AIDS. We have failed to come up with that money. The President of the United States promised that he would pledge \$15 billion over 5 years to fight global AIDS. We have failed to come up with the money. Over 70 Members of the Senate voted, saying we will stand for \$3 billion this year even if it breaks the budget. And we failed to come up with the money. With this amendment, \$879 million will move out of the reconstruction part of Iraq into the global AIDS fight. The House has already cut \$20.6 billion out of this bill. Certainly we can come up with the \$800 million needed to keep our word to the world.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the Senate has already defeated a similar amendment by a vote of 71 to 24 on July 17. This amendment would cut funding that will help bring our troops home from the region at the earliest possible date.

Mr. President, I ask unanimous consent that a letter dated October 16, 2003, to Chairman STEVENS from Joseph O'Neill, Deputy Coordinator and Chief Medical Officer, Office of the Global AIDS Coordinator, be printed in the RECORD.

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

U.S. DEPARTMENT OF STATE,  
Washington, DC, October 16, 2003.

Hon. TED STEVENS,  
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR CHAIRMAN STEVENS: It is my understanding that an amendment regarding funding for HIV/AIDS, tuberculosis and malaria may be offered today to the Fiscal Year 2004 Supplemental Appropriations bill currently under consideration on the Senate floor.

I want to reiterate the Administration's strong support for the Fiscal Year 2004 budget request of \$2 billion for all international HIV/AIDS, tuberculosis and malaria activities, including \$200 million for the Global Fund to Fight HIV/AIDS, Tuberculosis and Malaria, as part of the President's larger commitment to spend \$15 billion over the next five years through the Emergency Plan for AIDS Relief. I also want to highlight that it is by careful design that the President's Fiscal Year 2004 budget request is for \$2 billion.

The cornerstone of the President's Emergency Plan for AIDS Relief is its focused approach to use \$9 billion in new funding over the next five years to bring comprehensive and integrated HIV/AIDS prevention, care and large-scale antiretroviral treatment to 14 countries in Africa and the Caribbean. These countries are home to nearly 70 percent of HIV-infected persons in Africa and the Caribbean and 50 percent of the HIV-infected persons in the world. There are considerable challenges inherent in meeting the bold goals the President has set for these 14 countries which must be addressed in the early years of implementation. We believe it is important to ramp up spending on these countries in a focused manner, increasing the amount spent each year to efficiently and effectively create the necessary training, technology, and infrastructure base needed to deliver appropriate long-term medical treatment in a sustainable and accountable way.

Similarly, the U.S. Government's support for the Global Fund to Fight AIDS, Tuberculosis and Malaria is strong. Currently, the United States is responsible for 40 percent of all contributions made to the Global Fund. We have reached a critical time in the Global Fund's development, and other nations must join the United States in supporting the work of the Global Fund.

For the reasons stated above, the Administration strongly opposes any efforts to increase funding beyond the \$2 billion requested in the President's Fiscal Year 2004 budget. I appreciate your support on this issue and look forward to the continued strong bipartisan support of the Senate in ensuring the success of this lifesaving initiative.

Sincerely,

JOSEPH F. O'NEILL, MD, MPH,  
Deputy Coordinator  
and Chief Medical  
Officer, Office of the  
Global AIDS Coordinator.

Mr. COCHRAN. Mr. President, the Senate should reject the amendment. I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The question is on agreeing to the motion to table amendment No. 1879, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 394 Leg.]

YEAS—56

Alexander	Bennett	Breaux
Allard	Biden	Brownback
Allen	Bond	Bunning

Burns	Fitzgerald	Nelson (NE)
Campbell	Frist	Nickles
Carper	Graham (SC)	Roberts
Chafee	Grassley	Santorum
Chambliss	Gregg	Sessions
Cochran	Hagel	Shelby
Coleman	Hatch	Smith
Collins	Hutchison	Snowe
Cornyn	Inhofe	Specter
Craig	Kyl	Stevens
Crapo	Lott	Sununu
DeWine	Lugar	Talent
Dole	McCain	Thomas
Domenici	McConnell	Voinovich
Ensign	Miller	Warner
Enzi	Murkowski	

## NAYS—43

Akaka	Edwards	Levin
Baucus	Feingold	Lincoln
Bayh	Feinstein	Mikulski
Bingaman	Graham (FL)	Murray
Boxer	Harkin	Nelson (FL)
Byrd	Hollings	Pryor
Cantwell	Inouye	Reed
Clinton	Jeffords	Reid
Conrad	Johnson	Rockefeller
Corzine	Kennedy	Sarbanes
Daschle	Kerry	Schumer
Dayton	Kohl	Stabenow
Dodd	Landrieu	Wyden
Dorgan	Lautenberg	
Durbin	Leahy	

## NOT VOTING—1

Lieberman

The motion was agreed to.

Mr. REID. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER (Mr. SUNUNU). Is there objection?

Without objection, it is so ordered.

## AMENDMENT NO. 1882

Mr. STEVENS. Mr. President, I ask the Chair to lay before the Senate the Corzine amendment No. 1882.

The PRESIDING OFFICER. The amendment is pending.

Mr. REID. Mr. President, I could not hear.

Mr. STEVENS. Mr. President, I ask unanimous consent that on this matter there be 20 minutes under the control of Senator ROBERTS, 5 minutes under the control of Senator ROCKEFELLER, and 5—whatever time Senator CORZINE requests.

Mr. REID. I ask Senator CORZINE, how much time do you desire on your amendment? You spoke last night.

Mr. CORZINE. I would presume 10 minutes.

Mr. REID. Ten minutes.

Mr. STEVENS. And 10 minutes for Senator CORZINE, and there be a vote in relation to that amendment upon the expiration of that time, with no amendments in order to this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. REID. No objection.

Mr. STEVENS. Let's have the Chair state the understanding of the time

limitation. Can the Chair state the time limitation?

The PRESIDING OFFICER. Eighteen minutes for the Senator from Kansas, Mr. ROBERTS—

Mr. STEVENS. No. That is 20 minutes, Mr. President.

The PRESIDING OFFICER. Twenty minutes for the Senator from Kansas, Mr. ROBERTS; 5 minutes for the Senator from West Virginia, Mr. ROCKEFELLER; and 10 minutes for the Senator from New Jersey.

Mr. STEVENS. With no amendments in order. That is my unanimous consent request.

Mr. CORZINE. Reserving the right to object, I could not hear.

Mr. REID. You have your 10 minutes.

Mr. STEVENS. It is 20 minutes for Senator ROBERTS, 5 minutes for Senator ROCKEFELLER—

The PRESIDING OFFICER. And 10 minutes for the Senator from New Jersey.

Mr. STEVENS. Senator ROCKEFELLER, 5 minutes. Twenty minutes for the Senator from Kansas. Ten minutes for the Senator from New Jersey. There are five Members sharing the 20 minutes.

Mr. CORZINE. I know we will have some Members who want to speak. I wonder, could we increase the 10-minute agreement to 15 on my side?

Mr. STEVENS. We have no objection. We can change the Corzine limitation to 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, it is my understanding that following the disposal of that, by vote, we would move to the Byrd-Durbin amendment No. 1819. It is my understanding that Senator BYRD would speak no longer than 20 minutes on that amendment. There would be no other limitation of time. I ask my friend from Alaska if he would approve that.

Mr. BIDEN. Reserving the right to object, did you say the Byrd amendment?

Mr. REID. Byrd-Durbin amendment.

Mr. BIDEN. Byrd-Durbin, I am sorry. I would like some time on that amendment.

Mr. REID. The only limitation, Mr. President, on my unanimous consent request would be Senator BYRD speaking no longer than 20 minutes. Of course, there would be no amendments in order, and there would be a vote on or in relation to the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. The limitation applies only to Senator BYRD; is that correct?

The PRESIDING OFFICER. That is correct.

Without objection, it is so ordered.

## AMENDMENT NO. 1882

The PRESIDING OFFICER. Who yields time?

The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise to express my very strong opposition

to the Corzine amendment, not in terms of intent but in terms of substance.

Mr. President, I yield 2 minutes to a distinguished member of the Senate Intelligence Committee, a new Member of the Senate who has had a great deal of experience serving as a valued member of the House Intelligence Committee, Senator CHAMBLISS.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise in strong opposition to this amendment. The amendment establishes bad policy. Let me tell you why.

I had the privilege of serving on the House Intelligence Committee for 2 years. I had the privilege of serving under Chairman PORTER GOSS in the House. I served side by side with now ranking member JANE HARMAN. We did an outstanding job in the House Intelligence Committee of conducting oversight work of the intelligence community worldwide.

I have had the privilege of serving under the strong leadership of Chairman ROBERTS and Vice Chairman ROCKEFELLER in the Senate Intelligence Committee, and, once again, they have led a terrific effort from an oversight perspective of the intelligence community, whether it is Iraq, whether it is North Korea, whether it is any other issue. They have done a great job in a bipartisan way.

I have to commend all members of the Senate Intelligence Committee. We have asked the tough questions time and time again because that is our job. We are charged with the responsibility of conducting this oversight.

Now to send this outside the Intelligence Committees establishes simply bad policy and moves the intelligence community in the wrong direction.

I was a member of the Joint Inquiry Committee that was established last year between the House and Senate Intelligence Committees to look at 9/11. That Joint Inquiry Committee was unable to function properly because most of the real hard substantive issues are classified issues. No joint committee can really do their work without having the availability of classified information.

The Senate Intelligence Committee and the House Intelligence Committee have the availability of that classified information at their fingertips. That is the way the system is designed to work. That is the way it should work. That is the way it is working. It is working properly, and it is working in a very bipartisan way.

Whatever the intelligence failures were involved in Iraq will be disclosed. Whatever the wrong things that were done will ultimately be disclosed. But it has to be done within the right framework. And that right framework is within the Intelligence Committees of the House and the Senate.

Again, I commend the strong, bipartisan leadership of Vice Chairman ROCKEFELLER and Chairman ROBERTS.

They are leading us in the right way on this issue, and that is the way it needs to continue.

So I urge my colleagues to vote against this amendment.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I yield an additional 2 minutes to the distinguished Senator from Mississippi, another valued member of the Senate Intelligence Committee, Mr. LOTT.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I thank the distinguished Senator from Kansas, the chairman of the Intelligence Committee, for yielding me this time.

Mr. President, should we just go ahead and eliminate committees in Congress? Should we just go ahead and limit the House and the Senate? We have a job to do. Are we going to turn everything over to so-called independent commissions that drag their feet. It takes months to get people appointed. They hire staff. What are we here for? Another "independent" commission?

We have one underway right now, headed by former Governor Kean. It is a very good, bipartisan group of capable men and women looking at the events prior to 9/11 but also looking at the intelligence component of what happened there. So there is already one independent commission.

But I have never liked these commissions. I have been involved in creating some of them. They are always an excuse to shove it off on somebody else. It is as if we are trying to put hands over our eyes and say, "Oh, no, we can't do it" or, "Don't show me. Let's let somebody else do the job."

What do we have the Intelligence Committee for? Formerly I would get briefings related to intelligence information, but I am a new member, actively sitting on the Intelligence Committee. I have faith in this bipartisan committee. It should be, and for the most part it is, a nonpartisan committee.

I have faith in PAT ROBERTS. He is not exactly a pushover on any issue, whether it is agriculture, defense, or intelligence. JAY ROCKEFELLER, the distinguished Senator from West Virginia, is very aggressive on this issue. We are doing our job. We are having hearings, lots of hearings. And we are going to get at the truth of the intelligence.

Do they have what they need? Were they giving us some bad analysis of the intelligence?

We are in that process. We are doing our job. Let's let the Intelligence Committee do its job. We don't need another independent commission. I trust this committee. The Senate should give us the chance to do the job. We should not have another commission out there spending money, hovering around and accomplishing very little.

Mr. ROBERTS. Mr. President, may I inquire of the Senator from New Jersey

if he would like to respond on his time or what his plans are? I have several speakers. I did not want to dominate the discussion.

Mr. CORZINE. If the distinguished Senator from Kansas will recall, I gave a presentation last night of about 30 minutes on this subject. I will be happy to respond to different elements. I thought I would hear what the arguments were and then make a response. If you would like to see it all now, I would be more than happy to do some responding, but I would like to hear the overall argument.

Mr. ROBERTS. I understand. Mr. President, I yield 2 minutes to the distinguished chairman of the Armed Services Committee, a valued member of the Intelligence Committee, the Senator from Virginia, Mr. WARNER.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my distinguished chairman. I say with all due deference to our distinguished colleague from New Jersey that on its face there is a very serious flaw. I am opposed to the principle of having a commission at this time examine the subject, but on its face it reads:

There is established a National Commission on Development and Use of Intelligence Related to Iraq.

Iraq is but one piece of a matrix of nations in that region of the world. You cannot focus on just the narrow Iraq situation without Iran, without looking at the other areas of the world which are being affected by this spread of terrorism. I say to my good friend, his intentions may well have been the best, but personally I think it is inappropriate and ill-advised at this time to usurp in many respects the responsibility of the Congress, certainly not in a way in which you just look at one small area of intelligence unrelated to the broad picture throughout that region.

Mr. ROBERTS. Mr. President, Senator ROCKEFELLER, our distinguished vice chairman, has been granted 5 minutes. I think from a parliamentary standpoint, however, it is my responsibility to yield to him at this particular time. If that is not correct, I stand to be corrected by the Presiding Officer.

The PRESIDING OFFICER. The Senator from West Virginia controls 5 minutes.

Mr. ROBERTS. I ask the Senator from West Virginia if he may want to make his remarks at this time.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I thank the distinguished Senator from Kansas.

I oppose this amendment. I oppose this amendment for a variety of reasons. I do not oppose this amendment because of the intent of trying to get to the bottom of all of the problems we face in the work we are doing in the Intelligence Committee, on which I serve as vice chair. But I oppose it because it would have the effect of undermining

what we are doing, further diluting the focus on the issue of WMD prewar intelligence, all the rest of it.

I do not mean to imply by that that the investigation is moving at the speed with which I would like to see it in the committee. Those issues are being addressed between the chairman and myself and members on each side of the aisle trying to work in a bipartisan fashion. This is an investigation which not only has the comparison of prewar intelligence to what we more recently discovered or may be discovering, but it also has the whole question of wherever the trail leads, which is a phrase the chairman of the committee has used.

There are other aspects of this, whether you use the word dissemination of intelligence; you collect it; you analyze it, and then it gets put over to the policy people. Then they use it in one way or another. The use of that, whether there was any pressure brought to bear, all of those things are areas that we are in the process of examining right now. It is a difficult subject.

There is already another commission on this subject, the Kean-Hamilton Commission, but that is covering something of a different area. If another commission is set up, another group is set up to look at prewar WMD, postwar WMD, intelligence on all of that, it just simply duplicates what we are or will shortly be doing.

As the chairman knows and as my members know, if we do not reach the depth and breadth of satisfaction of investigation on this, then we will have to come back and reconsider all of this at another time. It is my judgment that because of talks and things going on now, dynamics which are internal and intense, we are making that kind of progress, and the threshold of making the kind of progress we have to make to reach a final conclusion and do a report is on the move.

This would be damaging to us. I don't say that as turf because one is on this committee for 8 years and then one is off this committee. That is a whole other subject for another day. But we need to focus this. We do not need to dilute it. I understand the purpose of the amendment of the Senator from New Jersey. I do not happen to support it.

The PRESIDING OFFICER. Who yields time?

The Senator from Kansas.

Mr. ROBERTS. May I ask how much time I have remaining?

The PRESIDING OFFICER. The Senator from Kansas has 12 minutes remaining. The Senator from West Virginia has 1½ minutes remaining, and the Senator from New Jersey has 15 minutes remaining.

Mr. ROBERTS. If I might inquire of the Senator from New Jersey if he is ready to make a comment now or would he prefer to wait?

Mr. CORZINE. Mr. President, I would still like to hear the full development

of the argument. I understand very clearly the comment that the committee is in the midst of its work. I appreciate and believe very strongly in the distinguished Senators from Kansas and West Virginia about this process. But to my knowledge, there have not been public hearings even on things that can be talked about in public. I am very clear in my amendment that the Congress underscores its commitment to and support for ongoing congressional views regarding the collection and analysis of intelligence related to Iraq.

This is not an attempt to usurp. It is trying to bring additional attention to a very difficult issue. As I said last night, there has been since the last time we debated this on the floor a long litany of weaknesses, questions about the development and use of intelligence.

It is in that vein that I will be speaking, as I did last night. I would like to hear why it is so important only to do it in one vein when we certainly thought it was important to look at the intelligence operations failures.

Mr. ROBERTS. If the Senator will yield, I would like to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Kansas is controlling the floor right now.

Mr. ROBERTS. So the Senator is making a speech on my time?

The PRESIDING OFFICER. That is correct.

Mr. CORZINE. If the Senator from Kansas will yield a couple of minutes to my side back.

Mr. ROBERTS. I would like to reclaim my time.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. How much time do I have?

The PRESIDING OFFICER. The Senator from Kansas has 10 minutes remaining.

Mr. ROBERTS. I have two other requests for time: Senator BOND and Senator STEVENS.

Let me simply say, when we first considered the Iraq commission proposal during debate on the Defense appropriations bill, the Senate voted it down. I urge my colleagues to oppose it again today.

My opposition to this amendment is simple. I disagree with its underlying principle that Congress somehow is incapable of thorough, independent, and nonpartisan analysis of the prewar intelligence on Iraq. As I address you today, the professional staff, 10 of them, of the Senate Intelligence Committee are diligently conducting the very review this amendment now seeks. Working together, as has been indicated by the distinguished vice chairman, Senator ROCKEFELLER and I have broadly framed the mandate for the committee's review. Our efforts have focused on the following: The quantity and quality of U.S. intelligence concerning Iraqi WMD pro-

grams; Iraq's ties to terrorist groups; the regime's human rights violations; and the effect of Saddam Hussein on regional stability. Secondly, the objectivity, the reasonableness, the independence, and accuracy of the judgments of the intelligence community—whether those judgments were properly disseminated to policymakers; and finally, whether inappropriate pressure regarding politics was brought to bear on intelligence analysts.

I can report to you that after interviewing many analysts—and I will not get into specifics here—there has been no evidence of that as of today.

Those are the goals of the mission of the current inquiry of the Senate Intelligence Committee, and they mirror exactly the nine functions called for in the independent commission as proposed by the Senator from New Jersey. This review is well underway; in my opinion, it is probably 85 to 90 percent done. It is being conducted in the unique nonpartisan atmosphere of the select committee. The work our staff has done is worthy of the Senate's praise. Over 19 volumes of prewar intelligence, thousands of pages of text have been carefully reviewed.

As a matter of fact, I offer an opportunity to the distinguished Senator. I will play Bob Barker and say, come on down, come to room 219, and I will be happy to show you the national intelligence estimate, our committee work, and the staff work. I think the Senator would be very impressed with the work of our staff. Additional information has been sought and provided in a manner of cooperation by the executive branch. Numerous interviews of the intelligence community and officials from the administration have also been conducted. Status reports have been provided on several occasions to committee members.

In addition to these efforts, committee members have been able to question several in the intelligence community and officials from the administration at a series of closed hearings. The reason it is not public is simple. At the top of every document, and regarding every subject, it says "top secret code word." That doesn't mean we will not have public hearings or a public report. I have promised that and so has the vice chairman.

I have also invited all Members of this body who are interested in prewar Iraq intelligence to seek answers to their questions from the committee. I renew that invitation to Senator CORZINE. Come on down; take a look at our committee's work. Our staff can direct you to the information that will answer every question set forth in your amendment. I remind the Senator that ours is not the only review of the intelligence community's performance. The able members of the House Intelligence Committee have conducted their review. The President's Foreign Intelligence Advisory Board is examining the topic. The State Department and the CIA have carefully examined the

Niger uranium issue. This list doesn't include the efforts of the 9/11 Commission, the joint inquiry of the congressional intelligence committees, and the efforts of the other congressional committees. All told, over 40 Members of Congress, numerous professional staff, and countless career and nonpolitical employees of the executive branch will have looked into this topic. We don't need another 12 members to duplicate that effort.

When we set out on this review, I promised to follow the facts wherever they might lead. I will do so. I remain committed to that promise. We will report our findings and, as necessary, we will recommend any needed improvements. Most important, we will continue our efforts to ensure the intelligence community does provide the policymakers with unbiased and actionable intelligence. As we approach completion of the committee's review, I ask Members not to prejudge our thorough, nonpartisan efforts.

At this time, would the Senator like to take his time?

How much time do I have?

The PRESIDING OFFICER. The Senator has 4½ minutes remaining.

The Senator from New Jersey is recognized.

Mr. CORZINE. Mr. President, I made a few opening remarks last night. I want to start by saying we are all looking for the same objective; that is, to get to the bottom of understanding the development and the use of intelligence that was the basis on which we entered into a conflict during which we have now lost 335 men, and literally thousands have been injured. There is a reason to understand whether the development and use of that intelligence was appropriately handled.

The commission I am suggesting, as I read before, underscores its commitment to the process the distinguished Senator from Kansas outlined. It is not to usurp; it is to make sure everyone will have the view that it is bipartisan, that it is independent of any kind of political process. It is to build upon what is going on in the intelligence committees, not to usurp it.

There is no intention to undermine the credibility of the individuals who are involved in it. I will say that 10 people, as staff, working on and reviewing the intelligence that involves 250,000 troops, where there has been untold loss of life, and the arguments that were made preceding, do not match the reality of what we are finding afterwards—whether it is in regard to aluminum tubes and centrifuges, yellow cake from Niger, connections of al-Qaida and Iraq, claims about mobile laboratories, missile technology, and now the Kay report which, at least at this stage—and it is an interim report—has disputes about almost all elements that were used as the basic topic. I think the public has a reason to be concerned.

I have other issues when I look at how the 9/11 Commission has actually



been able to operate. I don't know whether the same kind of concerns are operating with regard to the Intelligence Committee. I know the 9/11 Commission chairman, who is a respected New Jersey former Governor, a person of great esteem, a Republican, is saying there is difficulty in getting the information to be able to look at the events that led up to 9/11. As a matter of fact, subpoenas have had to be issued to get the records of the FAA. It strikes me when you add the difficulty the 9/11 Commission has had in getting the information—and we don't know what has gone on in the Intelligence Committee. You look at the fact that senior administration officials have been willing to out a CIA agent, to discredit somebody who actually comes into the public to talk about it. I think the public has a reason to want to have independence in making an assessment of whether the intelligence has been used properly and the development and the use of it have been done properly. That is where my interest is.

I know the distinguished Senator from Kansas and the distinguished Senator from West Virginia want to get to the bottom of this just as much as this Senator does, as much as this body ought to want to; and the people of America ought to have an understanding that we are not developing intelligence for purposes of winning political arguments or winning arguments on the floor of the Senate but to form what is the proper policy. To me, I think we ought to do everything possible to make sure intelligence is properly developed. That is what I have been trying to suggest. I did it earlier in July and I am doing it again.

I believe very strongly that this is an important issue. There are a whole series of issues about which there are questions. There are very visible examples of challenges to the facts by people who were either close or near to the effort. I will go ahead and say it. On Wednesday night, there was a follow-through by an individual who was in a senior position in the State Department, and I will quote how he felt the intelligence was framed. "Plenty of blame to go around," according to Mr. Thielmann, who, by the way, was a senior officer in the State Department, a 25-year veteran in the Office of Strategic Proliferation and Military Affairs.

He said:

The main problem is senior administration officials have what I call a "faith-based approach to intelligence." They knew what they wanted the intelligence to show. They were really blind and deaf to any kind of countervailing information the intelligence community would produce. I would assign some blame to the intelligence community and most of the blame to senior administration officials.

I just believe there are enough questions in the public's mind, and they grow incrementally all the time, that it is time for us to have an independent view of this matter. That in no way is undermining what is going on in the

Intelligence Committee. It builds on it. That is the purpose. That is certainly where I come from. That is the argument I have tried to make and I will continue to make.

Again, I have great respect for the leadership on the Intelligence Committee. I am sure there is a good-faith willingness to try to get to the bottom of this situation. I think this is very important.

We have other questions: North Korea, Iran, and the terrorist networks that exist across this globe. If we cannot trust our intelligence, then we are going to have a hard time making fundamental decisions in this Chamber, and the American people are going to have a hard time judging whether we made the right decisions and whether we are working in their best interests.

I yield to my distinguished colleague from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. SCHUMER. Mr. President, I thank my colleague. I will be brief. I rise in support of the amendment. The bottom line is, in our post-9/11 world, we have learned that intelligence is more important than ever. To prevent terrorism, in essence, small groups of people who can do real damage to us, depends on intelligence.

Maybe things are working fine, but maybe they are not. The amendment of my colleague from New Jersey casts no aspersion on the job the Intelligence Committee is doing. But it seems to me perfectly logical, in our post-9/11 world, to get as many voices with different perspectives as possible, especially early on because this war on terrorism is going to be with us for decades. It makes eminent sense.

I have never served on the Intelligence Committee, and I have no doubt that the 10 staffers on that committee who were mentioned by my friend from Kansas and praised by my friend from West Virginia are excellent, but they have one perspective. They have been involved day to day in dealing with intelligence matters, and to have a new outside commission take a look at these specific instances can only benefit the American people.

Having some experience with this leak of the name of the CIA agent, I am utterly amazed at what is going on here and among some—not all, not a majority but some—in the administration, there is an idea that we should not get at the full truth; an idea that if someone tells you something you don't like, they are to be disparaged and, in the case of Ms. Plame, hurt much worse than that.

The bottom line is very simple: If we are going to stay a great power—and I hope and pray we will—we need the truth. We need to know what is going right and we need to know what is going wrong. There is no greater time than now.

To say that a 10-staff-member group that has been thoroughly involved in intelligence matters cannot add much

perspective is totally wrong, but just as much, to say that a new commission of fresh blood with a new look at the matter might come to some different conclusions than that 10-member staff is equally totally wrong and hurts America.

This amendment of my colleague from New Jersey is not aimed to be nasty; it is not aimed to be political; it is not aimed to be partisan. It is aimed to find different ways to get to the truth because we all know in the wake of 9/11 that our intelligence was not what it should be. It probably was good enough for a preterrorism world, but it is not good enough for a terrorism world.

I hope my colleagues will support this amendment. It is not, again, to disparage what the committee is doing, but to say we should only have one voice at a time when intelligence is so important, to me at least makes no sense, and I hope my colleagues on both sides of the aisle will support this very much needed amendment.

Mr. CORZINE. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from New Jersey controls 4½ minutes.

Mr. STEVENS. Mr. President, the time used by the Senator from New Jersey in answering the question of the Senator from Kansas was taken out of the time of the Senator from Kansas?

The PRESIDING OFFICER. The Senator from Kansas yielded to the Senator from New Jersey for the purpose of a question.

Mr. STEVENS. I want some time. I ask unanimous consent that 4 minutes be added to this time.

The PRESIDING OFFICER. Is there objection?

The assistant minority leader.

Mr. REID. Mr. President, I have no problem whatsoever if the majority gets 4 minutes, but why not add 4 minutes to this side also?

The PRESIDING OFFICER. Is there objection to the modification of the unanimous consent request?

Mr. STEVENS. I withdraw the request.

The PRESIDING OFFICER. The request is withdrawn. Who yields time?

Mr. ROBERTS. Mr. President, I am delighted to yield 2 minutes to the Senator from Alaska.

Mr. STEVENS. Mr. President, I am appalled by the statement of the Senator from New York. There is no distress in this country of the intelligence system. The distress is all political. We have had a problem. There has been a leak. There have been leaks before. This President relied on the same intelligence that President Clinton did when he made the speech in 1998 saying: We are going to invade Iraq.

I don't know what is going on here that suddenly this becomes another subject to send more people into harm's way to find out what went on in Iraq.

Under amendments already adopted, we have two different inspectors general, and we have the GAO going in on



two different amendments, and now we want to send another independent commission into Iraq. What is going to happen when they get there? They are going to use all the people in uniform to protect them. Last night, four more people were killed in Iraq.

What is going on here? I don't see any reason to bring the campaign of 2004 to this Chamber on this bill, but that is what is going on with what has just been said by the Senator from New York. I take great offense at that. We are investigating this matter. There is no question we are investigating it. It is being investigated by the commission, it is being investigated by the Department of Justice, and it is being investigated by the CIA. To get into the political harangue I just heard is just absolutely nonsense.

The PRESIDING OFFICER. Who yields time? The Senator from New Jersey.

Mr. CORZINE. I yield 1 minute to my friend.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, as aggravated as my colleague from Alaska is with me, I am with him. This is not intended to be political. I believe that our intelligence needs improvement. I think most Americans—Democrat and Republican—believe that. And if every time we say improve intelligence, look for different ways, people get accused of being political, that is the very point I am making.

Let's debate this on the merits. Let's not call people names because they happen to disagree that our intelligence is doing a fine job. I don't. It may have been doing a fine job in the cold war for a cold-war era, but the whole tectonic plates of foreign policy have changed. Maybe it works and maybe it doesn't.

I ask my colleague to go on the streets of any city in New York or any city in America, mine or his—in New York or Alaska—and ask the average citizen do they think the intelligence is working fine. My guess is they will say it needs tuning up. That is all this Senator is trying to do, without being political.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. ROBERTS. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. Each side has approximately 3 minutes remaining.

Mr. ROBERTS. I thought there was granted—

The PRESIDING OFFICER. There was no unanimous consent request for additional time. That request was withdrawn.

Mr. CORZINE. The unanimous consent request was withdrawn, if I am not mistaken, Mr. President.

The PRESIDING OFFICER. That is correct.

Mr. ROBERTS. Mr. President, I ask unanimous consent for an additional 2

minutes so I may conclude my remarks and also yield to the distinguished Senator from Missouri for 2 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I ask that be modified to allow 2 additional minutes to the Senator from New Jersey.

The PRESIDING OFFICER. Is there objection to the modification? Without objection, 2 additional minutes will be added to each side. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I ask for an additional 1 minute for the distinguished vice chairman of the committee.

The PRESIDING OFFICER. Is there objection for an additional minute to be added to the time controlled by the Senator from West Virginia?

Mr. CORZINE. I have no objection.

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

The Senator from West Virginia now controls 2½ minutes.

Who yields time?

Mr. ROBERTS. I would like to recognize the distinguished vice chairman, the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I tremendously regret the argument that took place between the Senator from Alaska and the Senator from New York, because that is exactly what we do not need around here. I thought the Senator from Alaska, as much as I respect him, should not be trying to cast political aspersions, and then I thought the Senator from New York should not be saying we are not in any sense being political, we only want the truth, and talking about weapons of mass destruction and the intelligence, because we all agree that the intelligence was wanting.

We all agree that it is very different from the cold war, but what is really important that has to happen and something which only the Intelligence Committee can do, and which has to be in continuity with the work we are doing now, is after we finish investigating what went wrong is to figure out what we are going to do to make it go right. That is a whole other chapter. That is getting rid of the stovepipes and determining whether we want a director of national intelligence.

It is an entirely different relationship now between intelligence and warfighting. Intelligence and warfighting used to be separate. They are now integrated. Intelligence and policy used to be separate. They are now integrated. That is what our committee is doing, but first we need to finish the investigation and then we get to that.

Our problem is we are doing so much investigating we cannot get to that. It is very frustrating to me. We have not finished doing a lot of the investigating that we need to do.

As the chairman has said, we will follow all trails to where they lead. There is a lot of work and it is very sensitive.

It is not just a matter of creating another commission to start all over again and to do what will probably be virtually the same work with something called a fresh idea. The people on the Intelligence Committee, on both sides, are smart. They are invigorated. They are determined. There is controversy in the committee, which is good. There is no single approach to it. There is a lot of discussion going on. That process must continue and that is what the Intelligence Committee was created for. We are becoming a new Intelligence Committee because we are in an entirely different world.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. CORZINE. How much time remains?

The PRESIDING OFFICER. The Senator from New Jersey has 5 minutes remaining.

Mr. CORZINE. Mr. President, I yield 2 minutes to my distinguished colleague from Illinois and a member of the Intelligence Committee.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, as a member of the Senate Intelligence Committee, I salute the chairman and the ranking member for the fine work they do and for the fine staff we have. As the Senator from Kansas has said, we have 10 people who are working hard in this committee. Put it in perspective: 10 excellent staffers, responsible for overseeing the intelligence agencies of the Federal Government; 10 excellent staffers who in addition to that are initiating an investigation of the intelligence that led up to Iraq. It is totally inadequate. We are totally understaffed. That is why Senator CORZINE's amendment is so important.

We have lost 335 American lives. Thousands have been wounded. We have put ourselves in a position in Iraq where we will be vulnerable for years to come, and we want to ask the hard questions with the Corzine commission. Was our intelligence right in leading us into this war? It is a difficult question and a painful question but it must be asked.

When Dr. Kay comes back empty-handed, after more than 5 months of inspections, with hundreds of inspectors, with no evidence of weapons of mass destruction, it is a condemnation of one of two things: either our intelligence gathering or the use of that intelligence leading to the war. As painful as it is, we have to face that reality.

The reality is this: Next to the failure of the United States to recognize the collapse of the Soviet Union at the end of the cold war, this could be the most colossal intelligence failure in our history. Can we face that reality? I think we can and we should, because intelligence is key to America's security. Intelligence is key to winning the war on terrorism.

What Senator CORZINE has said is turn this over to an independent, non-partisan group to get the job done. I do

not think that is a reflection on the Senate Intelligence Committee. They are doing a fine job, and I am glad to be a part of it, but for goodness' sake, do not be afraid to get to the truth. That is what the Corzine commission amendment is all about.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

The Senator from New Jersey.

Mr. CORZINE. I yield 1 minute to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mrs. CLINTON. Mr. President, I echo the words of my colleagues who support this amendment. I really do see it as a way of getting it out of politics, of taking it away from partisanship.

I could not agree more with the argument that something went wrong. We can pretend it did not or we can face up to the fact that it did.

This is not just about the past. It is also about the present and the future. We face continuing threats. Those of us in this Chamber who have that intelligence information given to us know that, and we have to be as vigilant and well prepared as we possibly can.

I do not ever want to have to face another constituent of mine and say, well, we missed it, we did not get it right.

Yes, we do have to go forward with new plans. But how can we build a new intelligence system, with all due respect to the chairman and the ranking member, both of whom I hold in the highest regard, without having an honest and independent appraisal of what went wrong?

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

The Senator from New Jersey.

Mr. CORZINE. Mr. President, the goal of this commission is not about blame. This is about trying to find out what went wrong and why we had the kind of development and use of intelligence that is so patently inconsistent with the facts that seem to be coming out.

Most of us do not sit inside those quiet halls of the Intelligence Committee. The public does not, but they are seeing fact after fact refuted. They see CIA agents outed. They see people who were a part of the intelligence community complaining. One of the ways to restore the confidence in something that is absolutely necessary to be able to carry out the war on terrorism, which we all believe in and want to support, is to have confidence in our intelligence community. It is not to undermine the Intelligence Committee.

This amendment underscores a commitment to support the ongoing congressional reviews regarding the collection and analysis of data. It is not to undermine it. We all have tremendous faith in the chairman and the ranking member of the Intelligence Committee, but this is to restore the confidence of the American people, to restore the

confidence of all of us who have to use the information to draw the conclusions that are necessary as to whether we are going to put men and women in harm's way.

I could not agree more with the Senator from West Virginia. Intelligence and military operations now are absolutely intimately linked. They are one in the same. If it is faith based, then we will reach the wrong conclusions. I hope the Senate will support my amendment.

The PRESIDING OFFICER. The Senator's time has expired.

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

The PRESIDING OFFICER. The Senator from Kansas has 5 minutes remaining. All other time has expired.

Mr. ROBERTS. Mr. President, I yield 2 minutes to the distinguished Senator from Missouri, a valued member of the intelligence community.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, comments were made by the distinguished Senator from New Jersey saying that the intelligence was faith based. He insinuated that intelligence had been changed somehow perhaps by the administration.

Let me first point out that this intelligence has been acted upon by previous administrations. I quote from President Clinton, 1998:

If Saddam rejects peace and we have to use force, our purpose is clear. We want to seriously diminish the threat posed by Iraq's weapons of mass destruction program.

Madeline Albright, Secretary of State, February 18, 1998:

Iraq is a long way from here, but what happens there matters a great deal here. For the risks that the leaders of a rogue state will use nuclear, chemical or biological weapons against us or our allies is the greatest security threat we face.

Sandy Berger, National Security Adviser, same day:

He will use those weapons of mass destruction again, as he has 10 times since 1983.

Having said that, I think we all agree we need better intelligence. That is why I made the same commitment that my colleagues, Democrat and Republican, have made to serve on the Intelligence Committee and spend the time, without our personal staff but in intelligence hearings, going through the testimony and looking at the documents, as is required of the Intelligence Committee.

It is frustrating for some of us on the Intelligence Committee to listen to speeches by people who have not taken the time to read the classified information, and be briefed, as all Senators are entitled to, after we have done the work. We listened to speeches that, unfortunately, reflected a lack of information about what is going on in intelligence that is available. The insinuation has been made of improper influence. The Intelligence Committee will and has examined that.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ROBERTS. Mr. President, I renew the invitation to my friend from New Jersey to take a look at our committee's work. Our staff is not understaffed. I know some people like to have more staff. They have been working very hard. I can direct you to the information that will answer every single one of the questions set forth in your amendment which reflects exactly the mission of our inquiry. All told, over 40 Members of Congress, numerous professional staff, and countless career nonpolitical employees in the executive branch have looked into this topic which you are suggesting we have another 12 Members do the same thing.

Washington has been overrun with independent blue ribbon commissions. The intelligence community has been a frequent target of these activities—Aspin, Brown, Hart, Rudman, and the Bremer Commission, the 9/11 Commission, and the list goes on and on.

We have to consider the unseen effects caused by the constant, unrelenting reviews of the intelligence community. I do not discount the importance of reexaminations of our past actions. We have had oversight responsibility. If we don't know the mistakes of the past, we are bound to repeat them.

But following September 11, we asked intelligence analysts to aggressively pursue all available leads: Please connect every possible dot, even when the connections may seem weak. We cannot continue to castigate these analysts when they make reasoned judgments based on the available information. This second-guessing erodes morale and it discourages the thoughtful analysis we need. These people have their lives on the line.

I urge my colleagues to oppose this amendment.

How much time do I have?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. ROBERTS. I yield 1 minute to the distinguished Senator from California, Mrs. FEINSTEIN.

Mrs. FEINSTEIN. Mr. President, I thank the chairman of the Intelligence Committee. Regrettably, I must oppose this amendment. As a member of the committee, I believe we have set upon a course which is the soundest course in terms of getting at any flaws that may exist among the variety of intelligence agencies.

I think to establish another commission at this time is to very much undercut the oversight commitment and mandate of the Intelligence Committee. I believe it would be a mistake to do so at this time. There may be a time that would come where that might be the case, but I do not believe now is the time. We have set upon a course. The chairman is committed to public hearings. We will be having those hearings. The investigations are taking place.

Regrettably, I must oppose this amendment.

The PRESIDING OFFICER. All time has expired. Under the previous order,

the question is on agreeing to the amendment.

Mr. STEVENS. Mr. President, I move to table the amendment.

The PRESIDING OFFICER. The Senator from Alaska moves to table the amendment.

Mr. STEVENS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to table amendment No. 1882. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 32, as follows:

[Rollcall Vote No. 395 Leg.]

#### YEAS—67

Alexander	Dole	Mikulski
Allard	Domenici	Miller
Allen	Ensign	Murkowski
Baucus	Enzi	Nelson (NE)
Bayh	Feinstein	Nickles
Bennett	Fitzgerald	Pryor
Biden	Frist	Roberts
Bond	Graham (FL)	Rockefeller
Breaux	Graham (SC)	Santorum
Brownback	Grassley	Sessions
Bunning	Gregg	Shelby
Burns	Hagel	Smith
Byrd	Hatch	Snowe
Campbell	Hutchison	Specter
Chafee	Inhofe	Stevens
Chambliss	Inouye	Sununu
Cochran	Kohl	Talent
Coleman	Kyl	Thomas
Collins	Lincoln	Voinovich
Cornyn	Lott	Warner
Craig	Lugar	Wyden
Crapo	McCain	
DeWine	McConnell	

#### NAYS—32

Akaka	Dorgan	Lautenberg
Bingaman	Durbin	Leahy
Boxer	Edwards	Levin
Cantwell	Feingold	Murray
Carper	Harkin	Nelson (FL)
Clinton	Hollings	Reed
Conrad	Jeffords	Reid
Corzine	Johnson	Sarbanes
Daschle	Kennedy	Schumer
Dayton	Kerry	Stabenow
Dodd	Landrieu	

#### NOT VOTING—1

Lieberman

The motion was agreed to.

Mr. STEVENS. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1884 TO AMENDMENT NO. 1819

Mr. BYRD. I call regular order with respect to amendment 1819, and I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the second-degree amendment.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself, Mr. DURBIN, Mr. BIDEN, Mr. LEAHY, Mr. DORGAN, Ms. MIKULSKI, Ms. LANDRIEU and Mrs. FEINSTEIN, proposes an amendment numbered 1884 to amendment No. 1819.

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

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

The amendment is as follows:

Purpose: to reduce unnecessary spending in the Iraq Relief and Reconstruction Fund; increase reconstruction assistance to Afghanistan; protect our troops by increasing funding for the destruction of conventional weapons in Iraq; provide disaster relief in Liberia; and provide funding to repair Hurricane Isabel damage to military and Coast Guard facilities

In the amendment, strike all after (a) in line 1 and insert the following:

SEC. 3002. Notwithstanding section 3001 of this Act, all of the amounts provided in section 3003 of this Act, excluding amounts contained in subsections (j), (k), (l) and (m) of section 3003 of this Act, are designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress).

SEC. 3003. (a) Notwithstanding any other provision of this Act, amounts appropriated under the heading "Iraq Relief and Reconstruction Fund" shall be reduced by \$1,655,000,000 and the total amount appropriated under this heading shall be allocated as follows:

(1) \$3,243,000,000 for security and law enforcement; (2) \$1,268,000,000 for justice, public safety infrastructure, and civil society, of which not less than \$107,000,000 shall be made available for the Iraqi Civil Defense Corps; (3) \$5,646,000,000 for the electric sector; (4) \$1,850,000,000 for oil infrastructure; (5) \$4,332,000,000 for water resources and sanitation; (6) \$500,000,000 for transportation and telecommunications; (7) \$240,000,000 for roads, bridges, and construction; (8) \$850,000,000 for health care; (9) \$155,000,000 for private sector development; and (10) \$245,000,000 for refugees, human rights, democracy, and governance: *Provided*, That none of the funds appropriated by this Act may be used to fund (1) traffic police buildings, fleet, and equipment; (2) parking lots and cosmetic improvements at airports; (3) electric sector institutional strengthening; (4) solid waste management; (5) an Iraqi-American Enterprise Fund; (6) wireless internet capabilities for the Iraqi Telephone Postal Company (ITPC); (7) technical and management training for ITPC; (8) postal information technology architecture and systems; (9) management for Iraqi television and radio; (10) a numbering schema and 911 initiative for ITPC; (11) new housing communities and new government buildings; (12) a national security communications network; (13) market-oriented specialized training; (14) municipal public information centers; and (15) catch-up business training: *Provided further*, That of the funds appropriated by this Act, not more than \$765,000,000 may be made available for petroleum product imports, and not more than \$100,000,000 may be made available for new prison construction.

(b) In addition to amounts made available elsewhere in this Act, there is hereby appropriated to the Department of Defense \$363,300,000, to be used only for recovery and repair of damage due to natural disasters including Hurricane Isabel, to be distributed as follows:

"Operation and Maintenance, Army", \$66,600,000;

"Operation and Maintenance, Navy", \$118,400,000;

"Operation and Maintenance, Marine Corps", \$9,200,000;

"Operation and Maintenance, Air Force", \$166,900,000; and

"Other Procurement, Air Force", \$2,200,000.

(c) For an additional amount for "Military Construction, Army", \$65,530,000, to remain available until September 30, 2008, to be used only to repair facilities damaged by Hurricane Isabel at Fort Monroe, Virginia: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

(d) For an additional amount for "Military Construction, Navy", \$45,530,000, to remain available until September 30, 2008, to be used for facilities damaged beyond repair by Hurricane Isabel, including \$40,920,000 to replace the central chilled water plant at the United States Naval Academy, Maryland, and \$4,610,000 to replace Building 3104, Lucas Hall, at Quantico, Virginia: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

(e) For an additional amount for "Family Housing, Operation and Maintenance, Army", \$8,151,000 to repair family housing units damaged by Hurricane Isabel at Fort Monroe and Fort Lee, Virginia: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

(f) For an additional amount for "Family Housing, Operation and Maintenance, Navy and Marine Corps", \$6,280,000 to repair family housing units damaged by Hurricane Isabel at various locations in Virginia and North Carolina: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

(g) For an additional amount for "Family Housing Operation and Maintenance, Air Force", \$6,981,000 to repair family housing units damaged by Hurricane Isabel at Langley Air Force Base, Virginia: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

(h) For an additional amount for "Operation and Maintenance, Navy", \$23,183,000, which may be transferred to the Department of Homeland Security for Coast Guard Operations.

(i) In addition to the amounts otherwise made available in this Act, \$600,000,000 shall be made available for "Operation and Maintenance, Army"; *Provided*, That these funds are available only for the purpose of securing and destroying conventional munitions in Iraq, such as bombs, bomb materials, small arms, rocket propelled grenades, and shoulder-launched missiles.

(j) For an additional amount for "United States Emergency Fund for Complex Foreign Crises", \$150,000,000: *Provided*, That not less than \$200,000,000 of the funds made available under this heading shall be made available for humanitarian relief and reconstruction activities in Liberia: *Provided further*, That funds appropriated under this heading shall be made available for Sudan.

(k) Notwithstanding any other provision of this Act, amounts appropriated for accelerated assistance for Afghanistan under the heading "Economic Support Fund" shall be increased by \$261,000,000 and the total amount appropriated under this heading for Afghanistan shall be allocated as follows:

(1) not to exceed \$60,000,000 should be used for activities related to disarmament, demobilization, and reintegration of militia combatants, including registration of such combatants, notwithstanding section 531(e) of the Foreign Assistance Act of 1961; (2) not to exceed \$120,000,000 for major and provincial

road construction and repair; (3) not to exceed \$95,000,000 for schools and education; (4) not to exceed \$55,000,000 for private sector development including to repair and procure electric power generation and distribution infrastructure; (5) not to exceed \$50,000,000 to support the Government of Afghanistan; (6) not to exceed \$2,000,000 for additional policy experts in Afghan ministries; (7) not to exceed \$65,000,000 for elections, governance, and human rights; (8) not to exceed \$50,000,000 for projects directly involving requirements identified by provincial reconstruction teams; (9) not to exceed \$66,000,000 for health services; (10) not to exceed \$25,000,000 for water projects; (11) not to exceed \$25,000,000 for environmental projects related to drought relief; (12) not to exceed \$25,000,000 for emergency food, fuel, clothing and shelter materials for Afghans who are internally displaced; and (13) not to exceed \$45,000,000 for additional activities that are specifically targeted to advancing the social, economic, and political rights and opportunities of women.

(l) Notwithstanding any other provision of this Act, amounts appropriated under the heading "International Narcotics Control and Law Enforcement" shall be increased by \$50,000,000.

(m) Notwithstanding any other provision of this Act, amounts appropriated under the heading "Foreign Military Financing Program" shall be increased by \$75,000,000.

(n) The entire amount in:

(i) subsection (b) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(ii) subsection (c) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(iii) subsection (d) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(iv) subsection (e) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(v) subsection (f) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(vi) subsection (g) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(vii) subsection (h) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emer-

gency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(viii) subsection (i) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

Mr. BYRD. Mr. President, by now it has become evident to even the most die-hard supporter of the President's goals for the reconstruction of Iraq that the \$20.3 billion request presented to Congress contains scores of questionable projects and programs: \$95 million for basic cosmetics at Iraq's airport; \$19 million to build a wireless Internet system for the Iraq post office; \$9 million to outfit Iraq with ZIP Codes; \$54 million for a computer study for the Iraq Postal Service. The list goes on and on and on.

In fact, the budget request for the reconstruction of Iraq is riddled with frivolous, preposterous items. This is not just my conclusion. The Republican-controlled House Appropriations Committee last week found a total of \$1.655 billion in questionable and unnecessary expenditures buried deep within the President's \$20.3 billion request for Iraq's reconstruction. As a result, the Republican-controlled House Appropriations Committee reallocated that money to other priorities. I applaud the actions of the House Appropriations Committee.

The amendment I am proposing, and which is cosponsored by Senators DURBIN, BIDEN, LEAHY, DORGAN, MIKULSKI, LANDRIEU, and FEINSTEIN, would mirror the cuts made by the House Appropriations Committee and reallocate those funds to four areas of far more urgent priority: \$600 million to secure and destroy conventional weapons in Iraq; \$386 million to accelerate reconstruction activities in Afghanistan; \$200 million for disaster relief for Liberia, of which \$50 million is allocated from funds in the bill; and \$519 million to repair critical military and Coast Guard facilities in the United States damaged by Hurricane Isabel.

The projects for which the President is seeking \$1.655 billion in funding have nothing to do with protecting American troops in Iraq, and they have nothing to do with enhanced security in Iraq.

Why does the administration need to spend \$2 million on 40 garbage trucks, at \$50,000 each? Why does the administration need \$20 million for a 4-week business course at \$10,000 per student? Why does a country rich in oil reserves—the second largest in the world—need \$900 million to import petroleum products?

According to the Congressional Research Service, if we purchased those petroleum products at market prices, it would cost \$704 million. I wonder who is profiting from this sweetheart deal at the U.S. taxpayers' expense.

And that is to say nothing about the billions of dollars being requested to upgrade the transportation, water, and energy sectors of the Iraq economy to levels not seen in decades.

These are not funds to buy body armor for our troops or secure munitions that may be used against them. We are talking about building dams in the middle of the desert. There is no need more urgent than the need to protect U.S. troops in Iraq from the vicious guerrilla warfare that has been overshadowing their operations and causing intolerable deaths and injuries.

Almost 200 U.S. troops have been killed in Iraq since the President declared an end to major combat operations last May, more than half as a result of guerrilla warfare. American soldiers have been the victims of assassinations, mortar attacks, rocket-propelled grenades, snipers, and road mines. These are all conventional weapons attacks.

Earlier, senior American officials estimated that as much as 650,000 tons of ammunition remained unguarded at thousands of sites used by the Iraqi security forces. This week, the New York Times reported that military officials now believe there may be as much as 1 million tons of leftover weapons and ammunition scattered throughout Iraq.

Even more troubling, the Times asserted that two recent suicide bombings in Baghdad and virtually every other attack on American soldiers and Iraqis were carried out with weapons looted from Saddam Hussein's arsenal.

GEN John Abizaid, commander of U.S. troops in Iraq and Afghanistan, told the Senate Appropriations Committee last month:

[T]here is more ammunition in Iraq than any place I've ever been in my life, and it is all not securable . . . I wish I could tell you that we had it all under control, but we don't.

Mr. President, we know that scores of conventional weapons sites are not secure. We know these sites are being looted. We know these weapons could be and are being used against our troops. Yet the administration is asking us to believe that garbage trucks and parking garages are a higher priority than securing these weapons sites.

The President's budget request includes only \$300 million in a catchall account that lumps munitions security in with critically needed bulletproof vests and the rapid fielding of technological advances. This is the same budget request that includes \$697 million for sewage improvements in Iraq, \$150 million for the aforementioned garbage trucks and landfill sites, \$200 million for an America-Iraqi Enterprise Fund, and \$110 million for something called Market Oriented Specialized Training.

Where on Earth is the administration getting its priorities? The Defense Department needs significantly more than an unspecified web of an already underfunded account to accelerate the

effort to shut down Iraq's weapons dumps.

This amendment is an attempt to restore a measure of sensibility to this bill. This amendment would delete \$600 million from some of the most egregious provisions included in the President's request, and would reallocate those funds for the search and destruction of conventional weapons.

The amount of money that is being redirected to this crucial mission is not a random figure. It is equal to the amount of money the media has reported was requested in this bill for the—so far—futile search for weapons of mass destruction in Iraq, and it is the sum U.S. authorities say they could use to expedite the efforts to secure and destroy loose conventional weapons in Iraq.

Without additional funding, and a stepped-up program, U.S. officials estimate it could take 18 years to disarm Iraq.

Mr. President, America's soldiers in Iraq cannot wait that long. We have already spent substantial sums of money in Iraq in an effort to find some scrap of evidence that Saddam Hussein possessed and was poised to use weapons of mass destruction.

In the first Iraq war supplemental last spring, Congress approved \$300 million for that purpose. For some reason, the administration has classified the current funding request for the Iraq survey team. It is unclear to me why this should be a classified figure. The creation of a group to locate weapons of mass destruction is not classified. Their mission to find weapons of mass destruction is not classified. The funding request included in the first supplemental for Iraq was not classified. It seems the only reason to classify that information now is to protect this administration from further embarrassment about how much it is spending to justify its largely discredited claims.

This administration made a momentous effort out of preparing our troops for attack from weapons of mass destruction, and here we are losing a life almost every day to common, generic, conventional weapons being dug out of piles without even a simple fence. So accelerating the effort to secure and destroy conventional weapons in Iraq is a matter of the highest priority.

Another priority in the war against terror is to speed the stabilization and reconstruction of Afghanistan. Contrary to assertions by Vice President CHENEY that Iraq is the central front on the war on terror, Afghanistan, the Taliban, and most especially al-Qaida and Osama bin Laden represent the true heart of the war on terror. And these demons are not to be found in Iraq. Their power base is in Afghanistan. We cannot afford to forget Afghanistan.

The President's budget request includes just \$799 million for relief and reconstruction in Afghanistan. This is not enough. The situation in Afghanistan appears to be deteriorating as the

Taliban shows signs of reconstituting itself. The House Appropriations Committee allocated an additional \$375 million to speed up the reconstruction efforts in Afghanistan. The Senate should do no less. So this amendment adds \$386 million for Afghanistan.

We need to deal with the damage that Hurricane Isabel inflicted on U.S. military installations and Coast Guard facilities in the United States. As sympathetic as I am to the need for garbage trucks and vocational training institutes and employment offices in Iraq, I am even more concerned about the devastation Hurricane Isabel brought to a number of our east coast military and Coast Guard facilities. The operational facilities and family housing units alike suffered severe damage.

Unfortunately, the military cannot tap into homeowners insurance when a storm sweeps through. The cost of repairing the damage caused by Hurricane Isabel comes out of operating expenses or it comes at the expense of other needed facility improvements.

We have many glaring needs in Iraq and elsewhere that the President's budget request fails to meet. I believe we can be far more effective than the President by redirecting a small portion of the funds requested for dubious programs in Iraq to programs of obvious and immediate priority.

I urge my colleagues to endorse the reduction made by the House Appropriations Committee and to redirect the \$1.655 billion in funding to secure and destroy conventional weapons in Iraq, to accelerate the relief and reconstruction activities in Afghanistan, to provide emergency relief to Liberia and Sudan, and to help the United States military and Coast Guard recover from the devastation of Hurricane Isabel.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I rise in opposition to the amendment. I don't want to take too much time. The hour grows late and all of my colleagues would like to finish up with this legislation.

Everybody knows there are two phases to the Iraqi conflict. One is the military phase, which for all intents and purposes expired, finished, and was completed some months ago. Now we face the most difficult challenge; that is, the rebuilding and reconstruction of this country which was damaged not only in the conflict—and, by the way, surprisingly little given the brevity of the conflict and the enormous success our military enjoyed—but mostly because of the cruel and criminal neglect of the infrastructure and on the people of Iraq inflicted by Saddam Hussein.

There were several mis-estimations concerning the conflict. But perhaps the greatest mis-estimation was our failure to understand the degree of deterioration of the goods, fundamental services, and infrastructure of Iraq.

We all know, whether we support or oppose our effort in Iraq, that a vital

ingredient is the reconstruction. Without the people of Iraq being provided with the fundamental services they need to conduct a normal life, sooner or later the people of Iraq will turn against us. They will fall prey to the propaganda of our enemies who say the United States invaded, will not help you rebuild your country, and wants to take your oil—one of the unfortunate aspects of the vote last night.

I don't know if every single item the administration asked for is most necessary. I had a chance to review most of these projects. More importantly, the Appropriations Committee, in its deliberations and hearings, did also. We had hearings in the Armed Services Committee, of which I am a member. This was a subject raised.

I note in the amendment of the Senator from West Virginia that no funds could be used to build maximum security prisons, as one example. I am sure the Senator from West Virginia knows that one of the most terrible aspects of the postcombat phase is the tragic deaths of young American soldiers. What if we have no place to put these people we capture who are killing American soldiers? If we agree to the amendment of the Senator from West Virginia, no maximum security prisons can be built.

No communications network: One of the greatest difficulties for the Iraqi police force—that we are trying to rebuild and actually build—is their ability to communicate with one another.

These are security projects: Traffic police buildings, fleet, and equipment. It seems to me that one of the fundamentals and first priorities would be to build a capable police force. That is Ambassador Bremer's priority. That is an Iraqi ruling council priority. Yet we couldn't spend any money if the amendment of the Senator from West Virginia were approved to help traffic police buildings, fleet, and equipment.

I will not go through every one of these items on which the Senator would like to prohibit us from spending any money. Some of them are legitimate questions. But we have hearings. That is why we have congressional scrutiny. That is why there will be, when this bill is passed, a conference with the other body whose changes will be considered as well.

Again, legitimate debate will go on for years and years. Historians will judge, of the 77 Senators who voted in favor of authorizing the President of the United States to go to Iraq and the 23 who voted against it, which ones were right. History will make that judgment. But there is no one who believes that once we are there in Iraq that we don't have an obligation, an absolute obligation, to do what we can to help them rebuild their country, which is a fundamental if we expect democracy to take root in a place in the world which has never known it.

I travel a fair amount. I believe it is part of my duties as a member of the Armed Services Committee. Frankly, I

enjoy it because I find it to be the most informative way for me to be able to understand our national security, our foreign policy, and many other issues.

I went to the city of Basra. I wish the Senator from West Virginia could have been with me. Since 1991, Saddam Hussein allowed that city, the second largest city in Iraq, to deteriorate to the point where it is a total disaster. It is a giant slum. Stagnant water is sitting around everywhere. There is filth, disease, the threat of cholera. I notice that the Senator from West Virginia wants to remove a Basra water pipeline and treatment plant.

I say to the Senator from West Virginia, if he doesn't want to travel there, I would be glad to show him pictures of the absolute criticality of taking care of the sewage and waste that abound throughout that city, if only from a humanitarian standpoint, to save the children who are dying every day there because of the lack of basic sanitation.

Mr. WARNER. Will the Senator yield for a question?

Mr. MCCAIN. I am glad to yield.

Mr. WARNER. Mr. President, I, too, have traveled to the region, as has the Senator from Arizona. It was clear to me that there is a direct correlation between the efforts to repair the infrastructure in Iraq and, frankly, lowering what is in the minds of us every day: the danger to the individual men and women of the Armed Forces and the coalition forces. On every vote I cast in connection with this important measure, I have focused and faced that soldier patrolling in Iraq and said: Does this help him or her, or not?

I wonder how the Senator from Arizona feels about this amendment in correlation to the infrastructure and the reduction of the risk and danger of those undertaking the military mission.

Mr. MCCAIN. I thank the Senator from Virginia who I know made a trip to Iraq as well. Again, I am sure Ambassador Bremer will kill me, but I urge all of my colleagues. The Chair and I took a trip together. You cannot appreciate the degree of devastation to that country inflicted by Saddam Hussein—not by the U.S. military—until you see it. Yes, any student of history knows that democracy cannot take hold where there are no fundamental services that allow people to deal with issues other than their own survival. And unless this democracy moves forward, then the forces in opposition grow and the risk to American lives is obvious. Parts of Iraq are still up for grabs; we are still trying to win the hearts and minds of the people in the Sunni triangle, and to say we will not help them build their infrastructure, in my view, would be a serious error.

As the Senator from Virginia said, it could increase the casualties and risks to the American men and women fighting there. I am sure that that is not the intent of the Senator from West Virginia. So I hope we can dispense

with this amendment rapidly. I do believe that in the upcoming weeks and months we will be examining our programs and progress. There are numerous amendments that require auditing by the GAO. They require reporting as to how money is expended. There are numerous requirements included in this legislation, both in its original form and through amendments.

The Senator from Delaware and I have added an amendment, that was accepted, that requires GAO auditing of this money and how it is spent, regular reporting to the Congress. I believe this money will be as heavily scrutinized as any appropriation that the Congress has allocated in history, and that is justified because this is a huge amount of money. So I hope we will understand that taking these items out of our aid to reconstruct the country of Iraq would be a serious mistake.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, let me say at the outset that I am an original cosponsor of the Byrd amendment. I seldom have disagreements with my friend from Arizona on these issues. But I argue that this is a place where reasonable men and women can differ.

At the outset, I wish to be clear that I am going to support final passage of this bill. I announced that when the President announced his initiative. I am sorely disappointed that the President failed to tell us how we were going to pay for this, other than adding to the debt of my grandchildren, and we are approaching a debt of \$600 billion. I think that is a terrible abdication of responsibility. I do believe that, notwithstanding the fact that I am not going to get what I want out of this legislation, we have no choice. To paraphrase President Clinton: We went in; we broke it; we paid for it; we own it; we have to fix it.

Let's get to the reality. I voted to go in. It was the right vote, the correct vote. I did not count on the incompetence of the administration in handling the aftermath—their failure to anticipate what many of us on both sides of the aisle, most think tanks, and the State Department warned we would have to face. Nonetheless, that doesn't absolve me of the responsibility for trying to make sure it works.

What Senator BYRD and I and others are doing here is what is the Congress's responsibility: we are overseeing whether the money asked for by a President is being spent in the most appropriate way. That is our job. I say to my friend from the State of Virginia, the chairman of the Armed Services Committee who asked my friend from Arizona the question about whether or not this amendment would enhance or diminish in the minds of the average soldier over there their security.

I can tell you, having been the first Senator to go over there, that it will enhance them. If you give them a

choice of whether they agree with Senator BYRD and me, that we should redirect the money from garbage trucks to securing those stockpiles of weapons, I guarantee what they will say.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. BIDEN. Sure.

Mr. MCCAIN. I noticed the Senator was talking about how the money would be spent in the amendment. It includes \$200 million available for relief in Liberia, and \$50 million should be made available for Sudan. What in Sudan would this money go for, I wonder.

Mr. BIDEN. I will be happy to respond to all of that in my statement.

Mr. MCCAIN. While you are at it, if I may continue my question, not to exceed \$50 million to support the Government of Afghanistan. Of course, not surprisingly, there is specific money for Fort Monroe, VA.

Mr. BIDEN. I am happy to respond.

Mr. MCCAIN. My question is, Why is \$50 million made available for Sudan and \$50 million to support the Government of Afghanistan, which was not requested by the administration in any way, not scrutinized? Congratulations; hello, Sudan; here is \$50 million.

I ask my colleague, if he is concerned about how some of the money is being spent, should he not justify how the amendment would like to have that money spent?

Mr. BIDEN. If the Senator will allow me to continue my statement, I will be delighted to. I was responding to the comment of the Senator from Virginia, at the outset of my statement, as to what he thought the average soldier on the ground in Iraq would think of this amendment. My answer to that is, I believe because of how the money is redirected to be spent, that portion is redirected to be spent in Iraq, most soldiers—if you walked up to them and told them Senator BYRD and Senator BIDEN had this idea that, instead of paying \$35,000 per pickup truck, we should pay \$19,000; instead of building the following \$499 million worth of prisons, build \$199 million worth of prisons now; instead of going out and spending thirty-some thousand dollars per unit of housing—we don't know who is going to live in it and how it is going to be paid for—would you rather have us do those things or go and secure those arms depots that are now not being secured because our administration tells us they don't have the manpower or the money to do it?

The New York Times article that I have lays out in detail what we all know. It says:

The compound—part factory, part warehouse, with several reinforced bunkers sprinkled about the grounds—is rubble now, demolished by American bombs. But missiles are everywhere. There is a 30-foot missile with Russian markings, still on its trolley, on a sidewalk. The propellant appears to have been removed, but the nose cone is intact.

Two Exocet missiles—clearly labeled as such and stamped "Aerospatiale"—lie on the



ground several hundred yards away. They seem to have been rendered largely useless by the bombing, but parts may be of some value.

The best-preserved missile, the 15-footer, appeared to be another Exocet—*Et cetera, et cetera.*

All I am saying is I believe it is totally legitimate for us to sit here and do what we do on every appropriations bill—just as the distinguished chairman of the committee does when the Pentagon says we want to build a certain aircraft. You may come along and say we studied it, we know as much as you do about it, and we don't think you should build it.

The chairman and I have been here a long time. I have been here 31 years, and he has been here longer than that. I know as much or more about this than Bremer. I have more experience than he does. So I am not going to sit here and, because Bremer—and he is a great guy—says, this is what I think, say, yes, sir, Mr. Bremer, lord high counsel, you are right. I am not going to do that. I know as much as he knows.

I may be wrong. I used to tell the old joke about the Texan. I don't say "Texan" now because people think I am talking about the President. The old joke used to be: I don't know much about art, but I know what I like. Well, I may be wrong, but I know what I think.

I think in terms of priorities—and I am voting for this \$87 billion, and I voted against raiding Iraqi oil, and I voted against many of the amendments my Democratic colleagues have put forward. But the idea that our reallocating \$1.7 billion out of a total of \$21 billion is somehow going to ruin this—hey, if you want to go back and look at the record at who is more likely right in predicting what will happen in Iraq—Bremer, the Defense Department, CHENEY, or me—I will take that bet.

These guys have an incredibly lousy track record on judging what was going to take place after Saddam fell.

The only point I want to make is, we are not doing anything radical. We are saying: Hey, look, don't pay 30-some thousand bucks a pickup truck. Pay 19 like you do at home. Some of us think, and I am one of them—clearly, no one speaks for the Senator from West Virginia ever, so I am not pretending to speak for him. He may not wish to associate himself with the remark I am about to make. But the fact is, I think there is some padding in this request. I think they padded this request because they don't want to come back to us again.

Remember, I said this on the Senate floor, and I hope I am proved to be wrong—this is a dangerous thing to do, to make a prediction before all the world on the floor of the Senate—but the prediction I made and many others made, not just me, 9 months ago was this was going to cost us billions of more dollars. Guess what. It is costing billions of more dollars.

I was not, nor was, I suspect, my friend from Arizona, surprised the President came along with an \$87 billion request. Guess what, folks. He is going to have to come back again, even with international support. I think part of this was padded. Pad a little bit more of another several billion dollars so we get through the next election and don't have to come back. They are going to have to come back, whether it is a Democratic President or a Republican President.

We should level with the American people. This is not done. This is nowhere near done, and the \$87 billion will not do it. Even if we don't put an extra penny in reconstruction from this moment on, it is still going to cost us 4 billion bucks a month to keep our troops there. So they are going to come back for that. I don't hear anybody, I say to the chairman of the Armed Services Committee, suggesting we are not going to have 100,000-plus troops there a year after this.

Look, all I am saying is, this is our responsibility. Senator BYRD and I and others have looked at this very closely. I had a bill that was slightly different than Senator BYRD's. We have a slight disagreement on what we would cut and wouldn't cut. It is called compromise. I wouldn't have cut as much out of the prisons. I didn't do it that way, and I would have put more money in other places.

The bottom line is this: There are very serious problems that warrant our attention. Yesterday, the World Bank and the United Nations released their assessment of Iraqi needs. They anticipate the total cost of reconstruction through 2007 will be on the order of \$56 billion. That is \$35 billion above what we are about to vote on.

From where is it going to come? Based on what we were told by Ambassador Bremer, if all goes well, Iraqi oil will generate—and I appreciate his candor—\$5 billion to \$6 billion a year above and beyond the operating expenses through the year 2005. That still leaves you \$20 billion short.

I remember talking with the chairman of the Armed Services Committee when I came back from my trip. He is an incredible gentleman, I must say, and straight as an arrow. He said: Joe, what did you think? Is there enough oil there? I think he will remember this.

I said: Our folks over there said, Mr. Chairman, no; oil can't pay for this, can't get it done.

Guess what. We all acknowledge oil can't get it done.

I have joined Senator BYRD, Senator DURBIN and others, not because I oppose the underlying request, but because I think it needs to be improved—it seems that this request was not adequately vetted by the Office of Management and Budget.

In addition to that, as my friend from Virginia remembers, we sat in a leadership meeting with the three leading Iraqi members of the council from Iraq. We asked them: Did anybody vet

this with you? He will remember, they said no.

We said: You want the \$21 billion for reconstruction, but would you do it this way?

They said no.

Then they said: If you let us do it, we could do it more cheaply. And they said: You are wasting money.

That is what they said.

Mr. WARNER. Mr. President, will the Senator yield?

Mr. BIDEN. I will not yield at this moment. I want to finish.

Mr. WARNER. I am not asking the Senator to yield the floor, but the other part, in fairness—

Mr. BIDEN. I will be happy to yield to my friend.

Mr. WARNER. I do add the fact that I was present and I recall being somewhat concerned, I say to my distinguished colleague, but they had only been in office several weeks. The head of the electricity board, a magnificent woman, very well-skilled in technical matters, and the head of water and sewage, a gentleman—I was so impressed with them, but they said: We have only been in office 2 or 3 weeks.

We ought to add that fact to the Senator's point. I am somewhat concerned when you say Bremer padded. Do you have any evidence on this?

Mr. BIDEN. Yes, if my colleague will let me speak, I will be happy to show you. I have not spoken once on this entire legislation since it has been on the floor. The answer is yes, not padding in the sense they think this is some nefarious scheme, but I can't fathom how you can justify spending \$34,000 for a pickup truck. We are not talking Humvees. We are not talking armored personnel carriers. We are talking plain old Ford pickup trucks. Where the heck do you get that? That may not be padding in the sense—and I am not suggesting there is some nefarious activity going on here. I am saying it is better for them to err on the side of having this a higher number than a lower number now, and the reason is because they know they are going to have to come back. They know this is not going to get the job done.

As the predecessor to my friend JOHN MCCAIN—and I do consider him a great friend—his predecessor, Barry Goldwater, with whom I served, used to say: In your heart, you know I'm right, John. In your heart, you know I'm right. This is not going to be enough. They are going to have to come back again.

I can't understand some of the earmarks in this request. I don't deny the good intentions, but as I said, and I know my colleagues are not saying this, but for me not to have the right to question their judgment on what is right for Iraq would be a little like my saying the Armed Services Committee has no right to question the judgment of the Joint Chiefs of Staff when they make a recommendation as to what they need.

The point I am making here is, we are talking about essentially redistributing, reallocating, as we do on every



single bill, \$1.655 billion of this money to other purposes. We are not even cutting it. We are not eliminating it. We are not building housing in Dubuque, which we should, or Wilmington—wherever. We are just saying we don't think a portion of what you are asking for is appropriately allocated.

Let me tell you what we want to do. Among the items in our amendment, we cut \$100 million that is going to be used to build 3,258 housing units. Do they need housing units in Iraq? Yes, they do. Should the international community go along with that and help rebuild the Government? Yes, they should. But this seems to be a disproportionately large sum relative to the small number of units that will be built.

It is also unclear for whom these units are being built and whether the residents are going to be paying for housing when it is built. We just need some facts. It doesn't mean we are never going to come back and help people with housing. While we cut \$100 million from, I think, this dubious purpose—dubious in the sense that in terms of priorities—we have left intact \$130 million for government buildings and other construction projects, as well as \$240 million for roads and bridges.

We also cut \$200 million from the American Iraqi Enterprise Fund. Enterprise funds can be very effective in places where there is no prior expertise or entrepreneurship. As we heard repeatedly in the Foreign Relations Committee from witnesses of this administration for the last year and a half, the Iraqis are very sophisticated folks. They need capital; they don't need enterprise funds. They are good businessmen.

This is not like going into Liberia and trying to get a business class educated. That is what we do with enterprise funds. This is an established, educated business class. Businessmen are not in short supply in Iraq. The country has a strong business community, even if it was squeezed under Saddam's rule. In fact, we might be able to learn a thing or two about Middle Eastern commerce by working with Iraqi businessmen, not to mention getting more value out of our assistance fund.

That was one of the things said by the Iraqis who came to see us from the Iraqi Governing Council. They said: Let us get in on these contracts. Let Iraqi businessmen build some of this stuff. We will employ more Iraqis. We will do it more cheaply. We know the business.

Again, keep in mind what we are talking about here. Out of \$21 billion, we are talking about reallocating \$1.655 billion of it. The savings we think should be obtained by these and other cuts we apply to critical programs in Iraq, Afghanistan, and Liberia.

Now I hope I can answer some of the questions my friend from Arizona raised. First, we have redirected \$600 million in savings to the Army to ac-

celerate securing and destruction of Iraqi's vast stockpiles of conventional weapons.

I ask unanimous consent that an article entitled "At Iraqi Depot, Missiles Galore And No Guards" by Mr. Bonner and Mr. Fisher of the New York Times October 17, 2003, be printed in the RECORD.

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

[From the New York Times, Oct. 17, 2003.]  
AT IRAQI DEPOT, MISSILES GALORE AND NO GUARDS

(By Raymond Bonner and Ian Fisher)

MUSAYYIB, IRAQ, Oct. 16.—It weighs more than a thousand pounds, so carting it away could present a few logistic problems for the average looter. But the fact remains that there is a very nice 15-foot-long missile, in mint condition, there for the taking, at one of Saddam Hussein's defense factories a few miles west of here.

The missile, along with a dozen ready-to-fire 107-millimeter antitank rounds, just a few feet away, is part of a problem that the American military has only begun to grapple with: as much as one million tons of ammunition is scattered around Iraq, much of it unguarded—like the armaments here—simply because the United States does not have the personnel to keep watch.

On Thursday in Baghdad, an American brigadier general, Robert L. Davis, acknowledged the scope of the problem, saying that there are 105 large ammunition dumps as well as scores of smaller sites, not all of them guarded regularly. But General Davis, who is overseeing the cleanup, sought to give assurances that the Pentagon is working as fast as possible.

In the past three weeks alone, he said, recently deployed private civilian contractors have destroyed more than 2.5 million pounds of ammunition, whereas American soldiers were able to destroy only a million pounds in the last six months.

"It's a very high priority," General Davis told reporters.

But on Thursday, not a single soldier or guard was to be seen at this compound in the desert 40 miles south of Baghdad. A few Iraqis wandered about, and vehicles drove on the roads in the compound; one man drove off on his three-wheeled motorcycle with a bounty of long sections of pipe.

Evidently, American soldiers were here during the war. Their graffiti attests to that—"Saddam Free Zone," "Go Team USA #1." Apparently, they left before thoroughly searching the site, or perhaps they simply lacked the time or expertise to clean it up.

The compound—part factory, part warehouse, with several reinforced bunkers sprinkled about the grounds—is rubble now, demolished by American bombs. But missiles are everywhere. There is a 30-foot missile with Russian markings, still on its trolley, on a sidewalk. The propellant appears to have been removed, but the nose cone is intact.

Two Exocet missiles—clearly labeled as such and stamped "AEROSPATIALE"—lie on the ground several hundred yards away. They seem to have been rendered largely useless by the bombing, but parts may be of some value.

The best-preserved missile, the 15-footer, appeared to be another Exocet, though because of the container's position against the wall, only the cone could be seen. The writing on the shipping tube, in French and English, was inconclusive.

Outside in the rubble was a shoulder-fired SA-7, a Russian-made surface-to-air missile, caked with dirt.

It is impossible to know how much has been looted from this factory. In the desert about five miles away is the shell of a truck. Bedouins said the truck had belonged to looters who were captured several weeks ago by Americans.

The desert sand around where the truck was found is littered with mounds of mortar and artillery shells. Most of them appeared to have been defused, but a few live, small rockets, as well as several hundred live large caliber rounds, were found among the litter. It is not clear how the munitions got here.

The issue of unguarded Iraqi ammunition dumps has taken on greater urgency recently as the pace of bomb attacks against American forces and other targets has increased. Military officials say much of the explosives being used in the attacks come from ammunition sites like this one, which had once belonged to Mr. Hussein's army.

As if to underscore the threat, six rockets were fired on Wednesday into the green zone in Baghdad, the heavily guarded cocoon that protects senior American officials, including L. Paul Bremer III, the top civilian administrator. No one was hurt. It was the second such attack.

After American troops took over in Iraq, they were confronted with an astonishing number of obvious weapons caches: in schools and mosques, and in houses in neighborhoods where the residents had apparently been moved out before the war.

Sometimes those dumps exploded, killing and wounding people and stoking Iraqis' anger against the Americans.

Soldiers are finding more dumps every day. General Davis said that in one military zone in northern Iraq, commanders first reported 730 weapons caches. More recently, the number climbed to 1,089, though General Davis said all but 12 had been destroyed.

General Davis said the military had not ignored the problem. He said that the Pentagon had hired private contractors, but that they had only been working about three weeks and were still not here in full force.

"I don't think we've been slow to recognize the problem," he said. "You can already see the difference in what we could do in about a six-month period and what they can do in a three-week period at partial mobilization."

While he said the job of guarding the dumps was not under his command, he said many of them were either protected by American soldiers or at least patrolled regularly.

But he conceded that some were not. "I don't know why we could not guard them all," General Davis said.

Another military official said that 6,000 American soldiers had been assigned to manning the dumps, but that more were needed.

General Davis said \$285 million had been allocated in the next year to clean up the ammunition, a job that he said would take several years.

Right now, there are 160 civilian contractors from four private companies, with another 120 in Kuwait. In total there will be 430 people dedicated to destroying the ammunition when the operation is at full capacity in December, he said.

Mr. BIDEN. I would ordinarily read it, but I know a lot of my friends want to head home, and I do not want to hold them up very much longer in terms of keeping us late today.

No one doubts this is a critical issue, dealing with and securing this stockpile of conventional weapons, which our military tells us on the ground is

now being used in more sophisticated ways by the old Fedayeen, by the thugs, by the old Iraqi Army, by the people attacking us. The need in this area is enormous.

Consider these facts: The head of the central command, General Abizaid, testified before the Senate Appropriations Committee on September 24:

There is more ammunition in Iraq than anywhere I've ever been in my life.

Continuing:

And it is all not securable.

He goes on to say:

I wish I could tell you that we had it all under control but we don't.

General Abizaid estimates Saddam Hussein amassed 650,000 tons of ammunition. That is about a third of the entire United States military stockpile. Take all of the amassed ammunition the United States of America has stockpiled, with our close to \$400 billion military budget, and Saddam has amassed about a third that much, and 650,000 tons is sitting in Iraq right now.

Now, of that 650,000, only 70,000 to 80,000 tons have been secured by the American military. Why? They do not have the manpower. CENTCOM has estimated it will take 5 years to destroy those weapons already confiscated.

I say to my friends, as important as housing is, that is more important. General Abizaid, and these are his words, not mine. According to a front-page story in USA Today of September 30:

Coalition forces had uncovered 102 large caches of small arms throughout Iraq and hundreds of more smaller caches. A large cache is defined as requiring at least 10 tractor-trailer loads to remove. Of the several hundred arms caches, 50 remain unguarded, monitored only by cameras. Easy access to arms and explosives poses the most immediate threat to coalition troops.

That is what I meant when I said to my friend from Virginia I believe he asked the coalition troops what they are most worried about, if they are worried about whether Senator BYRD and I are cutting housing money and garbage trucks and adding it to getting these arms caches, or whether they would rather have us build the housing and the garbage trucks.

Experts estimate there are enough guns in these stockpiles to arm each and every one of Iraq's 25 million people. The same USA article says: An AK-47 with ammo can be bought on the street, as we both know, having been there, for 10 bucks.

People are walking around after going to these caches and saying, I have a little AK-47 with all the ammo, 10 bucks will get it for you.

A story last Wednesday in the New York Times:

U.S. can't locate missiles once held in arsenal of Iraq.

They related that coalition soldiers—that is basically American soldiers, although there are brave Poles and brave Brits, but we are the bulk of it—have been unable to locate possibly hundreds of shoulder-fired missiles, which

as all of us who pay a lot of attention to what is going on in Iraq know is why the Baghdad Airport is not open.

We are going to get all this commerce going in Iraq. We have the Secretary of Commerce over there saying invest in Iraq; it is a good deal. The airport cannot even be open. Why? Because we cannot account for—and this is not a criticism; it is an observation—shoulder-fired missiles that have gone missing from these stockpiles.

In case someone thinks I am exaggerating, the coalition put the word out on the street, we will pay 500 bucks to anybody—it is like a gun retrieval program in Richmond or Wilmington—who brings in that shoulder-held missile and gives it back to us. Three hundred Iraqis have walked up to coalition soldiers with a shoulder-held missile and said, here is a missile. Where is my 500 bucks?

These weapons can fetch as much as \$5,000 on the black market. Do I need to explain to anybody on this floor—I clearly do not—how porous the Iraqi border is? Every day the administration is talking about Iranians crossing the border, about al-Qaida, about terrorists. Here we are unable to account for hundreds of shoulder-held missiles that are selling for \$5,000 on the black market.

Again, to make the point, do my colleagues think our soldiers would rather have us be able to confiscate those missiles and not let any more get out or spend \$30,000 for a pickup truck? Given Iraq's porous borders, this is a disaster.

Second, our amendment redirects \$386 million of the \$1.655 billion from what we believe to be nonemergency spending to Afghanistan in areas where every dollar counts. That is less money than I would like to see devoted to Afghanistan, but it is nearly a 50 percent increase in the funds the President requested.

We held a hearing yesterday with the administration in our Foreign Relations Committee. They are pointing out to us they do not have the money. I say to my friend from Arizona, to train up the ANA, the Afghan National Army, because, as we both know, the President announced after he came back from Tokyo the new Marshall plan for Afghanistan—not BIDEN's words, not MCCAIN's words, not WARNER's words, but Bush's words. He announced the Marshall plan for Afghanistan, God love him. Well, guess what. The Marshall plan is the Marshall without the general, because the money is not there.

So what is Karzai saying? We have this new plan to train up immediately the ANA, the Afghan National Army. There is not enough money. So we say we are going to take \$386 million of this and give it to spend in Afghanistan.

Now, why Afghanistan? Look, there are bookends around a little country called Iran, with 40 million people, which is seeking a nuclear weapon. It is now run by an oligarchy made up of

ayatollahs who control the military and all the security apparatus. You have a failed state on your east and a failed state on your west. You have an incredibly emboldened Iran. Kiss goodbye modernity—the fancy word we like to use for modernizing the Arab world. Kiss goodbye democracy.

We cannot afford to let Afghanistan fail.

So, just as in Iraq—and my friend from Arizona and I agree we need more forces in Iraq, not fewer. I am getting my brains kicked in for that and he is, too, but we are right. We have General Abizaid saying we don't need more forces. Guess what. We can't secure these depots. Come on. If you can't secure the depots, why can't you secure them? Because you don't have the forces.

Oh, I get it. Then you don't need the forces because you don't think these 650,000 tons of ammunition matter. Is that what you are saying to me?

Mr. WARNER. Will my colleague yield?

Mr. BIDEN. I will not yield. I will not yield. I am almost finished, and you can have the floor, and I will be happy to discuss it in any way.

To keep the continuity of the point I am trying to make here, the same thing exists in Afghanistan. They don't have the money to do what this administration says it wants to do. So guess what. We are trying to help them. We are trying to help them. So we are reallocating \$386 million of the \$1.655 billion, out of \$21 billion. We are reallocating it where we think—we may be wrong, but we have a right to think it—to allocate it where we think it is needed.

Where will it go in Afghanistan? Mr. President, \$75 million of that \$366 million will go to the Afghan National Army, which currently pays, I might add—do you know how much they pay? Let's everybody remember this. I know we know it, but sometimes there are so many facts it is easy to forget.

We are trying to get an army in Afghanistan that is made up of Tajiks, made up of Pashtun, made up of all the ethnic groups. That is what we are trying to do. You know, that is our objective. But right now the war lords, who historically control them all and have armies bigger than the national army, are paying their armies that they have made up—they are paying them a fair amount of money. They are also the biggest opium traders, now, in the world.

Do you know what we are paying the Afghan Army, what Karzai gets to pay them? It is \$50 a month—\$50 a month. We went back and looked, Senator LUGAR and I. That is less money than we are paying the guy to clean the latrines in the army barracks where we are training them.

Look, I am not a businessman, as is often pointed out to me by my Republican friends. But let me tell you, if I am trying to attract from the warlord in Herat, Ismael Kahn, some of his

folks to come and join the Afghan National Army, then it seems to me I have to be able to compete in the marketplace for them. Fifty dollars?

So what do we do? We follow through. We follow through with what the administration says it needs. We give them the money. We give them, of this money, 75 million more dollars to train up an Afghan National Army.

Again, why is that important? The reason that is important is, as long as we do not have an Afghan National Army, we have to have American forces there. I don't want American forces to stay there, which is the administration's rationale. I agree with the rationale, just as we are saying in Iraq, train up an indigenous force as quickly as you can.

What are we trying to do here? What we are trying to do here is meet the objective stated. The objective stated is train up, as fast as you can, an army. So we give them \$75 million more. We take \$50 million, I say to my friend from Arizona—and there is accountability under the existing legislation—for more police.

The one thing everybody says in Afghanistan, which I have also visited, is that we don't have enough police, especially outside of Kabul. The local Governors and mayors cannot control Kandahar, cannot control all the various cities. We already have a program for police. We say: We are going to give you \$50 million more for that program. We also increase schools.

You say: OK, Biden, now you get the fuzzy stuff, \$55 million for schools. You just got done saying you don't want housing in Iraq, but you take Iraqi housing money and use it for schools? Simple reason: The Saudis and the Wahabi extremists have built 7,000 madrasahs, 7,000 hate-spewing institutions in the country of Afghanistan.

President Karzai says: Help me.

My friend, the Presiding Officer, is a very well educated guy. He remembers why so many people in the Middle Ages sent their kids to monasteries. It wasn't because they wanted them all to be priests. It was because they had a roof over their heads, three square meals, and clothes on their back. They were ready to trade for that, in their view, to have them indoctrinated or otherwise. That is why the people are in madrasahs.

Karzai said—listen, I spent hours with him, as many of you have—I need more schools. How can I get you to take your kid out of that madrasah unless I have someplace to put him? Guess what; \$20,000 will hire you a schoolteacher for a year and build you a rudimentary school in Afghanistan.

Then we take \$38 million for public health and \$15 million for road construction.

I will not go into any more detail. I apologize for taking this long, but it is the first time I have spoken on this entire matter.

We heard testimony in the Foreign Relations Committee about one of the

major projects. I ask staff to correct me if I am wrong here, but I believe a road project from Herat to Kabul, being built by the international community with U.S. funds, is considered essential but they don't have enough money to finish it. So guess what. We are helping out. We think it is a higher priority to build that road than it is to reestablish the swamps now in Iraq.

This is all about, as my dad, who just died, used to say:

Joey, if everything is equally important to you, nothing is important to you.

You have to prioritize. We are prioritizing based on what Senator BYRD, who views Iraq very differently than do I, and I know is the best bang for the buck in United States interests.

It provides \$41 million for more support for human rights, free elections, and the day-to-day functioning of the Karzai government.

Moreover, this amendment provides funds for priorities that are completely omitted from the Administration's request.

It provides \$45 million for projects targeted to women and girls.

It gives \$50 million for drought relief and other urgently-needed water projects. It directs \$25 million to help internally-displaced people, most of whom had returned from squalid refugee camps abroad only to find that their homes were scarcely less horrific.

Finally, our amendment also adds \$200 million for Liberia.

The Administration made a glaring oversight by not including a request for Liberia funding in its request. Our amendment corrects that deficiency.

There is a glimmer of hope for a lasting peace in Liberia after nearly 14 years of civil war. President Charles Taylor has been forced out of the country, and the UN has begun to deploy a 15,000 person peacekeeping force.

We're not part of that force, but we should be a part of the effort to help Liberia recover from over a decade of violence and misrule.

Over the course of the war, Liberia's development has taken a quantum leap backwards. There is no running water or electricity in the capital.

The current generation of school-aged children in Liberia is less literate than the preceding one.

Nearly one hundred thousand people have been forced out of their homes and are living in make-shift camps.

Sickness and hunger have affected much of the population.

The State Department has estimated that \$200 million in assistance will be needed from the U.S. to assist Liberia over the next year. Our amendment provides the State Department with the full amount that it says will be needed.

I am about to conclude, believe it or not, folks. The fact is, we are not eliminating this fund. We are not in any way fundamentally altering what this administration is asking.

We are saying that the Congress, based on priorities, sends the wrong

message with \$1.5 billion of the \$20 billion. That is an oversight responsibility of the Congress, whether it is Iraq, whether it is a missile system, or whether it is a leave-no-child-behind proposal for education.

I want to emphasize again that I intend to vote for this supplemental bill, notwithstanding the fact—because I have nothing left but a Hobson's choice here—we are not paying for it the way we should. We are just sending it to the deficit column.

I believe we have a responsibility to scrutinize the bill before us, decide on priorities, and to cut spending that is not the highest priority and direct those funds to efforts which we think have been shortchanged. That is precisely what our amendment does. It is precisely what our Republican colleagues on the House Appropriations Committee have done.

I will conclude by saying the reason I amended my legislation to conform with that of my friend from West Virginia precisely is because he is a smarter parliamentarian and legislator than anybody here. He knows the chances of this becoming law are increased in direct proportion to the degree to which it matches with the House. What we have done is take the House language, which I would like to modify in the margins—and I expect maybe Senator BYRD would even like to modify in the margins. But as an old bad joke goes, it is close enough for government work. What will happen is it gets us on the same page and will not slow up, if this passes a conference, reporting out this entire bill and the money getting to where it needs to be.

I know no one, particularly the four leading Senators on this floor, including myself—the Senator from Alaska, the Senator from Virginia, the Senator from West Virginia, the Senator in Arizona—I know them. I have watched them for years and years. None of them believes we should be a rubberstamp. I am not about to be a rubberstamp, nor are any of them. This is our honest assessment of what we should do to make this \$21 billion go further with greater priority, more rapidly, and enhance our chances at success in both Iraq and Afghanistan. Remember: The President's proposal covers both Iraq and Afghanistan.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Arizona.

MR. MCCAIN. Mr. President, I want to be extremely brief.

We spent a long time on this amendment. There are other amendments pending. I in no way criticize or take exception to the rights of the Senator from Delaware, nor the Senator from West Virginia. In fact, I wish more would exercise scrutiny in the work of the Appropriations Committee. But I think we ought to know what this amendment is about. It is taking \$1.65 billion from the reconstruction of Iraq and putting it to work in Fort Monroe, VA, the Sudan, Liberia—places that

are worthy and deserving, perhaps. The purpose of this legislation is to provide money for the military and reconstruction of Iraq plus Afghanistan. Tough choices have to be made on other issues.

I share the concern of the Senator from Delaware about the situation in Afghanistan. But I don't share his open-ended desire to send money just to the Sudan, just to Liberia, and another open-ended \$75 million for foreign military financing programs.

I think we need to stick to what we have. It has already been examined by the Appropriations Committee. It has been examined by all Members. I hope the motion to table will be agreed to.

Mr. BIDEN. Mr. President, will the Senator yield?

Mr. WARNER. Mr. President, I would be happy to yield and enter into a colloquy and questions with the Senator from Delaware and to address my good friend from Arizona.

Mr. BIDEN. I will be very brief.

Senator MCCAIN raises an important point about the Sudan. Why are we all of a sudden sending money to the Sudan? The answer is that this amendment does not send funds to Sudan. I know of no one other than Senator Howard Metzenbaum who scrutinizes legislation more precisely than my friend from Arizona. The legislation which the committee reported out and which we are about to vote on—\$21 billion—and which we are debating right now contains an additional \$150 million for new complex emergency funds in addition to the \$100 million already in the bill. That is what is in the legislation. If this amendment passes there will be an additional \$150 million available for complex foreign emergencies and these funds shall be available for the Sudan. Notice I didn't say these funds are for the Sudan—they are available to the Sudan. The reference in the Byrd amendment will allow these funds to go to the Sudan.

That is what the administration said they are working on: to spend part of this complex emergency funding. They have already said as it came out of the committee that they want to spend some of this \$100 million—\$250 million if our amendment passes—in the Sudan. We didn't make this up out of whole cloth. We are giving them more money than they are likely to want to spend on the Sudan. It is not like all a sudden we picked out Northern Ireland, and, by the way, why don't we help them, too. That is a generic point.

Mr. MCCAIN. I think the Sudan is important. I don't think it is as important right now, to be honest with you, as the projects the Senator from West Virginia cuts out: Iraqi national community network, maximum security prisons, traffic police, water pipelines, treatment plants, on and on. These are cut out so we can send money to the Sudan.

We have taken a long time here. Our colleagues are getting restless in their offices all over the Capitol. I don't

want to continue this. We have a difference of opinion as to this amendment and to how the money should be spent. But to take money from Iraq and send it to Fort Monroe, VA, which is a worthy cause, is not appropriate for the way this bill was designed.

Mr. BIDEN. Mr. President, on that one point, there is a compromise. It is a good one. We essentially reprioritize and stand by those priorities.

Mr. WARNER. Mr. President, if I could direct a question to my colleague, first, I hope in the course of this debate we have not impugned in any way the integrity of Ambassador Bremer.

Mr. BIDEN. Just his judgement; I mean that sincerely.

Mr. WARNER. That is an important addition the Senator just made because this is a man who uprooted himself from a difficult situation here at home, volunteered to go over there, and, as the Senator knows, those living conditions are not the best.

Mr. BIDEN. Absolutely.

Mr. WARNER. The point being, he is on the scene 14 hours a day. He is working.

Mr. BIDEN. Agreed. Agreed.

Mr. WARNER. When the Senator says he has experience and he understands things, I defer to that. I have a great deal of experience, and he does, too. I admire him. He knows that. But my point is we certainly have to have a degree of confidence in those who render their best judgment on the various items.

The Senator raised the question, and I have a document here to refer to. If I could just pose a question, the Senator pointed out the seriousness of these vast ammunition depots. No matter how great Saddam Hussein may have been with his military—from the debriefings, they have no explanation why he put in every corner of Iraq these enormous caches of ammunition. The Senator from Delaware brings out the necessity to go in and eradicate those in various ways as quickly as possible so they do not fall into the hands of those who are acting against us.

The point I wish to make is, in the document and carefully buried in the \$67-plus billion for the Department of Defense is the specific item of \$300 million for initiatives for battlefield cleanup. It is in there. You don't have to take it out of other portions. That is in addition to \$24 billion for the Department of the Army which they are going to expend for those purposes.

Has the Senator examined in detail to know that some of the items he is asking for, such as the cleanup of the battlefields, is already included?

Mr. BIDEN. Mr. President, I have. I have looked in great detail. That is not just for ammunition dumps. That is across the board.

I also point out the military said there is no explanation for why Saddam would have these caches all over the country. I suggest we look to his-

tory. It is for the same reason Tito had the same kind of caches all over the former Yugoslavia. He trusted no one anywhere, and he wanted to be certain that if he was ever deposed or moved, he would have access to a cache sufficient to keep him in the game. That is why it is done. Read history.

Lastly, we have looked at that. We do know there is money for battlefield cleanup. This goes well beyond the depots. Assume that the Senator is right, that it is sufficient; it is not sufficient to do the whole job.

Lastly, in response to my questioning, Paul Bremer is a fine man. I have come back praising him. However, you are entitled to question a person's judgment—I am not questioning his motive—just as the Secretary of Defense was entitled to question the judgment of General Shinseki. He did not say he was not an honorable man. The day a U.S. Senator, particularly one with 30 years of experience, can not question the judgment of an ambassador is the day we should close up this shop. He may be right; I think he is wrong. I am just questioning his judgment.

I do not think these are the priorities. To state it another way, \$19.5 billion of this we are not even talking about.

I yield the floor.

Mr. STEVENS. Mr. President, there is some concern about the individual items pledged. We are going to take care of the problem of some of the allocations that have been listed in the report from Mr. Bremer's office about how this money should be spent.

I ask unanimous consent Senator BOND be added as an original cosponsor to Cantwell amendment No. 1857.

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

Mr. LEAHY. Mr. President, I am a cosponsor of this amendment, which I strongly support.

I will be brief. Senator BYRD has already described in detail what the amendment does.

It has only been a few weeks since the White House sent us a bill for \$87 billion for Iraq and Afghanistan. This amendment deals with the \$21 billion that the President wants for reconstruction activities in these countries. Of that amount, only \$799 million—less than 1/20th—is for reconstruction in Afghanistan, a country where the standard of living for most people is reminiscent of the Middle Ages.

It is also a country whose former Taliban government harbored Osama bin Laden, and in doing so enabled al-Qaida to plan the attacks of September 11. But for whatever reason, and despite the difficulties and dangers that our troops and our aid workers are facing in Afghanistan, the White House has only asked for a tiny fraction of these supplemental funds to be provided to Afghanistan.

I have looked at what the administration wants this \$21 billion for. Much of it makes sense. But there are expenses here unlike any I have seen before in a foreign aid bill.

Let me be clear. We all want to help Iraq. But we also have a duty to protect the taxpayers' money, and this request is extravagant.

Let's look at just a few examples. These are some of the amounts we are being asked to spend for these items, for Iraq, compared to how much it would cost if they were purchased right here in the United States: \$33,000 pick-up trucks; \$6,000 satellite telephones; \$400 million to build two prisons; and, studies costing tens of millions of dollars.

What is going on here? Who is profiting from these unnecessary expenses? We know who isn't—U.S. taxpayers.

We have never, in my 29 years here, given foreign aid on such a scale to a country that in a few years could be the second largest oil producing nation in the world.

Help Iraq, yes. But \$20 billion? All at once? Out the door, with no real strings attached? And for things like this?

There are communities in our own country that don't have internet access, whose citizens can't get free computer training, that need new garbage trucks, or police cars, or prisons. The list goes on and on.

This amendment attempts to make the best use of the funds in this bill, by cutting \$1.6 billion of the Iraq reconstruction funds and shifting them to other needs, including for urgent humanitarian needs in Afghanistan, Liberia and Sudan.

Frankly, I think we should cut more than \$1.6 billion. From what I have seen in the meager justification materials we got from OMB, there is a lot of money here that is going to be spent on consultants and for things that the Iraqis could do themselves for a fraction of the cost.

But at least this amendment would get at some of the unnecessary things, and use the funds for things that are necessary.

Senator BYRD has spoken about the use of \$600 million to locate and destroy ammunition caches in Iraq, that are the source of weapons being used to kill and maim our troops. It is beyond comprehension why the Pentagon has not acted sooner to deal with this problem. This amendment would finally address it.

But I want to speak briefly on the \$386 million that would be transferred to programs in Afghanistan, because I don't think there is anyone here who would not agree that we need to do more to prevent the situation in Afghanistan from unraveling. My friend from Kentucky, the chairman of the Foreign Operations Subcommittee, Senator MCCONNELL, just returned from Afghanistan. I am sure he saw how urgent the needs are.

The Karzai government is fragile, at best. Warlords continue to rule vast areas of the country. Our troops are in a continuing fight with al-Qaida and remnants of the Taliban, who strike from their sanctuaries in Pakistan.

Many Afghans remain displaced, living in squalor. They have too little to

eat, not enough fuel for the winter, and many tens of thousands remain homeless.

Women and girls continue to face great hardships. Girls schools are being destroyed. Health care remains a dream for millions of rural Afghans.

The crop of opium poppy is the largest in years.

The list of needs is long, but a little money can make a big difference in Afghanistan if it is spent wisely—not for internet access, but to build primary schools and irrigation systems.

The \$386 million that would be transferred to Afghanistan in this amendment mirrors what the House Appropriations Committee did last week. Both Democrats and Republicans in the House agreed that these funds were better spent in Afghanistan. For health clinics, to train and equip the army, for anti-drug programs, for irrigation, to support elections and governance.

The amendment also provides \$45 million for programs that specifically help women, and \$25 million for Afghans who are internally displaced and need emergency aid.

This amendment would bring the total in this bill for reconstruction in Afghanistan, a country of 22 million impoverished people, a country that could easily revert to a terrorist haven, to slightly over \$1 billion. That compares to \$20 billion for Iraq, a country of 25 million people with a standard of living that already far exceeds what most Afghans could dream of.

Let's inject a little common sense into this process. Both Iraq and Afghanistan need help. Both are security issues for the United States.

I thank the Senator from West Virginia for his amendment.

Mr. STEVENS. Mr. President, I ask unanimous consent when I yield the floor that I be permitted to yield to Senator BYRD to finish his remarks. He has time remaining on his allocation; following his remarks, I be recognized for the purpose of making a motion to table the Byrd amendment. I would like to have 2 minutes for my time before making that motion to table. I ask the two cloakrooms as a courtesy to Senators at lunch to send out word there will be a vote on a motion to table within 15 minutes.

I further ask that the time on that vote not be 10 minutes because people are out of the building and they have to return. I ask this amendment not be a 10-minute vote, that it be a regular vote.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I ask my friend to modify the request. I just received a message from the cloakroom that Senator KENNEDY wishes to speak for 15 minutes.

The PRESIDING OFFICER. Is there objection to Senator KENNEDY also being allowed to speak for 15 minutes?

Mr. STEVENS. I have no problem with that. I just ask his time occur after or before Senator BYRD's time but at his discretion.

Mr. REID. Maybe afterwards.

Mr. STEVENS. I leave that up to Senator BYRD, whether he wants to speak before or after.

Mr. BYRD. Mr. President, in response, I think everything has been said as far as I, personally, am concerned. I would say that a good bit has been said about the funding for a prison. There are funds in the bill for 26 detention facilities. It will take years to build the new prison that is proposed by the President. I don't know how a prison that will not be finished for years protects our troops today or tomorrow or a year from now. I find it hard to imagine that our troops would be protected by projects such as this.

As far as I am concerned, I am ready to yield back time.

The PRESIDING OFFICER. Is there any objection to the unanimous consent request as modified?

Without objection, it is so ordered.

Mr. STEVENS. As I understand, there is an allocation of 15 minutes for Senator KENNEDY; is that correct?

The PRESIDING OFFICER. The Senator is correct. The Senator from West Virginia still controls 7½ minutes.

Mr. REID. I ask unanimous consent the previous order be amended to withdraw the time of Senator KENNEDY.

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

Mr. STEVENS. Senator BYRD still has time.

The PRESIDING OFFICER. The Senator has 7½ minutes, and the Senator from Alaska has been allocated 2 minutes prior to a motion to table.

Mr. BYRD. I yield back the remainder of my time.

Mr. STEVENS. I merely point out, as the Washington Post editorial did on Wednesday, rebuilding the electricity grid, fixing the water supply system, getting oil flowing, maintaining public safety is all central to the hopes for stability and a representative government that is the means of getting our troops back.

I have had conversations—as a matter of fact, I just could not answer a call from Ambassador Bremer. I have great admiration for him. He has said there is no doubt the funds will help contribute to the peace and stability of not only Iraq but the entire region being stabilized. To deny them will delay the return home of our U.S. troops.

I understand there is pending an underlying amendment and second-degree amendment. I make a motion to table the underlying amendment which will take both amendments, if I am successful, and I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL, I announce that the Senator from New Mexico (Mr. DOMENICI) is necessarily absent.

Mr. REID, I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 396 Leg.]

#### YEAS—51

Alexander	Dayton	McConnell
Allard	DeWine	Miller
Allen	Dole	Murkowski
Bennett	Ensign	Nickles
Bond	Enzi	Roberts
Brownback	Fitzgerald	Santorum
Bunning	Frist	Sessions
Burns	Graham (SC)	Shelby
Campbell	Grassley	Smith
Chafee	Gregg	Snowe
Chambliss	Hagel	Specter
Cochran	Hatch	Stevens
Coleman	Hutchison	Sununu
Collins	Inhofe	Talent
Cornyn	Kyl	Thomas
Craig	Lugar	Voinovich
Crapo	McCain	Warner

#### NAYS—47

Akaka	Durbin	Levin
Baucus	Edwards	Lincoln
Bayh	Feingold	Lott
Biden	Feinstein	Mikulski
Bingaman	Graham (FL)	Murray
Boxer	Harkin	Nelson (FL)
Breaux	Hollings	Nelson (NE)
Byrd	Inouye	Pryor
Cantwell	Jeffords	Reed
Carper	Johnson	Reid
Clinton	Kennedy	Rockefeller
Conrad	Kerry	Sarbanes
Corzine	Kohl	Schumer
Daschle	Landrieu	Stabenow
Dodd	Lautenberg	Wyden
Dorgan	Leahy	

#### NOT VOTING—2

Domenici      Lieberman

The motion was agreed to.

Mr. STEVENS. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I have a unanimous consent request to make that will terminate the consideration of this bill if the Senate will listen.

I ask unanimous consent that the only remaining amendments in order be the following: Senator BYRD, regarding flexibility of money, 10 minutes equally divided; Senator BYRD, National Guard deployment, 10 minutes equally divided; Senator BYRD, amendment No. 1819 as a substitute, 10 minutes equally divided; Senator BROWNBACK, an amendment on rescission of money, 20 minutes—15 minutes for him and 5 minutes for the manager of the bill. Those will be the last votes.

We also have the Leahy amendment; the Dorgan amendment on oil; the Boxer-Schumer amendment on shoulder-fired missiles, as modified by the two managers; Senator DOMENICI wishes to speak for 5 minutes; and we have a Bond amendment which we believe will be adopted and will not require a vote. We have at this time four votes.

I further ask unanimous consent that upon the disposition of the above-listed

amendments and any final debate, the bill be read a third time and the Senate proceed to vote on passage of the bill, with no intervening action or debate. I further ask unanimous consent that when the Senate receives from the House H.R. 3289, the House companion, that all after the enacting clause be stricken and the text of S. 1689, as amended, be inserted in lieu thereof; that the bill then be read for a third time and passed, with no intervening action or debate.

I further ask unanimous consent that following passage of the bill, the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint the full Committee on Appropriations as conferees on the part of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Reserving the right to object.

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I do not intend to object. I want to clarify, based on the discussions we have been having with the distinguished chairman of the committee, the Dorgan-Wyden amendment involves a number of savings provisions. We are going to be working with the chairman's staff and the staff of Senator BYRD. We think we can find common ground on a provision that will save upward of \$1 billion. I withdraw my reservation.

Mr. LEAHY. Reserving the right to object.

Mr. STEVENS. The Leahy amendment, the Dorgan amendment, the Boxer amendment, Domenici, and the Bond amendment will be worked out with the managers and accepted without a vote.

Mr. LEAHY. Reserving the right to object, to make sure we are clear on this, on the Leahy amendment, am I correct, Mr. President, the yeas and nays have already been ordered?

The PRESIDING OFFICER. Yes, they have. The Senator from Vermont is correct.

Mr. LEAHY. We would need, am I further correct, Mr. President, a further unanimous consent request to vitiate the yeas and nays on the Leahy amendment?

The PRESIDING OFFICER. The Senator from Vermont is correct.

Mr. STEVENS. I thought this unanimous consent request says there are only four votes left?

The PRESIDING OFFICER. Is there objection?

Under the unanimous consent request propounded, there will still be a requirement to vitiate the yeas and nays on the Leahy amendment.

Is there objection to the unanimous consent request?

Mr. BOND. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I was off the floor, and I am not sure whether the chairman asked for a vote on the Bond-Mikulski amendment.

Mr. STEVENS. I have not.

Mr. BOND. We would like to have a vote on that amendment. This is an extremely important amendment providing veterans health care. It will be vitally important. I would like to have a recorded vote.

Mr. STEVENS. I have an objection to that. I have to withdraw the request.

The PRESIDING OFFICER. The request is withdrawn.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I renew my request, but I ask that all references to votes be deleted. We have no agreement on how many votes there will be. We believe there will be four, maybe five, maybe six.

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

Mr. STEVENS. Senator BYRD is first in line.

#### AMENDMENT NO. 1886

Mr. BYRD. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 1886.

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

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

The amendment is as follows:

(Purpose: To prohibit the use of funds for the involuntary deployment overseas in support of Operation Iraqi Freedom of members of the National Guard and Reserves who have been involuntarily deployed for more than six months during the preceding six years)

At the end of title I, add the following:

SEC. 316. No funds appropriated or otherwise made available by this Act may be obligated or expended for the involuntary deployment overseas in support of Operation Iraqi Freedom of a member of the National Guard or Reserves if that member has been involuntarily deployed for any period of six months or more during the six-year period ending on the date the involuntary deployment overseas would otherwise commence.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I thank the Chair.

Mr. President, the National Guard has been stretched to the breaking point. Not since the Korean war has the United States deployed so many members of the National Guard and the

Reserves. Right now, more than 160,000 members of the National Guard and the Reserves are on active duty around the world, and more reservists are getting ready to ship out to Iraq.

Last month, the President activated 10,000 more guardsmen for service in Iraq and put an additional 5,000 troops on alert. More callups are doubtlessly in the works. I have heard from many families anxious to know when their deployed loved ones might return home. I expect that all Senators have received similar letters and telephone calls.

All of these families expressed a deep frustration with the open-ended, unfocused deployment of Guard and Reserve units. While the Nation's citizen soldiers are proud to serve their country overseas, they also have obligations at home. These part-time soldiers are full-time doctors, firemen, policemen, and a host of other roles which are critical to the security of American communities. We must do better to balance their commitments at home with their deployments overseas.

The amendment before the Senate will help to relieve the strain that is being placed on our citizen soldier. It would prohibit the involuntary deployment of a member of the National Guard or the Reserves to support Operation Iraqi Freedom if that member has been deployed for a period of more than 6 months in the previous 6 years.

This amendment would put an end to the back-to-back deployments that are causing the most strain on our reservists and their families.

The amendment is based in part upon the direction that Secretary Rumsfeld issued on July 9, 2003, that members of the National Guard and Reserves should not be subject to more than one long deployment every 6 years. We are engaged in a long-term occupation mission under hostile circumstances. There are better ways to get the troops we need for this mission than calling tens of thousands of Guard and Reserve troops away from their homes, away from their jobs, away from their communities for 1 year at a time.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. There is 10 minutes equally divided. I yield our 5 minutes to Senator BOND, chairman of the National Guard caucus.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, we have addressed this matter before. I think all of us are concerned about the time that has been taken up with the National Guard and Reserve being deployed overseas. This, however, is what they signed up for. We are in a war on terrorism. The war in Afghanistan and the war in Iraq are very important and critical elements in that war. We believe the Defense Department has to be more concerned about the time the Guard and Reserve are deployed. There

is no question it causes strain on the families and causes strain on employment opportunities.

I have talked to members of the Reserves who have been stationed from my State. They are concerned about the effect on employment. All of these things, however, are what we need to deal with without taking a hatchet to the effectiveness and the utility of the Guard and the Reserves. It is not hard to assume that if one looks at the provision that no one who has been deployed in the past 6 years could be deployed in Operation Iraqi Freedom, that would probably have wiped out all of the most experienced and most needed people in the Guard and Reserves.

Whatever we do, we do not want to take away from the important missions the Guard and the Reserves play with this blanket prohibition across the board that all of the Guard and Reserve who have gained experience, perhaps serving in Afghanistan, perhaps serving earlier in Iraq, perhaps serving in Bosnia or Kosovo, cannot be sent to Iraq. We hope that if this supplemental is passed, we will be bringing troops home sooner rather than later, particularly if we give the full \$87 billion to the President. That will be undercut if this blanket prohibition goes through. I have heard previously from the leaders, the Guard caucus, the members of the Guard in August, and others, who do not believe such a prohibition is worthwhile.

I yield to the Senator from Alaska.

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

The PRESIDING OFFICER. There are 2½ minutes remaining.

Mr. STEVENS. Mr. President, I point out that Senator BYRD's amendment would prohibit the obligation of funds to deploy to Operation Iraqi Freedom a member of the National Guard or Reserves if that member has been involuntarily deployed for any period of 6 months or more during the 6-year period ending on the date the involuntary deployment overseas would otherwise commence.

As I understand it, that would mean these people could be deployed to Pakistan, Afghanistan, or anyplace except to Iraq, where they are needed most.

When the Senator has completed his time, I ask that I might be recognized to make a motion to table the amendment.

How much time remains?

The PRESIDING OFFICER. The Senator from Alaska has 1½ minutes remaining. The Senator from West Virginia has 2 minutes 13 seconds.

Mr. STEVENS. I yield the remainder of our time to Senator WARNER, but I ask at the end to be recognized to make a motion to table the amendment.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I would simply say, briefly, the Secretary of Defense has issued policy guidance that covers members of the Reserve and

Guard, and that guidance says they should not be subject to more than one long deployment every 6 years. That has enabled them to continue their civilian pursuits and their family lifestyles. Of course, that can be waived in times of national emergency, as it is right now. But to impose this management restriction on the President as Commander in Chief I think would severely begin to limit, for planning and other purposes, the utility of the Guard and Reserve.

I remember serving under Secretary of Defense Melvin Laird when the concept of the total force was evolving, and that is that men and women of the Guard are respected and treated with equal effectiveness as those of the regular Active Forces. I think this would be a very serious step backward in what I believe has been an absolutely glorious contribution by the National Guard and the Reserve Forces for some years now in their deployments in the war on terrorism.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 2 minutes 13 seconds remaining.

Mr. BYRD. Mr. President, we need to restore predictability in the lives of those who serve in the National Guard and the Reserves. This amendment would stop the back-to-back deployments that are straining the Guard and the Reserves to the breaking point. It adopts the approach suggested by none other than Secretary Rumsfeld. Our men and women in the National Guard and the Reserves need relief from their long missions in Iraq. We should not look to other units of the Guard and Reserve for relief. We need more help, and it all boils down to this point that we should have thought of long ago, that we need more help from the international community. It is the administration's fault that that help has not been sought more diligently, more timely, and more intensely.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Alaska is recognized for a motion.

Mr. STEVENS. Mr. President, I move that the Senator's amendment be tabled. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. STEVENS. I ask that this be the first vote in the stacked order when we agree to a time later and ask that we temporarily set aside this amendment so we might take up the next amendment on the list.

Mr. REID. What was that, Mr. President?

Mr. STEVENS. I asked that the amendment be set aside temporarily after the yeas and nays have been ordered so we may have a series of



stacked votes later on. There is another Byrd amendment, a third Byrd amendment, and a Brownback amendment. We wish to consider all of those and have stacked votes after they are completed.

Mr. REID. Would the Senator yield?

Mr. STEVENS. Yes.

Mr. REID. I have spoken to the distinguished Senator from West Virginia. He desires to have a vote right now. The Senator has made a motion to table.

Mr. STEVENS. Well, I did make a motion to table. I apologize to the Senator from West Virginia. I thought we had an understanding we would go through these and have one series of votes that would be 10 minutes apiece.

Mr. REID. That was not the agreement.

Mr. STEVENS. All right. The Senator is entitled to his vote, if there is an objection to putting it off.

The PRESIDING OFFICER. Does the Senator wish to withdraw his motion to table?

Mr. STEVENS. No; we will just go to the vote. The other request was objected to.

The PRESIDING OFFICER. Objection is heard.

The question is on agreeing to the motion to table amendment No. 1886. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Tennessee (Mr. ALEXANDER) and the Senator from New Mexico (Mr. DOMENICI) are necessarily absent.

I further announce that if present and voting the Senator from Tennessee (Mr. ALEXANDER) would vote "Yes."

Mr. REID. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 82, nays 15, as follows:

[Rollcall Vote No. 397 Leg.]

YEAS—82

Allard	DeWine	Levin
Allen	Dodd	Lincoln
Baucus	Dole	Lott
Bayh	Dorgan	Lugar
Bennett	Durbin	McCain
Biden	Edwards	McConnell
Bingaman	Ensign	Mikulski
Bond	Enzi	Miller
Breaux	Feingold	Murkowski
Brownback	Feinstein	Murray
Bunning	Fitzgerald	Nelson (NE)
Burns	Frist	Nickles
Campbell	Graham (SC)	Reed
Carper	Grassley	Reid
Chafee	Gregg	Roberts
Chambliss	Hagel	Santorum
Clinton	Hatch	Schumer
Cochran	Hutchison	Sessions
Coleman	Inhofe	Shelby
Collins	Johnson	Smith
Conrad	Kerry	Snowe
Cornyn	Kohl	Specter
Corzine	Kyl	Stabenow
Craig	Landrieu	Stevens
Crapo	Lautenberg	
Daschle	Leahy	

Sununu Talent	Thomas Voinovich	Warner Wyden
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NAYS—15

Akaka	Graham (FL)	Kennedy
Boxer	Harkin	Nelson (FL)
Byrd	Hollings	Pryor
Cantwell	Inouye	Rockefeller
Dayton	Jeffords	Sarbanes

NOT VOTING—3

Alexander	Domenici	Lieberman
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The motion was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1887

Mr. STEVENS. I ask unanimous consent there be 10 minutes on the Dorgan-Wyden amendment, 4 minutes apiece for Senators DORGAN and WYDEN, and 2 minutes for myself.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself and Mr. WYDEN, proposes an amendment numbered 1887.

The amendment is as follows:

(Purpose: To reduce unnecessary spending for reconstruction in Iraq)

On page 25, strike lines 7 through the colon on line 18, and insert the following:

For necessary expenses for security, rehabilitation and reconstruction in Iraq, \$18,449,000,000, to remain available until expended, to be allocated as follows: \$3,243,000,000 for security and law enforcement; \$1,318,000,000 for justice, public safety infrastructure, and civil society; \$5,560,000,000 for the electric sector; \$1,900,000,000 for oil infrastructure; \$4,332,000,000 for water resources and sanitation; \$500,000,000 for transportation and telecommunications; \$370,000,000 for roads, bridges, and construction; \$793,000,000 for health care; \$153,000,000 for private sector development; and \$280,000,000 for education, refugees, human rights, democracy, and governance:

Mr. DORGAN. Mr. President, when this bill was considered by the House Appropriations Committee there were a number of reconstruction spending requests for Iraq they decided to delete. For example, the House Appropriations Committee deleted \$4 million for a telephone numbering system, \$9 million for ZIP Codes and a postal architecture, \$10 million to modernize the business practices of the Iraqi television and radio industries, \$312 million for unspecified transportation and communication projects, including cosmetic improvements at airports; \$100 million to build 7 housing communities including roads, schools, mosques, markets, clinics; \$200 million to establish an American-Iraqi Enterprise Fund; \$90 million to open public information centers in Iraq's 266 municipalities; a month-long catchup business training course at \$10,000 per pupil, which is twice as much as the Harvard Business School would cost for an equivalent period; and \$100 million to buy 2,000 garbage trucks.

The point is that there is a long list of specifics dealing with reconstruction in Iraq that are not urgent and are not, in fact, emergencies. The House Appropriations Committee deleted these. When they deleted them, they indicated these were not emergencies and were not urgent. As a result of that, Senator WYDEN and I have put together an amendment that deletes the identical accounts from the reconstruction part of this bill as the House cut, which comes to \$1.655 billion.

In addition, our amendment cuts \$200 million from the amount the administration is requesting to import fuel into Iraq, which the Congressional Research Service indicates may be in excess to what is actually needed.

I ask my colleague Senator WYDEN if he could comment on that piece of the legislation. In total, our amendment would reduce the reconstruction piece of this legislation by \$1.855 billion from the \$20.3 billion requested for Iraq reconstruction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, obviously \$87 billion is an eye-popping sum of money, and taxpayers want the Congress to turn every penny over twice. That is what Senator DORGAN and I have done. We've gone through every number with a sharp pencil. This amendment, without in any way hampering the efforts to deal with the grave concerns in Iraq, could save taxpayers \$1.8 billion.

For example, in a report for Senator BINGAMAN and myself, the Congressional Research Service found \$200 million could be saved in connection with the purchase of petroleum products. They have indicated it would be significantly cheaper to buy gasoline in neighboring countries such as Saudi Arabia and Turkey.

Without the Dorgan-Wyden amendment, in effect, the Senate would be saying to the American taxpayers the Federal Government cannot get a better price per gallon for gas when buying a 30-day supply of gas for a country the size of California than you and I could get at the gas station just down the street from the Capitol.

So we believe this is an important amendment. I have worked on these issues with a number of colleagues, particularly Senator COLLINS. We are able to get competitive bidding now on all of the contracts. The Dorgan-Wyden amendment complements this effort.

I particularly want to thank Senator STEVENS and Senator BYRD for working closely with us to be able to save at least \$1.8 billion, at the end of this debate, in a responsible fashion, in a fashion that will not injure our troops, that will not injure the reconstruction effort.

This is a significant step forward for the Senate, and I urge my colleagues to support this amendment, and thank again Senator STEVENS for working with us.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, is all time yielded back on the other side?

Mr. WYDEN. Yes.

Mr. STEVENS. Mr. President, we have agreed to take this to conference. The House has deleted approximately the same amount of money. I do not think it is precisely the same items covered but very close. The allocations are close to what the House made. We want to do our best to work in conference. We accept the fact the Congress is going to reduce this bill, but I do want to make certain the urgent needs particularly of oil production are met.

I know the Senator from Oregon and I may have a little disagreement on that. I do not think he disagrees that all production means should be really modernized sufficiently so we can be assured of that oil production. That oil production is essential to Iraq taking on their own future.

We will work in conference. Senator DORGAN will be in the conference, so we will keep them informed of what is going on. But we are going to take this amendment and adopt it. As I said, it is quite similar to what the House has done, and we are going to work it out to the best of our ability, to use this money and prioritize it in a way that meets the needs of those people who have the job to do in Iraq.

I yield back the remainder of my time and ask for the adoption of the amendment.

The PRESIDING OFFICER. All time is yielded back.

Without objection, the amendment is agreed to.

The amendment (No. 1887) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. DORGAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Now, Mr. President, Senator BYRD has an amendment No. 1819, 10 minutes equally divided.

I ask the Senator, are you prepared to go forward now?

Mr. BYRD. Yes.

Mr. STEVENS. I thank the Senator.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 1888

Mr. BYRD. Mr. President, may I say to the distinguished manager of the bill, Mr. STEVENS, I wish to go forward with the amendment protecting the powers of the Congress, striking broad new executive authorities.

Mr. STEVENS. Which amendment is that?

Mr. BYRD. No. 1888.

Mr. STEVENS. Very well.

Mr. BYRD. Mr. President, I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself, Mr. LAUTENBERG, Mr. SARBANES, Mr. FEINGOLD, Mr. WYDEN, Mr. JEFFORDS, and Mr. DAYTON, proposes an amendment numbered 1888.

Mr. BYRD. Mr. President, I ask unanimous consent that reading of the amendment be waived.

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

The amendment is as follows:

(Purpose: To eliminate the flexibility given to the President to reallocate all of the \$20.3 billion Iraq Relief and Reconstruction Funds, without approval by Congress)

On page 27, line 9, strike "Provided further, That the President may reallocate funds provided under this heading:"

On page 27, line 21, strike "used for such purpose" and insert "shall be available only to the extent that the funds are made available in a subsequent appropriations act".

On page 12, line 11, strike, ", and in addition such funds as necessary, not to exceed \$5,000,000,000, as approved by the House and Senate Appropriations Committees, Subcommittees on Defense";

On page 15, strike Section 312;

Mr. BYRD. Mr. President, I offered this amendment on behalf of myself, Mr. LAUTENBERG, Mr. SARBANES, Mr. FEINGOLD, Mr. WYDEN, Mr. JEFFORDS, and Mr. DAYTON.

On page 27 of the supplemental bill it reads:

Provided further, That the President may reallocate funds provided under this heading.

Those 12 little words, disguised as legalese, mean the President can spend \$20.3 billion for the reconstruction of Iraq in any manner in which he pleases. The fine print in the bill allows the President to spend \$20.3 billion in Iraq as he pleases.

On page 27 I believe we find this language, beginning on line 9. This is page 27, line 9, of the bill:

Provided further, That the President may reallocate funds provided under this heading.

The President may reallocate those funds regardless of what the rest of this bill may say under this heading. The President may reallocate this.

Now, if we want to make the President a king, this is the place to start. All those who believe in a monarchy in this country, support this against my amendment. That is what it says. Read the fine print:

Provided further, That the President may reallocate funds provided under this heading.

What is the heading? The heading is as follows: "Iraq Relief and Reconstruction Fund." So that is the heading. And in the very first line, it reads as follows:

For necessary expenses for security, rehabilitation and reconstruction in Iraq, \$20,304,000,000, to remain available until expended, to be allocated as follows.

And then it goes right down the line, item after item after item after item, and the dollar amounts. And then come over here to the fine print. Now hear me. Look at the fine print:

Provided further, That the President may reallocate funds provided under this heading.

Here is what it does. Here is what it does to the bill. It tears it up. The

President can just reallocate it. The heck with the bill.

Mr. SARBANES. Will the Senator yield for a question?

Mr. BYRD. Yes.

Mr. SARBANES. I say to the Senator from West Virginia, this is a very important item. We do this provision, we set out all these numbers—

Mr. BYRD. Yes.

Mr. SARBANES. We link the numbers with particular activities, and then, when you go over and look at the next page, and look at the fine print, you discover the President can reallocate the funds provided under this heading.

This is giving the President \$20,304,000,000 in effect to do as he pleases, without reference to the money figures that are set out.

We may argue about how much should be appropriated and what it should be appropriated for, but there ought not to be any argument it is the Congress that is to determine what the appropriations are to be and what the money is going to go for. To simply hand over \$20 billion, and then have a clause that enables the President to use it for any of these purposes he chooses is to completely abdicate the congressional responsibility and the power of the purse.

Mr. BYRD. It does. The Senator has stated the situation very well.

Our forefathers disdained even a gentle master. Now here we are, we come along, and we pass this bill with these provisions, fulfilling the control of the power of the purse by the Congress, and then we turn around and say: The President may reallocate these funds as he pleases.

Do we want to be like that? I am not ready to make a King George. It is President George Bush now. I am not ready to make him King George Bush. If that is what you want to do, this is the place to start.

So I hope Members will vote for my amendment. Congress should retain its power of the purse. But always read the fine print. That is what the fine print says.

Then the supplemental bill also gives the Secretary of Defense the authority to transfer among accounts up to \$5 billion of the \$65.6 billion in funds for the military.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD. Very well.

I hope the Senate will support my amendment.

Mr. LEAHY. Mr. President, I agree with Senator BYRD that the more that one reads the fine print of this legislation, the worse it gets. The budget document submitted by the Coalition Provisional Authority, CPA, leaves one with the distinct impression that money will be spent on specific items.

For example, \$9 million will be spent on projects for ZIP Codes, \$100 million will be spent on the witness protection program, \$75 will be spent on irrigation pumps. And so on and so forth.

But, after a little digging, one uncovers a provision on page 27 of the supplemental appropriations bill that the Senate is now considering. This is a provision that the administration requested. It says "Provided further, That the President may reallocate funds provided under this heading."

What does this mean? It means that you can take the CPA's 53 page budget justification and throw it in the garbage can. Its just for show saying how much money is appropriated for any item in this bill. What the Senate is doing is giving the President all of the money for Iraq reconstruction, and saying "do what ever you want with it."

If you want to doubled the amount of money for pickup trucks and pay \$66,000 a truck instead of \$33,000 a truck, go ahead.

If you want to buy even more satellite phones, go ahead. If you want to spend more money on wireless internet, which many American communities don't have, go ahead. If you want to slash money for refugees or police training, go ahead. If you want to spend every dollar to pay consultants, go ahead, because, Mr. President, it is up to you.

It is certainly true that the President can spend the money the way it is spelled out in the CPA's budget justification.

But, nothing, absolutely nothing, in this legislation requires the President to even come close to meeting the amounts that are justified to Congress.

This is not some inside-the-beltway, policy-wonk issue. This issue is about the Constitution. This issue is about our duty as Senators.

The Constitution unequivocally gives the Congress the power of the purse.

And this provision all but hands over the power of the purse to the President with respect to Iraq reconstruction. It essentially says "you decide, because we won't".

It sets a dangerous precedent. And, we all know that once we give away authority to the executive branch, it is almost impossible to get that genie back in the bottle.

Moreover, this new authority is completely unnecessary.

We didn't include this provision in the previous Iraq supplemental.

The administration never complained that we did not give them enough flexibility before. Why should we do this now? Like last time, we can easily come up with an approach that gives the administration the flexibility it needs, but maintains important protections to ensure the money is accounted for.

This provision is not unlike the use of force resolution that we passed last fall. Congress has the sole responsibility to declare war.

Instead of having a vote on that, we passed a resolution that said, "Mr. President, you decide."

Let's not go down that road again.

This is not some partisan issue. I would be saying the same thing if a Democrat was in the White House.

This is about our responsibility. This is about watching out for the taxpayers' money. This is about making sure the Senate does not become a rubberstamp for blank checks.

We should not give this power to this administration or any other administration. I urge my colleagues to support the Byrd amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, we had extended in the previous supplemental similar discretion to the President. During the period of great change, such as the global war on terrorism, we have done that since from September 11, 2001. This provision in our bill does not eliminate or reduce congressional oversight. Every transfer of these funds above the threshold must be—notice must be given in advance to the Appropriations Committee and the Senate Armed Services Committee.

We have done this in the past, and it is necessary for the future. We put up the money. They come to us and tell us how they are going to spend it. We approve it or modify it, but we have oversight, and we continue to have oversight.

The commander of the special operations command seeks and needs authority to prevent new terrorist cells from forming. We have enormous needs from the combatant commander who really has the key job in Iraq in fighting the war on terrorism that is now developing even more intensely in Iraq after the magnificent victory of our forces. We believe the authority is no different than what the Congress has approved in the past.

Madam President, has all time been yielded back?

The PRESIDING OFFICER (Ms. MURKOWSKI). The time of the Senator from West Virginia has expired.

Mr. STEVENS. Madam President, I yield back the remainder of my time. I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to table amendment No. 1888. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL, I announce that the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. LOTT), and the Senator from New Mexico (Mr. DOMENICI) are necessarily absent.

I further announce that if present and voting the Senator from Tennessee (Mr. ALEXANDER) would vote "yes."

Mr. REID, I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 46, as follows:

[Rollcall Vote No. 398 Leg.]

YEAS—49

Allard	Dole	Murkowski
Allen	Ensign	Nickles
Bennett	Enzi	Roberts
Bond	Fitzgerald	Santorum
Brownback	Frist	Sessions
Bunning	Graham (SC)	Shelby
Burns	Grassley	Smith
Campbell	Gregg	Snowe
Chafee	Hagel	Specter
Chambliss	Hatch	Stevens
Cochran	Hutchison	Sununu
Coleman	Inhofe	Talent
Collins	Kyl	Thomas
Cornyn	Lugar	Voinovich
Craig	McCaain	Warner
Crapo	McConnell	
DeWine	Miller	

NAYS—46

Akaka	Dorgan	Levin
Baucus	Durbin	Lincoln
Bayh	Edwards	Mikulski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Boxer	Graham (FL)	Nelson (NE)
Breaux	Harkin	Pryor
Byrd	Hollings	Reed
Cantwell	Inouye	Reid
Carper	Jeffords	Rockefeller
Clinton	Johnson	Sarbanes
Conrad	Kennedy	Schumer
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wyden
Dayton	Lautenberg	
Dodd	Leahy	

NOT VOTING—5

Alexander	Kerry	Lott
Domenici	Lieberman	

The motion was agreed to.

Mr. STEVENS. Madam President, if I can have the attention of Senators, I have three amendments we have worked out. We have one more to work out. I ask unanimous consent that there be 1 minute for Senator BOXER and 1 minute for Senator SCHUMER to explain the modification of their amendment, which we will accept. I have a statement to make with Senator DOMENICI on his amendment. Senator BROWNBACK has his amendment. He has agreed to limit his remarks to 8 minutes, and we have 5 minutes if we want to use them after that.

I remind the Senate, after these amendments are handled, there will just be one more vote. We then have to proceed to a vote on final passage. I understand there are some Senators who wish to make a statement before final passage.

Mr. REID. Will the Senator yield?

The Senator from Florida, Mr. GRAHAM, was going to speak. He has now indicated he will very briefly address the Senate and make his speech after the passage of the bill—I assume passage. Senator BYRD is going to speak for up to 25 minutes.

Mr. STEVENS. Before passage?

Mr. REID. Before passage. We are still working with Senator LEAHY on our side.

Mrs. BOXER. Will the Senator yield?

Mr. STEVENS. After those speeches, there still will be a vote on final passage.

AMENDMENTS NOS. 1807, AS FURTHER MODIFIED, 1850, AS MODIFIED, AND 1860, AS MODIFIED, EN BLOC

Mr. STEVENS. Madam President, I send to the desk three amendments

that have been cleared by both sides: Senator LEAHY's amendment No. 1807, which is on the list; Senator CLINTON's amendment which is amendment No. 1850, which is on the list; and Senator HARKIN's amendment which is amendment No. 1860. Two of them are modified. I ask that they be modified and presented to the Senate so we may call them up en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered en bloc and agreed to en bloc.

The amendments were agreed to, as follows:

AMENDMENT NO. 1807, AS MODIFIED

(Purpose: An amendment, with offsets, to provide emergency assistance to the people of Liberia)

On page 29, line 17, strike "\$100,000,000, to remain available until expended" and insert "\$200,000,000, which shall be made available for assistance for Liberia of which \$100,000,000 shall be derived by transfer from funds appropriated under any other heading of this Chapter"

On page 29, line 18, after "heading" insert ", shall remain available until expended, and"

(Purpose: To provide for an audit of funds appropriated under this Act by the General Accounting Office, and for other purposes)

On page 28, line 15, before the period, insert the following: *Provided further*, That funds appropriated under this heading shall be made available to the General Accounting Office for an audit of all funds appropriated under this Act, including tracking the expenditure of appropriated funds, a comparison of the amounts appropriated under this Act to the amount actually expended, and a determination of whether the funds appropriated in this Act are expended as intended by Congress.

AMENDMENT NO. 1860, AS MODIFIED

(Purpose: to provide up to \$13,000,000 for conflict resolution, rule of law and democracy activities)

On page 28, line 15, insert before the period: *Provided further*, That of the funds appropriated under this heading, up to \$13,000,000 may be made available to facilitate inter-ethnic and inter-religious dialogue, conflict resolution activities, support rule of law programs, and train Iraqi leaders in democratic principles.

Mr. LEAHY. Mr. President, let me take a very short time to summarize what amendment No. 1807 does. This is a very important amendment offered by myself and the Senator from Rhode Island.

The Chafee-Leahy amendment is supported by the Archbishop of Monrovia. A man, who for years, stood up to the brutal regime of Charles Taylor.

It provides \$200 million to address basic needs—food, water, shelter—of the people of Liberia. There is a humanitarian emergency in that country, as 74% of Liberians lack access to safe drinking water, 60 percent lack access to acceptable sanitation, and 75 percent live in poverty.

The administration's own number for Liberia is \$200 million. In testimony before the House, the top Africa official at the State Department said the U.S. needed \$200 million to address this crisis.

The amendment is extremely flexible. It allows the administration to

spend these funds virtually any way it wants, including humanitarian, reconstruction, long-term development, or security assistance.

The amendment is fully offset. It does not add a dime to the Iraq supplemental.

Relief groups with operations in Liberia strongly support this amendment. Catholic Relief Services, Amnesty International and a range of other NGOs strongly support this amendment.

Mr. President, I want to thank the cosponsors of this amendment Senators COLEMAN, BIDEN, LIEBERMAN, DASHLE, REID, FEINGOLD, REED, LAUTENBERG, LANDRIEU, and JEFFORDS.

I especially want to thank the chairman of the Appropriations Committee for working with me on this amendment. This amendment will be adopted, and I will not insist on a rollcall vote. This is a very important amendment and I am glad that the Senate has acted decisively to approve it.

Mr. HARKIN. Mr. President, I thank the managers of the bill for accepting my amendment, directing that \$13 million of the relief and reconstruction funds in the bill may be used to facilitate inter-ethnic and inter-religious dialog, conflict resolution activities, support rule-of-law programs and train Iraqi leaders in democratic principles. In my view, the United States Institute of Peace is uniquely qualified to undertake these activities.

We have been debating the President's request for \$87 billion in supplemental funds for Iraq and Afghanistan. At times, it has seemed that we in the Senate agree on very little. But there is one goal that I believe every Senator strongly endorses: We all want to bring our American troops home from Afghanistan and Iraq as soon as possible.

Without so much as batting an eye, we appropriate billions for war, billions for weapons, and billions for post-war reconstruction. Meanwhile, it seems that we overlook one key activity—conflict resolution and peacemaking. Conflict resolution and peacemaking must be addressed specifically and not simply as a by-product or hoped for outcome of rebuilding roads and repairing infrastructure.

The U.S. Government has one agency that can help to reduce conflict, build democratic institutions, and even assist in the drafting of the new Iraqi constitution—all prerequisites to bringing our troops home sooner rather than later. I am talking about the United States Institute of Peace. This institute has a proven track record of accomplishing those prerequisites which I just mentioned.

I am going to take a few minutes to explain the origins of the United States Institute of Peace because I am concerned that very few Americans know about this institute and its remarkable work.

Throughout our long history, America has been proud of its strong, well-led military. And this outstanding

military leadership is no accident. It is possible because we maintain prestigious, world-class military academies which train some of the best and brightest minds in America in the art and science of war.

But Americans also have a long history as a peace-loving people. Time and again, we have brokered peace between warring nations, and we have intervened to head off potential conflicts. The Institute of Peace draws on this proud tradition, and today makes a vital intellectual investment in the art and science of peacemaking.

Today's Institute of Peace is the fruit of a dream and vision that goes back to our Nation's Founders. Benjamin Banneker, often called "the first black American man of science," and physician Benjamin Rush, a signer of the Declaration of Independence, noted and lamented the Constitution's failure to establish a Department of Peace to balance the Department of War. In their correspondence with Thomas Jefferson in 1792, Banneker and Rush envisioned a "Peace Office" which would be on an equal footing with the Department of War and would be charged with promoting and preserving perpetual peace in the United States.

George Washington also supported the establishment of a Peace Office. And his support was not just casual. He believed that such an office should be an essential pillar of the new Nation. When he died in 1799, Washington's last will and testament bequeathed in perpetuity 50 acres in Potomac County to be used "toward the endowment of a university—under the auspices of the general Government." This bequest was intended to make possible the proper "Peace Establishment" that President Washington had written about as early as 1783.

More recently, in a 1980 report by the Matsunaga Commission strongly recommended the establishment of the United States Academy of Peace. In the course of more than 70 meetings and hearings all across the United States, Senator Matsunaga of Hawaii and other Senators surveyed the full range of threats to world peace, and explored ways to counter those threats.

After much thoughtful debate a compromise was reached and the United States Institute of Peace Act was passed and signed into law by President Ronald Reagan in 1984. A board was installed and the Institute's first meeting was held in February 1986. Since that time, the Institute has done remarkable work in such disparate nations as Afghanistan and Korea, Bosnia and the Philippines.

Today, at the direction of Congress, the Institute actively pursues six inter-related activities:

Expanding society's knowledge about the changing nature and conduct of international relations and the management of international conflict;

Supporting policymakers in the legislative and executive branches;

Facilitating the resolution of international disputes;

Training international affairs professionals from the United States and abroad in conflict prevention, management, and resolution techniques;

Strengthening the education of emerging generations of young people in the United States and in foreign zones of conflict;

Increasing public understanding about the nature of international conflicts, as well as approaches to their prevention, management, and resolution.

I also want to stress that in accord with the agency's enabling legislation, the Institute of Peace does not advocate specific policies, nor does it take policy positions.

In recent years, the Institute has pursued several special initiatives that I believe are particularly noteworthy and germane to our debate on the Iraq supplemental bill.

I especially want to highlight the Institute's work in Bosnia. After the Dayton Accords of 1995, the Institute activated the Bosnian Inter-religious Council, which now provides a model for reconciliation among Bosnia's Muslim, Catholic, Serb and Jewish communities. The Institute worked on the ground in both Bosnia and Washington addressing contentious issues such as rule of law, peace agreements, political restructuring, and the role of religion in conflict.

I would also cite the Institute's Special Initiative on the Muslim World, which addresses a broad range of political, social, cultural, and religious issues—many of which are acutely relevant in the wake of the September 11 terrorist attacks.

At the same time, the Institute's Religion and Peacemaking Initiative is doing excellent work enhancing the capacity of faith communities to be forces for peace.

In another example of the Institute's work with a Muslim community, in May 2003 the administration asked the Institute of Peace to play a facilitating role in peace talks between the government of the Republic of the Philippines and the Moro Islamic Liberation Front. A team from the Institute visited the Philippines in August. And in meetings I conducted just 2 days ago, I learned that significant progress is being made.

In Afghanistan the institute, through its role of law program, has participated in efforts to reconstruct the judicial system. USIP was the originator of the concept to establish a judicial commission. The institute is also working on the integration of new judicial system with traditional Afghani legal practice.

The Institute stands alone among U.S. agencies in these efforts to work with the international Muslim community. Based on the Institute's brilliant work in other Muslim countries, I believe that it can play an especially constructive role in Iraq. In particular, it will take a lead role in building up Iraq's civil society, and in nurturing Iraq's fledgling democratic institutions.

With adequate funding, the Institute wants to go to Iraq to facilitate inter-ethnic and inter-religious dialogue among community, political and civic-society leaders. One of the biggest threats to our reconstruction effort in Iraq is the possibility that full-fledged fighting could break out between religious and ethnic communities. The Institute can play a vital role in preventing this. The Institute also will work to establish the rule of law by supporting the constitution-writing process and designing a framework for bringing to justice leaders of the former dictatorial regime. So, exactly as envisioned by our Nation's founders, the United States Institute of Peace is playing a vital role in restoring and strengthening peace around the world—and now, in particular, in Iraq. As I said, this is the key to bringing our troops home soon, with their mission truly accomplished.

I am pleased that we have allocated \$13 million for conflict resolution and peacemaking in Iraq. In order to adequately fund the Institute's work in Iraq the Institute needs only one hundredth of one percent of the President's total request. Surely this is not too high a price to pay for "making peace."

Time and again in recent years—including in Iraq—our Nation has shown that it is brilliant at winning wars. But time and again, we have had difficulty winning the peace. As we continue to increase funding for the Department of Defense by tens of billions of dollars each year, we must also be generous in our support and funding for this all-important agency, the United States Institute of Peace.

Mr. REID. Madam President, through the Chair to the Senator from Alaska, Senator SCHUMER does not wish any time.

Mr. STEVENS. Very well.

Mr. REID. I ask that that be stricken.

Mr. STEVENS. Does Senator BOXER wish her time?

Mr. REID. Yes, she does.

Mr. STEVENS. I yield to Senator BOXER.

The PRESIDING OFFICER. The Senator from California.

#### AMENDMENT NO. 1845, AS MODIFIED

Mrs. BOXER. Madam President, I thank Senator STEVENS for helping me on this amendment, and I thank Senator COCHRAN as well.

Senator SCHUMER and I have been very concerned about the threat of shoulder-fired missiles to American commercial aircraft. What we have found out is that there are a number of planes—about 900 planes—that are also used in the civil reserve air fleet, meaning that many times our military will ask a commercial company, such as United Airlines or USAir, to make planes available for our armed services personnel. We simply say in this amendment that when countermeasures are placed on commercial aircraft, the first priority will be those planes.

To conclude, all we are saying in this amendment is when we do start to make sure that our commercial aircraft are protected from shoulder-fired missiles and we place those defenses on those commercial aircraft, the first priority will be the civil air reserve fleet because, again, that entails protecting our men and women in uniform.

I again thank everyone. Madam President, is this going into the managers' package, I ask Senator STEVENS, or do we need a separate vote on it?

Mr. STEVENS. Madam President, I send to the desk amendment No. 1845, as modified, the one Senator BOXER just described, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself, Mr. SCHUMER, and Mr. LAUTENBERG, proposes an amendment numbered 1845, as modified.

The amendment, as modified, is as follows:

(a) FINDINGS.—The Senate finds that—

(1) In May 2002, the Federal Bureau of Investigation issued a warning to law enforcement personnel to be alert to the potential use of shoulder-fired missiles against U.S. aircraft;

(2) In May 2002, al-Qaeda was suspected of firing a shoulder-fired missile at U.S. military aircraft near Prince Sultan Air Base in Saudi Arabia;

(3) In November 2002, an Israeli commercial jetliner was fired upon by a shoulder-fired missile shortly after take-off in Mombasa, Kenya;

(4) In August 2003, a weapons smuggler was arrested after agreeing to sell a Russian SA-18 to an undercover FBI agent posing as a Muslim extremist;

(5) During recent operations in Iraq, U.S. commercial airlines—as part of the Civil Reserve Air Fleet (CRAF)—flew nearly 2,000 flights carrying U.S. troops and supplies into Kuwait, Saudi Arabia, the United Arab Emirates, Qatar, and Bahrain;

(6) No U.S. commercial airliners are currently equipped with defenses against shoulder-fired missiles.

(b) PRIORITIZATION.—

When counter measures against the threat of shoulder-fired missiles are deployed, the Secretary of Homeland Security, in conjunction with the Secretary of Defense and the Secretary of Transportation, shall make it a priority to equip the aircraft enrolled in the Civil Reserve Air Fleet.

The PRESIDING OFFICER. Is there further debate?

Mrs. BOXER. Madam President, what is the modification? I thought we had agreed on this amendment.

Mr. STEVENS. It is the one the Senator sent to us.

Mrs. BOXER. It is the same one. Absolutely. I just ask that we do this by voice vote and get this done.

Mr. STEVENS. That is what we seek to do.

Mrs. BOXER. Mr. President, during the recent operations in Iraq, and as recently as this June, U.S. commercial airliners, such as Delta and U.S. Airways, flew nearly 2,000 flights carrying

U.S. troops and supplies into Kuwait, Saudi Arabia, the United Arab Emirates, Qatar, and Bahrain.

Unlike U.S. military transport aircraft, such as the C-17, none of these commercial jets were equipped with defenses against shoulder-fired missiles.

Yet these aircraft, known as the civil reserve air fleet, CRAF, are contractually obligated to support Department of Defense airlift requirements during times of emergency, when the need of airlift exceeds the capability of military aircraft. Civil reserve air fleet carriers must make aircraft available for the start of assigned missions within 24 hours after callup when stages I or II are activated and within 48 hours when stage III is activated.

These constitute our most vulnerable aircraft. They land in areas that are highly volatile, where we know terrorists groups operate, where we know they have shoulder-fired missiles, and where they have attempted to use them.

The bottom line is, it is only a matter of time before terrorist succeed in bringing down a commercial airplane with a shoulder-fired missile. We cannot afford for our luck to run out.

The administration has presented a plan that would fail to equip any aircraft until fiscal year 2006, at the earliest. We need to move faster. Thousands of these weapons are in the hands of terrorists all around the world and are easily available on the black market.

The Federal Bureau of Investigation has issued a warning to law enforcement personnel to be alert to the potential use of shoulder-fired missiles against U.S. aircraft given al-Qaida's demonstrated objective to target the U.S. airline industry, its access to U.S. and Russian made systems and its targeting of U.S.-led military forces in Saudi Arabia. In August 2003, a weapons smuggler was arrested after agreeing to sell a Russian SA-18 to an undercover FBI agent posing as a Muslim extremist. At least 19 missiles have been launched against coalition aircraft since the end of major combat operations in Iraq. In November 2002, an Israeli jetliner was fired upon seconds after takeoff in Mombasa, Kenya; al-Qaida is suspected. And, in May 2002, al-Qaida was suspected of firing a shoulder-fired missile at U.S. military aircraft near Prince Sultan Air Base in Saudi Arabia.

That is why I am pleased that the Senate has accepted my amendment to ensure that when countermeasures are placed on commercial aircraft, the civil reserve air fleet receives first priority. This is a commonsense amendment that will protect our flying public and our military personnel.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 1845), as modified, was agreed to.

Mrs. BOXER. I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Madam President, I ask unanimous consent that Senators FEINSTEIN and CRAPO be added as original cosponsors to amendment No. 1864.

AMENDMENT NO. 1864, AS MODIFIED

Mr. STEVENS. Madam President, I send amendment No. 1864, offered by Senator DOMENICI and others, to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. DOMENICI, for himself, Mr. BOND, Mr. BENNETT, Mr. CRAPO, and Mr. ALEXANDER, proposes an amendment numbered 1864, as modified.

The amendment is as follows:

(Purpose: To require reports on the United States strategy for relief and reconstruction efforts in Iraq)

Insert where appropriate in the bill:

SEC. . (a) INITIAL REPORT ON RELIEF AND RECONSTRUCTION.—Not later than 60 days after the date of enactment of this Act, the President shall submit to Congress a report on the United States strategy for activities related to post-conflict security, humanitarian assistance, governance, and reconstruction to be undertaken as a result of Operation Iraqi Freedom. The report shall include information on the following:

(1) The distribution of duties and responsibilities regarding such activities among the agencies of the United States Government, including the Department of State, the United States Agency for International Development, and the Department of Defense.

(2) A plan describing the roles and responsibilities of foreign governments and international organizations, including the United Nations, in carrying out such activities.

(3) A strategy for coordinating such activities among the United States Government, foreign governments, and international organizations, including the United Nations.

(4) A strategy for distributing the responsibility for paying costs associated with reconstruction activities in Iraq among the United States Government, foreign governments, and international organizations, including the United Nations, and for actions to be taken by the President to secure increased international participation in peacekeeping and security efforts in Iraq.

(5) A comprehensive strategy for completing the reconstruction of Iraq, estimated timelines for the completion of significant reconstruction milestones, and estimates for Iraqi oil production.

(b) SUBSEQUENT REPORTS ON RELIEF AND RECONSTRUCTION.—(1) Not later than 60 days after the submittal of the report required by subsection (a), and every 60 days thereafter until all funds provided by this title are expended, the President shall submit to Congress a report that includes information as follows:

(A) A list of all activities undertaken related to reconstruction in Iraq, and a corresponding list of the funds obligated in connection with such activities, during the preceding 60 days.

(B) A list of the significant activities related to reconstruction in Iraq that the President anticipates initiating during the ensuing 60-day period, including—

(i) the estimated cost of carrying out the proposed activities; and

(ii) the source of the funds that will be used to pay such costs.

(C) Updated strategies, objectives, and timelines if significant changes are proposed regarding matters included in the report required under subsection (a), or in any previous report under this subsection.

(2) Each report under this subsection shall include information on the following:

(A) The expenditures for, and progress made toward, the restoration of basic services in Iraq such as water, electricity, sewer, oil infrastructure, a national police force, an Iraqi army, and judicial systems.

(B) The significant goals intended to be achieved by such expenditures.

(C) The progress made toward securing increased international participation in peacekeeping efforts and in the economic and political reconstruction of Iraq.

(D) The progress made toward securing Iraqi borders.

(E) The progress made toward securing self-government for the Iraqi people and the establishment of a democratically elected government.

(F) The progress made in securing and eliminating munitions caches, unexploded ordnance, and excess military equipment in Iraq.

(G) The measures taken to protect United States troops serving in Iraq.

Mr. DOMENICI. Mr. President, this amendment requires reporting on the reconstruction of Iraq. This amendment ensures congressional oversight for the \$20.3 billion portion of the supplemental bill designated for the reconstruction of Iraq.

As I look at what is going on in Iraq, I see tremendous progress and good that is taking place. Unfortunately, the media have not seen fit to report on these good things and the fact that our men and women there are making life better for the Iraqi people.

But my amendment puts in place a way to measure that progress so as to clearly show the American people what we are doing. It requires that the plan for reconstruction is regularly reported so Americans can plainly see that Iraq is moving toward independence and toward a day when our troops will come home.

I have been fortunate enough to talk to people in Iraq with firsthand knowledge of the situation on the ground. Based on my conversations with these individuals, it seems to me there are a few critical elements that must be met in order to achieve the kinds of things we want.

For example—we need to get the electricity working. We also need to get the water running. We need to get the oil pumping, and the police trained. I believe improving these services is the key to a new civil society in Iraq, and I think Mr. Bremer is working very hard to make them happen.

My amendment gives clarity for measuring the progress that is being made in these areas because it calls for the reporting of specific timelines and objectives relating to that progress.

In a word, this amendment ensures accountability—accountability through reporting requirements. And I would submit that these are substantially detailed reporting requirements and that they are fair requirements.

For example, my amendment contains provisions such as submission of a "master plan" for reconstruction efforts within 60 days of enactment. Also, it requires submission of subsequent reports every 60 days thereafter detailing how funds have been expended and how they will be expended.

Furthermore, these reporting requirements cover many specific issues, such as a description of expenditures and the progress made in restoring basic services such as water, electricity, sewer and oil infrastructure; a description of the goals to be achieved by these expenditures; a description of the roles of foreign governments and international organizations in the Iraq reconstruction efforts; and a description of the progress made toward securing Iraqi democracy.

This is a very fair amendment because it respects the Constitution by giving the executive branch primacy in the area of foreign affairs policymaking, while at the same time giving Congress appropriate oversight of the funds used for implementing that policy. I also think this is a very important amendment because it satisfies the concerns of many Senators—especially in the area of submitting a clear plan that has guideposts for measuring progress.

It is my hope that Senators will support this amendment that will ensure funds are spent wisely and in a way that will hasten the day when our troops will come home.

Mr. STEVENS. I ask for consideration of the amendment.

The PRESIDING OFFICER. Without objection, the amendment is considered and agreed to.

The amendment (No. 1864), as modified, was agreed to.

Mr. STEVENS. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 1825

Mr. STEVENS. Madam President, I yield 3 minutes each to Senator BOND and Senator MIKULSKI concerning amendment No. 1825.

The PRESIDING OFFICER. Without objection, the Senator from Missouri is recognized.

Mr. BOND. Madam President, I rise to speak in support of this amendment on behalf of my colleague, Senator MIKULSKI, and a number of other colleagues. I ask unanimous consent that Senator SPECTER be added as a cosponsor.

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

Mr. BOND. This amendment provides \$1.3 billion in emergency funding for VA medical care to address the medical care needs of returning service members from Iraq and Afghanistan. I believe the \$1.3 billion in emergency funding meets the criteria under section 502 of the budget resolution. This is consistent with the final figures approved in the budget adopted. This

meets the figures included in the original budget. Unfortunately, the Office of Management and Budget sent us a budget that achieved these goals by increasing fees on veterans, and neither body has shown any enthusiasm for that.

Under section 502, an expenditure may be designated an emergency if it meets five criteria: One, necessary, essential, or vital; two, sudden, quickly coming into being, and not building up over time; three, an urgent, pressing, and compelling need requiring immediate action; four, unforeseen, unpredictable, and unanticipated; and five, not permanent, temporary in nature. It is clear that this amendment meets the five criteria due to the compelling, vital, and essential needs of veterans who seek medical care services from the VA.

As I trust all of our colleagues know, the VA cannot currently keep up with the demand of the current veteran population. Tens of thousands of veterans have been told to wait at least 6 months. Even more distressing is the fact that many of them have to wait up to 2 years to see a doctor. That is unacceptable. If the VA cannot help those who are in the system, how will they help the veterans returning from Afghanistan and Iraq?

In the legislation before us today, we provided the funds that I think are vitally needed to the Department of Defense to fight these wars and reconstruction funds to ensure that the peace is secure and we bring our troops home. I strongly support these funds, but I believe we must ensure that when our troops do return home, the Government will be there to treat their medical care needs. If we are willing to provide emergency funding to fight wars, we must be willing to provide emergency funding to meet the medical care needs to treat injuries and wounds suffered from the war.

In other words, we would have to ensure there is a continuum of care for our service members from basic training to deployment to discharge.

Let me illustrate the urgent and pressing needs for these emergency funds. According to a recent VA analysis, 15,813 service members who served in Operation Iraqi Freedom have separated from military duty as of September 22, 2003. Among these service members, almost 2,000, or 12.4 percent, had sought VA health care during 2003. I point out that these numbers do not include those military men and women who are returning from Afghanistan and other parts of the world fighting the war on terrorism.

Every day in the news we hear the unfortunate and sad news of American soldiers killed in Iraq, but as illustrated by the VA's analysis and scores of news reports, there are thousands of service members who were fortunate to live but who were wounded in combat.

As reported in the October 1, 2003, edition of the USA Today: "At least seven times as many men and women

have been wounded in battle" as those killed in battle. As these wounded service members are discharged from the military and confront new and challenging hardships in piecing together a new life, most of them will depend on the VA to meet their needs.

According to the VA, some of our returning servicemen and women are currently being served through VA/DoD sharing agreements and others, such as Pvt Jessica Lynch, are being discharged and turning to VA for specialized services, services that only the VA can provide not found in the private sector. This level of demand for VA services has not been foreseen or anticipated.

Further, we know that the overall demand for VA medical care is not going to lessen. We have already seen the VA medical care system being overwhelmed by the staggering increase in demand for its medical services. Since 1996, the VA has seen a 54 percent in growth or 2 million patients in total users of the medical care system. Further, the VA projects that its enrollments to grow by another 2 million patients from a current level of 7 million to 9 million in 2009.

Again, I urge my colleagues to support these emergency funds. In a time of war with thousands of injured troops returning from battle, it is clearly an emergency to include these funds. It is our moral responsibility to ensure that we provide adequate resources to the VA to meet the vital medical needs of our veterans. If these emergency funds are not included in this bill, the VA will have enormous difficulties in treating veterans returning from Iraq and Afghanistan due to the current backlog of veterans waiting for medical care. Without these funds, those waiting veterans will wait longer for medical care and the VA will be forced to deny medical care to another 585,000 veterans. I cannot accept these outcomes. This is medical care they have earned through risk of life and all too often at the cost of their limbs and their long-term health.

I ask my colleagues to think about our service members who have already returned from service, about our service members who are currently serving, and about those who want to serve. If we do not provide these funds, what kind of message does this send to those currently fighting overseas and those who will be sent overseas? I hope my colleagues agree with me that we want to tell these men and women that we will not turn our backs on them and that we will keep our promises to them. I urge your support on the Bond-Mikulski amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I am sorry to interrupt the Senator from Maryland. I ask consent that the Senator from Vermont be recognized to speak for 1 minute following the Senator from Maryland.

The PRESIDING OFFICER. Is there objection?



Mr. STEVENS. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Maryland is recognized for 3 minutes.

Ms. MIKULSKI. Madam President, I rise as an enthusiastic advocate of the Bond-Mikulski VA medical care amendment. I ask unanimous consent that Senator DEBBIE STABENOW be added as a cosponsor.

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

Ms. MIKULSKI. Madam President, along with Senator BOND, I urge my colleagues to support this amendment. It provides \$1.3 billion for veterans medical care. It is necessary for three reasons: One, it will deal with the growing long lines in which some of our veterans have to wait in order to see a doctor or a specialist. Second, it rejects the concept of having to pay a membership fee to get veterans medical care if they are a category 7 or a category 8. Third, it also rejects the ballooning copayments that were suggested by the administration.

First, in the administration's budget, the request was to charge veterans \$250 a year to be able to pay their dues. Well, Senator BOND and I believe the veterans did pay their dues. They paid them at Iwo Jima, Pork Chop Hill, the Mekong Delta, and now the burning sands of the Iraqi desert. We are working on a bipartisan basis to reject these new co-fees and these new toll charges. We need this amendment to ensure that the VA can care for returning service members.

Under the legislation that was passed by this Congress, the law requires the VA to provide 2 years of medical care for returning service members. You bet we ought to do that. But if we are going to pass the legislation, we should not only put it in the Federal law books, we have to put it in the Federal checkbook, and that is what Bond-Mikulski does.

The VA has already treated 2,000 returning soldiers from the war, but this VA system, with its wonderful doctors and nurses, is strained to the limit. There are now many who are waiting for care. There are many who ought to get care. They should not have to pay membership fees. Adopt Bond-Mikulski and keep the promises made to America's veterans.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Madam President, I believe that most Americans are very aware of the human cost of the Iraq war and the significant toll it has taken on the lives and health of many American military personnel. We all have anguish over the casualties and rejoiced in the moments of relief, such as the rescue of Jessica Lynch. Americans, regardless of their views on the war, hung on every bit of news of her recovery, and watched with fascination as she spoke her few but powerful words upon returning home to West Virginia. We just assumed that the

cost of her health care and rehabilitation would be covered by the U.S. Government. After all, that is only fair.

The system that is responsible for caring for wounded service members after they are discharged is overburdened and underfunded. The Veterans Administration health care system has been shortchanged for years, with health care budgets falling well short of inflation. While the Bush administration proposed a slight increase in funding this year, it is still not enough to keep up with inflation. Vietnam Veterans of America has estimated that at expected appropriations levels for this coming fiscal year, the VA health care system is \$52 million short of the amount needed to implement existing VA programs and to keep pace with inflation since 1997. Every VA hospital has been forced to do more with less, to continuously reduce costs, year after year, and to limit services to veterans. Long waiting lines have developed at many VA centers, sometimes keeping veterans waiting as much as a year for an initial appointment. Due to inadequate funding, Secretary Principi, a strong advocate for veterans, has been forced to deny an entire category of veterans treatment at VA hospitals.

I compliment my colleagues, Senator BOND and Senator MIKULSKI, for their efforts to address this funding shortfall. As the chair and ranking member of the subcommittee with jurisdiction over appropriations for the Veterans Administration, they are well aware of the urgency of the VA's needs. I am pleased to be a cosponsor of their amendment to add \$1.3 billion to this legislation specifically for VA health care. In drafting the VA's appropriations bill for the coming fiscal year, they identified this funding as urgently needed by the VA, and it is imperative that this funding be provided in this bill.

Our top priority must be caring for the men and women who answered the President's call and stepped into harm's way. They must be taken care of. If the Federal Government has any obligation to its people, is not its first obligation to care for the wounds of its soldiers?

Every day we hear of more Americans injured in Iraq. I cringe for them and for their families. It is a great burden that most of them will carry all their lives. I also fear that in the years to come, we will learn that the harsh conditions in Iraq today have in more subtle ways damaged the health of our troops stationed there. The burden of studying these problems and caring for these soldiers will fall on the VA health care system.

I, for one, cannot stand by while the VA is starved for resources. This is the time to act. I urge all my colleagues to support the Bond-Mikulski amendment to add \$1.3 billion to care for America's veterans.

Mr. GRAHAM of Florida. Madam President, as ranking member on the

Committee on Veterans Affairs, I rise to lend my support to the Bond-Mikulski amendment for an additional \$1.3 billion for VA health care. I think it is abundantly clear to everyone in the chamber that the VA health care system is in dire need of additional and significant resources.

The administration has extolled the proposed VA budget as a historic increase, when in reality this type of increase is beyond what anyone could expect in the current economic climate. It has been touted as an increase of 7 to 11 percent over last year's budget, depending on who is speaking.

When you look at the budget proposed by the administration, a different story comes to light. Once the new copayments and fees are stripped away, the theoretical management efficiencies discounted for what they really are, and the accounting tricks are identified, we are left with an appropriation that barely keeps pace with inflation.

As we shape VA's budget for the next year, we must move beyond hopeful rhetoric and quack accounting to take an honest assessment of the needs of veterans.

We all know—and many of us have mentioned—that more than 100,000 veterans must wait more than 6 months to see VA physicians. While VA's committed professionals are struggling to handle the increased patient load, they are doing it without a corresponding increase in resources. This must be rectified.

When we debated and voted on the first war supplemental bill in April, I secured additional health dollars for VA to care for servicemembers returning from the Gulf. This money was simply a start, since VA will continue to see troops coming home and seeking health care in the coming years. If we can afford to send tens of billions of dollars overseas to support the troops while in conflict, how can we possibly not fully fund their care when they return home?

Veterans groups know that the VA health care system is in crisis—and so do both the House and Senate. Congress passed a \$3.1 billion increase in the budget resolution, meeting the mark for VA health care determined by experts in the veterans community. Yet, it has proven difficult to secure these funds for VA.

It is important to note that there is still a \$300 million deficit in veterans health spending for next year. While the Bond-Mikulski amendment ensures that a large portion of the money will be there for veterans without the subjective emergency spending designation, it is just a first step. We need to finish the job and make sure that health care is fully funded for our veterans.

I am proud to lend my name to this amendment. Indeed, my good friend JAY ROCKEFELLER and I were planning on offering a similar one to the VA spending bill. I urge all my colleagues

to support this amendment—we owe our servicemembers and veterans nothing less.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, is amendment No. 1825 before the Senate now?

The PRESIDING OFFICER. Yes, it is.

Mr. STEVENS. We have held this until last because of the budget problem involved. This takes \$1.3 billion from the amount that has already been allocated to the VA/HUD Subcommittee that causes considerable consternation as to what we are going to do with it in the future. We all admit that is the problem. We all know there is a severe problem for veterans to deal with medical care, and we look forward to working with the Senators from Missouri and Maryland to work out this problem.

To the best of my knowledge, we now have one remaining amendment to be debated, and that is the amendment of Senator BROWNBACK.

I ask that amendment 1825 be adopted.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1825.

The amendment (No. 1825) was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Could we make the inquiry as to who intends to speak after the Brownback amendment so Members might know how long it will be before the vote on final passage?

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, through you to the distinguished Senator from Alaska, Senator BYRD wishes to speak for not to exceed 25 minutes. Senator GRAHAM, as I indicated, will make a very brief statement, a matter of a couple of minutes, and then give his full statement after passage of the bill.

Senator LEAHY, we will talk to him to find out what is his desire.

Senator DAYTON desires to speak after the vote.

At this stage, I ask unanimous consent Senator BYRD be recognized for not to exceed 25 minutes. We will work on the others.

Mr. STEVENS. We have no objection to that, but I do not want to indicate—we have not had any requests yet from this side. We will have to determine that. But it will mean a vote on final passage will start sometime after 4 o'clock.

I yield the floor.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

The Senator from Kansas.

AMENDMENT NO. 1885, AS MODIFIED

Mr. BROWNBACK. Madam President, I call up amendment No. 1885, as modified,

and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 1885, as modified.

Mr. BROWNBACK. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To reduce the amount appropriated for reconstruction in Iraq by \$600,000,000 and to increase the amount available to the Iraqi Civil Defense Corps by \$50,000,000, the amount available for Afghanistan by \$400,000,000, and the amount available for Liberia)

On page 38, between lines 20 and 21, insert the following new sections:

SEC. 2313. (a) The total amount appropriated in chapter 2 of this title under the subheading "IRAQ RELIEF AND RECONSTRUCTION FUND" under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT", is hereby reduced by \$600,000,000.

(b) Of the total amount appropriated in chapter 2 of this title under the subheading referred to in subsection (a), \$5,186,000,000 shall be available for security, including public safety requirements, national security, and justice, of which not less than \$126,000,000, shall be available for the Iraqi Civil Defense Corps.

SEC. 2314. None of the funds appropriated by this Act may be used to fund the following:

- (1) Solid waste management in Iraq.
- (2) WiFi capabilities for IPTC in Iraq.
- (3) Housing in Iraq.
- (4) Market-oriented specialized training for Iraqis.
- (5) Catch-up business training for Iraqis.
- (6) Development or construction of the Abu Gharib Memorial, or any similar memorial.
- (7) The Athletes Committee in Iraq, including any conference or memorial that addresses atrocities committed against Iraqi athletes.

SEC. 2315. Not more than \$450,000,000 of the funds appropriated by this Act may be used to fund petroleum product imports.

On page 28, beginning on line 18, strike "\$422,000,000" and all that follows through "Provided," on line 20 and insert "\$822,000,000, to remain available until September 30, 2005, for accelerated assistance for Afghanistan, of which not less than \$60,000,000 shall be available for disarmament, demobilization, and reintegration; \$50,000,000 shall be available for a venture capital fund to promote development of the private sector; \$150,000,000 shall be available for accelerated funding for the National Army of Afghanistan; \$60,000,000 shall be available for the Government of Afghanistan to provide security and minimal services, collect revenue, and pay salaries for military and civilian officials; \$15,000,000 shall be available for power generation projects; \$35,000,000 shall be made available for additional activities that are specifically targeted to advancing the social, economic, and political rights and opportunities of women; \$25,000,000 shall be made available for emergency food, fuel, clothing and shelter materials for Afghans who are internally displaced; and \$5,000,000 shall be available for natural resources assessments: *Provided*,".

On page 29, line 17, strike "\$100,000,000" and all that follows through "Provided" begin-

ning on line 17, and insert "\$250,000,000, to remain available until expended, of which not less than \$200,000,000 shall be made available for humanitarian relief and reconstruction activities in Liberia: *Provided*, That funds appropriated under this heading shall be made available for Sudan: *Provided further*,".

Mr. BROWNBACK. Madam President, this is a very simple, straightforward amendment. It does some of what the House has done. I will explain this briefly because I think most of the people are knowledgeable of these particular issues.

What we do with this particular amendment is rescind \$600 million from nonsecurity accounts—none of the security money, all nonsecurity grant funding—that is not immediately necessary for reconstruction. It prohibits projects such as memorials, athletic committees, solid waste removal, catchup business training, telephone/postal company, housing. It would limit some of the petroleum product imports. That is where we take the funds from.

The resulting savings would be reallocated to a couple of areas—enhancing security efforts in Iraq, where we would put \$50 million above the President's request for the Iraq civil defense corps. It would, too, bolster funding for reconstruction of Afghanistan. There we put \$400 million into Afghanistan. We take the funds there and reallocate them into Afghanistan, into a series of areas that are high priority.

I think it is important to remember we invaded and fought to remove terrorists in Afghanistan. Afghanistan is somewhat the forgotten child. We have not put nearly the resources forward that resource-poor country needs. This is in line with some of the thinking and the actions the House took.

We also put a portion of resources into the United States Emergency Fund For Complex Foreign Crises, increasing this account to \$250 million—80 percent of which, or \$200 million, will go to Liberia, earmarked for humanitarian relief and reconstruction in Liberia. I think colleagues are well familiar with what is taking place in that country.

So we have taken \$600 million from nonsecurity accounts, key areas a lot of people identified as areas that may be useful to fund but not high priorities, not things into which we need to put these emergency funds, and shifted them into Afghanistan, Liberia, and \$50 million to increase the civil defense in Iraq. This is what is going to help us bring our troops home faster, the faster we stand up an Iraqi military and paramilitary force.

It is pretty straightforward. This is a Brownback-Leahy amendment. It is a bipartisan amendment a number of my colleagues are supporting. I ask for favorable consideration.

I do ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The Senator has asked for the yeas and nays. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Madam President, \$600 million from Iraqi reconstruction funds? The Senate has just acted along with the House to cut approximately \$1.6 billion. This amendment also prohibits funds appropriated in this act from being used for solid waste management, housing, and other items.

Some of the solid waste management involves contaminated materials, materials with unexpended ordnance, all sorts of hazards. We have already reduced this amount, as I said, by \$1.6 billion. Any further reduction, as far as I am concerned, would further weaken the assistance we are trying to give the Iraqi people in order to bring our people home.

I move to table this amendment and ask for the yeas and nays.

The PRESIDING OFFICER. The motion to table can only be made after the sponsor's time has expired.

The Senator from Kansas.

Mr. BROWNBAC. I yield a minute to my colleague from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I urge this amendment be adopted. I think Senator BROWNBAC has been very careful in what he has taken out of the measure. It does mirror pretty much what the House did. The lion's share of the \$20 billion is going to be there. But I think Congress has the right to prioritize, and I think these are better priorities.

I yield the floor.

Mr. STEVENS. Do I have any time left?

The PRESIDING OFFICER. The Senator from Alaska has 4 minutes 20 seconds remaining.

Mr. STEVENS. Madam President, I merely point out we voted now on this subject, further reductions, reconciliation moneys, six times today. We have finally agreed to reduce by \$1.6 billion, as much as the House has. I think this would be a further redundant reduction and I urge the motion to table.

I yield the remainder of my time.

Has the Senator yielded the remainder of his time?

Mr. BROWNBAC. Senator LEAHY is a cosponsor. I wanted to offer a minute. I just saw Senator LEAHY step inside.

I do have one other comment I would like to make.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBAC. Madam President, I think these are very carefully crafted areas we are going at. We have looked through this bill. I have worked in this region for some period of time. So I think it is important we consider higher priorities and we really think about what we are doing in shifting some of these resources. It is important to take from lower priority areas in Iraq which a lot of people identified, and put in higher priority areas.

With that, I yield a minute to my colleague from Vermont, who is a co-

sponsor of this particular amendment, if he seeks recognition.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I will not add to what the Senator from Kansas has said other than to say I do support this amendment. I think it shows the priorities that have to be met by the United States, priorities we sometimes overlook.

I commend the Senator for his support of this. I hope the Senate will pass it overwhelmingly.

I yield the floor.

Mr. BROWNBAC. I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Nevada.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. STEVENS. Madam President, has the vote started?

The PRESIDING OFFICER. The motion to table has not yet been formally made.

Mr. REID. Madam President, if I could direct this question to the Senator from Alaska, does the Senator wish to table or just an up-or-down vote?

Mr. STEVENS. I was willing to agree to go ahead with the Senator's speech, if he wishes to do that.

Mr. REID. Madam President, the Senator from Alaska has been gracious enough to allow the Senator from West Virginia to proceed. Under the previous order, he is to be recognized to speak up to 25 minutes on this bill. I ask that time begin now.

Mr. STEVENS. So there is no misunderstanding, I make the motion to table this amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. I ask that be set aside so the Senator may speak.

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

The Senator from West Virginia.

Mr. BYRD. Madam President, I thank the distinguished chairman of the Appropriations Committee, Senator STEVENS, and I also thank the distinguished Democratic whip for their courtesies.

Madam President, in 1837, Danish author Hans Christian Andersen wrote a wonderful fairytale which he titled "The Emperor's New Clothes." It may be the very first example of the power of political correctness. It is the story of a ruler of a distant land who was so enamored of his appearance and his

clothing that he had a different suit for every hour of the day.

One day two rogues arrived in town, claiming to be gifted weavers. They convinced the emperor that they could weave the most wonderful cloth, which had a magical property. The clothes were only visible to those who were completely pure in heart and spirit.

The emperor was impressed and ordered the weavers to begin work immediately. The rogues, who had a deep understanding of human nature, began to feign work on empty looms.

Minister after minister went to view the new clothes and all came back exhorting the beauty of the cloth on the looms even though none of them could see a thing.

Finally a grand procession was planned for the emperor to display his new finery. The emperor went to view his clothes and was shocked to see absolutely nothing, but he pretended to admire the fabulous cloth, inspect the clothes with awe, and, after disrobing, go through the motions of carefully putting on a suit of the new garments.

Under a royal canopy the emperor appeared to the admiring throng of his people—all of whom cheered and clapped because they all knew the rogue weavers' tale and did not want to be seen as less than pure of heart.

But, the bubble burst when an innocent child loudly exclaimed, for the whole kingdom to hear, that the emperor had nothing on at all. He had no clothes.

That tale seems to me very like the way this Nation was led to war.

We were told that we were threatened by weapons of mass destruction in Iraq, but they have not been seen.

We were told that throngs of Iraqis would welcome our troops as liberators. They have not been seen as liberators but as occupiers.

We were told that the throngs of Iraqis would welcome our troops with flowers, but no throngs or flowers appeared.

We were led to believe that Saddam Hussein was connected to the attack on the twin towers and the Pentagon, but no evidence to that effect has ever been produced.

We were told in 16 words that Saddam Hussein tried to buy "yellow cake" from Africa for production of nuclear weapons, but the story has turned into empty air.

We were frightened with visions of mushroom clouds, but they turned out to be only vapors of the mind.

We were told that major combat was over but 101—as of October 17—Americans have died in combat since that proclamation from the deck of an aircraft carrier by our very own emperor in his new clothes.

Our emperor says that we are not occupiers, yet we show no inclination to relinquish the country of Iraq to its people.

Those who have dared to expose the nakedness of the administration's policies in Iraq have been subjected to

scorn. Those who have noticed the elephant in the room—that is, the fact that this war was based on falsehoods—have had our patriotism questioned. Those who have spoken aloud the thought shared by hundreds of thousands of military families across this country, that our troops should return quickly and safely from the dangers half a world away, have been accused of cowardice. We have then seen the untruths, the dissembling, the fabrication, the misleading inferences surrounding this rush to war in Iraq wrapped quickly in the flag.

The right to ask questions, debate, and dissent is under attack. The drums of war are beaten ever louder in an attempt to drown out those who speak of our predicament in stark terms.

Even in the Senate, our history and tradition of being the world's greatest deliberative body is being snubbed. This huge spending bill—\$87 billion—has been rushed through this Chamber in just 1 month. There were just three open hearings by the Senate Appropriations Committee on \$87 billion—\$87 for every minute since Jesus Christ was born—\$87 billion without a single outside witness called to challenge the administration's line.

Ambassador Bremer went so far as to refuse to return to the Appropriations Committee to answer additional questions because, and I quote: "I don't have time. I'm completely booked, and I have to get back to Baghdad to my duties."

Despite this callous stiff-arm of the Senate and its duties to ask questions in order to represent the American people, few dared to voice their opposition to rushing this bill through these halls of Congress. Perhaps they were intimidated by the false claims that our troops are in immediate need of more funds.

But the time has come for the sheep-like political corrections which has cowed Members of this Senate to come to an end.

The emperor has no clothes. This entire adventure in Iraq has been based on propaganda and manipulation. Eighty-seven billion dollars is too much to pay for the continuation of a war based on falsehoods.

Taking the nation to war based on misleading rhetoric and hyped intelligence is a travesty and a tragedy. It is the most cynical of all cynical acts. It is dangerous to manipulate the truth. It is dangerous because once having lied, it is difficult to ever be believed again. Having misled the American people and stampeded them to war, this administration must now attempt to sustain a policy predicated on falsehoods. The President asks for billions from those same citizens who knew that they were misled about the need to go to war. We misinformed and insulted our friends and allies and now this administration is having more than a little trouble getting help from the international community. It is perilous to mislead.

The single-minded obsession of this administration to now make sense of the chaos in Iraq, and the continuing propaganda which emanates from the White House painting Iraq as the geographical center of terrorism is distracting our attention from Afghanistan and the 60 other countries in the world where terrorists hide. It is sapping resources which could be used to make us safer from terrorists on our own shores. The body armor for our own citizens still has many, many chinks. Have we forgotten that the most horrific terror attacks in history occurred right here at home? Yet, this administration turns back money for homeland security, while the President pours billions into security for Iraq. I am powerless to understand or explain such a policy.

I have tried mightily to improve this bill. I twice tried to separate the reconstruction money in this bill, so that those dollars could be considered separately from the military spending. I offered an amendment to force the administration to craft a plan to get other nations to assist the troops and formulate a plan to get the U.N. in, and the U.S. out, of Iraq. Twice I tried to rid the bill of expansive, flexible authorities that turn this \$87 billion into a blank check. The American people should understand we provide more foreign aid for Iraq in this bill, \$20.3 billion, than we provide for the rest of the world.

I attempted to remove from this bill billions of dollars in wasteful programs and divert those funds to better use, but at every turn my efforts were thwarted by the rapid argument that we must all support the requests of the Commander in Chief.

I cannot stand by and continue to watch our grandchildren and their children become increasingly burdened by the billions of dollars that fly out of the Treasury for a war and a policy based largely on propaganda, hype, and prevarication. We are borrowing \$87 billion to finance this adventure in Iraq. The President is asking this Senator to pay for this war with increased debt, a debt that will have to be paid by our children and by those same troops who are currently fighting this war.

I cannot support outlandish tax cuts that plunge our country into potentially disastrous debt while our troops are fighting and dying—four more died within the last 24 hours—in a war that the White House chose to begin.

I cannot support the continuation of a policy that unwisely ties down 150,000 American troops for the foreseeable future with no end in sight.

I cannot support a President who refuses to authorize the reasonable change in course that would bring traditional allies to our side in Iraq.

I cannot support the politics of zeal and "might makes right" that created the new American arrogance and unilateralism that passes for foreign policy in this administration.

I cannot support this foolish manifestation of the dangerous and destabilizing doctrine of preemption that changes the image of America into that of a reckless bully.

The emperor has no clothes and our former allies around the world were the first to loudly observe it. I shall vote against this bill because I cannot support a policy based on prevarication. I cannot support doling out 87 billion additional of our hard-earned tax dollars when I have so many doubts about the wisdom of its use.

I began my remarks with a fairytale. I shall close my remarks with a horror story in the form of a quote from the book "Nuremberg Diaries," written by G.M. Gilbert, in which the author interviews Herman Gehrig:

We got around to the subject of war again and I said that, contrary to his attitude, I did not think that the common people are very thankful for leaders who bring them war and destruction.

... But, after all, it is the leaders of the country who determine the policy and it is always a simple matter to drag the people along, whether it is a democracy or a fascist dictatorship or a Parliament or a Communist dictatorship.

There is one difference. . . . In a democracy the people have some say in the matter through their elected representatives, and in the United States only Congress can declare wars.

Oh, that is all well and good, but voice or no voice, the people can always be brought to the bidding of the leaders. That is easy. All you have to do is tell them that they are being attacked and denounce the pacifists for a lack of patriotism and exposing the country to danger. It works the same way in any country.

I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator's speech demonstrates the greatness of our country in terms of freedom of speech. I could not be more proud to stand where I am standing today to support our President and to support our people in uniform and those who are part of this authority trying to restore freedom and democracy in Iraq.

Sometimes I wonder how I ended up here. I have no real background that ever gave me thought I would ever be here. But when I hear speeches like that, I know why I am here. I believe in this President. I believe in this military.

I voted for this intervention. The Senator from West Virginia did not. I am urging the Senate to support this bill, \$66 billion for our men and women in uniform and \$20.3 billion—they have taken \$1.6 billion out—but nearly \$20 billion for the operation to try to assure there is a new government in Iraq, Iraq committed to freedom and committed to work with the United States in trying to bring peace to that region.

If there is a volatile part of the world, it is the Middle East. We have been involved in strife there longer than I can remember. I remember when President Eisenhower sent troops into

Lebanon. This has been a thorn in our side as long as I have been involved in government. That is over 50 years.

Again, the Senator is entitled to his point of view. I saw those intelligence reports. I believe there were weapons of mass destruction being thought of and being prepared in Iraq. I believe they had chemical weapons. I believe they were trying to buy uranium and sought a new weapons program as they did before the Iraqis destroyed that first program with their famous raid on Iran which was 15 years ago. I don't understand people who say this was a falsehood. Think of the young men and women in Iraq. They are watching this program. They get it on C-PAN. They get it on the Internet. Think of what they are thinking when a Senator says they are over there because of a falsehood, because the President of the United States lied. I don't believe he lied. I believe he told the truth.

I believe he is now on an important mission around the world. I have never heard a President criticized so much when he was overseas as this President has been criticized. He is on a mission to China. He is on a mission to many places in the Pacific. I believe the Senate should vote today in support of this bill.

Those who vote against this bill will be voting against supporting our men and women in the field. They are still in harm's way. That is one point on which I agree. There are too many people still being killed in Iraq, but they are being killed because there is too much confusion over there. There is not the ability to bring about the control we should have. We need a civilian force from the Iraqis. We need to stand up a new army for the Iraqis as we are trying to do in Afghanistan. This is an important move of the United States, a move to establish freedom in the Middle East.

We are dependent upon oil now. I wonder how many know that within 10 years we will be dependent upon Qatar for liquefied natural gas. They have 1,000 times the amount of natural gas we have in our State of Alaska, and we have half the natural gas in the United States. That region of the world will be important to the United States for 50 to 100 years from now. Our future depends upon having people there who understand freedom, who seek freedom, who seek stability through governmental control and are willing to make agreements and keep them and not willing to build up armaments such as Saddam Hussein did. He was a threat not only to that part of the world, he was a threat to the whole world. I said I believed he was a new Hitler, and he would have been a new Hitler.

I urge the Senate to vote for this bill, to vote for it and vote to support the men and women in uniform who have fought the war we asked them to fight.

Mr. BYRD. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 8½ minutes remaining.

Mr. BYRD. I thank the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. May I say to the distinguished Senator from Alaska that he holds no monopoly on the support for the troops. I was supporting American troops before the Senator from Alaska ever came to Washington. I have been supporting the American troops for over 50 years.

And let the RECORD not stand with the Senator's words, if I interpreted them correctly, that those who vote against this bill are voting against the troops. I defy that statement. I defy that statement, and I hurl it back into the teeth of the Senator from Alaska.

I support the troops. I would say that every Senator here, regardless of how he or she votes, supports the troops. So do not throw that old canard over here, over this way.

I am sorry that the Senator from Alaska takes that view. I thought each of us could have our own viewpoint here without being charged with not supporting the troops. I regret the Senator from Alaska takes this view.

I am sure that there are a lot of the American people out there—millions of them—for whom I speak and for whom those who vote against this bill today speak who do not believe that this war was justified, who do not believe in the doctrine of preemption, who do not believe that there were weapons of mass destruction in Iraq. They have not been found yet.

So, Mr. President, I close by congratulating those Senators who have the courage to speak their will, to stand up for their own consciences, and who speak for those soldiers, men and women, who are in Iraq today who did not ask to go there but who feel that those of us who speak our will speak for them and who do not support the doctrine of preemption.

Fie on that doctrine of preemption! Fie on it! Here we have an America that has invaded another country that did not invade our country, that did not attack us. That is a dangerous doctrine. Those who vote against this bill are voting against that doctrine. So do not be ashamed of it.

I close with the words written on a statue to Benjamin Hill that stands in Atlanta, GA:

Who saves his country, saves himself, saves all things, and all things saved do bless him! Who lets his country die, lets all things die, dies himself ignobly, and all things dying curse him!

Vote to save your country, I say to my colleagues. Vote to save your country. I was not brought here by any Commander in Chief. No Commander in Chief brought me here, and no Commander in Chief is going to send me home.

My first and last stand by which I live and by which I hope to die is this Constitution of the United States. It says I have a right, and the men and women of this Chamber have a duty, to speak the people's will.

There are millions of people out there, millions of men and women, there are many men and women in Iraq who believe that we who vote against this bill today speak for them. I am not ashamed to do it. I am proud to do it.

Yes, I voted against sending American troops into Iraq. Yes, I am one of the 23. And if I had it to do over again, I would vote the same way again—10 times, 10 times 100 against this doctrine, this doctrine of preemptive strikes.

Fie on that doctrine! Fie on it!

Now, if the Senator from Alaska wishes to talk further, I will be glad to hear him.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. Under the previous order, at the conclusion of Senator BYRD's time, a vote was to take place on the motion to table the Brownback amendment.

Mr. STEVENS. Mr. President, there is still my minute and a half left of time.

The PRESIDING OFFICER. The time of the Senator from Alaska has expired.

Mr. MCCAIN. Mr. President, is there 2 minutes?

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thought I had a minute and a half left on Brownback.

The PRESIDING OFFICER. The Senator from Alaska has no time remaining.

The Senator from West Virginia has 2 minutes remaining.

Mr. BYRD. Does the Senator wish for me to yield him 2 minutes?

Mr. MCCAIN. I thank the Senator.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 2 minutes.

Mr. MCCAIN. I thank you, Mr. President.

AMENDMENT NO. 1885, AS MODIFIED

Mr. President, I want to speak on the Brownback amendment. It will be the last signal that we send before final passage.

My colleagues should know that it diverts \$450 million out of Iraq into what are largely unspecified projects. It ignores the fact that the reconstruction of Iraq is as vital as is the defense of Iraq and the military portion of it.

Basically, the sponsor of the amendment has decided what is necessary and what is not necessary to be allocated to Iraq, whether it be housing or other programs that have been deemed necessary by the administration, and decided that \$450 million would go to Afghanistan and to Liberia.

So the fact is, this is another micro-management amendment, point No. 1. No. 2, it ignores the fact that the reconstruction of Iraq is equally as vital as the military side of it.

There are some provisions that I do not particularly agree with, but the fact is, these have been scrutinized, and I believe it would be a terrible mistake to divert this money from the

projects for which they are intended. The Appropriations Committee had hearings and discussion with the administration and with Ambassador Bremer.

This amendment is not very much different from the Byrd-Biden amendment which the Senate decided not to accept some time ago.

I urge a "no" vote on the part of my colleagues on this amendment.

The PRESIDING OFFICER. All time has expired. The question is on the amendment.

The assistant Democratic leader.

Mr. REID. Mr. President, I have a unanimous consent request. I ask unanimous consent that there be no speeches prior to the final passage vote, except for a 2-minute speech by the Senator from Florida, Mr. GRAHAM. All other speeches would come after final passage.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. No objection.

The PRESIDING OFFICER. Hearing none, it is so ordered.

The question is on agreeing to the motion to table Brownback amendment No. 1885, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Idaho (Mr. CRAIG) are necessarily absent.

I further announce that if present and voting the Senator from Tennessee (Mr. ALEXANDER) would vote "yes".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 399 Leg.]

#### YEAS—55

Allard	Dole	McCain
Allen	Domenici	McConnell
Baucus	Ensign	Miller
Bennett	Enzi	Murkowski
Bingaman	Fitzgerald	Nickles
Bond	Frist	Roberts
Boxer	Graham (SC)	Santorum
Breaux	Grassley	Sessions
Bunning	Gregg	Shelby
Burns	Hagel	Smith
Campbell	Hatch	Snowe
Chambliss	Hollings	Specter
Cochran	Inhofe	Stevens
Coleman	Inouye	Talent
Collins	Kyl	Thomas
Cornyn	Landrieu	Thomas
Crapo	Lieberman	Voinovich
Dayton	Lott	Warner
DeWine	Lugar	

#### NAYS—43

Akaka	Dorgan	Lautenberg
Bayh	Durbin	Leahy
Biden	Edwards	Levin
Brownback	Feingold	Lincoln
Byrd	Feinstein	Mikulski
Cantwell	Graham (FL)	Murray
Carper	Harkin	Nelson (FL)
Chafee	Hutchison	Nelson (NE)
Clinton	Jeffords	Pryor
Conrad	Johnson	Reed
Corzine	Kennedy	Reid
Daschle	Kerry	
Dodd	Kohl	

Rockefeller	Schumer	Sununu
Sarbanes	Stabenow	Wyden

NOT VOTING—2

Alexander Craig

The motion was agreed to.

Mr. STEVENS. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. The Senator from Florida has 2 minutes. After that 2 minutes, there will be a vote on final passage. After the vote, there will be some speeches concerning the bill. This next vote will be the final vote on this bill.

The PRESIDING OFFICER. Under the previous order, the Senator from Florida will be recognized for 2 minutes.

The majority leader.

Mr. FRIST. Mr. President, just for the information of our colleagues, on Monday we will have a vote in the afternoon around 5 or 5:30. I am discussing with the Democratic leader what we will be doing on Monday. We initially talked about bringing forward Healthy Forests, but I think we will not be doing that at this juncture. We will have an announcement later about that.

I know a lot of people will be leaving after the vote, so for their information, we will be having one vote I know for sure on Monday around 5 or 5:30. We will pin that down later tonight.

The PRESIDING OFFICER. The assistant minority leader.

Mr. REID. Mr. President, I have conferred with the distinguished chairman from Alaska and he has no objection. I hope no one else does. I ask unanimous consent that Senator LEAHY be the first speaker after the final vote.

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

The Senator from Florida.

Mr. GRAHAM of Florida. I thank the Chair.

Mr. President, it is my intention to vote no on final passage of this legislation. I am deeply concerned about the implications of this \$87 billion expenditure on domestic fiscal issues, such as the enormous addition this will make to an already enormous deficit this fiscal year and the effect this will have on pursuit of important priorities within the United States of America.

My fundamental reason for voting against this is that I think we have two choices: We can either continue to go it alone in Iraq, or we can seriously internationalize this occupation and reconstruction. By seriously, I mean something beyond the words of the U.N. resolution that was passed yesterday and the reality of troops on the ground and dollars in the Treasury for reconstruction.

I believe this \$87 billion blank check appropriation removes whatever incentive this administration may have had to negotiate seriously a burden sharing and a decisionmaking sharing with those countries which have the capability of providing real support in Iraq.

Because I believe the effect of the \$87 billion appropriations will be to make our troops less secure, more exposed to danger without any exit strategy, I will vote no.

At an appropriate time after this vote, I am going to ask recognition to give a fuller statement of my position.

The PRESIDING OFFICER. All time has expired. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

#### AFGHAN WOMEN'S PROGRAMS

Mrs. MURRAY. I ask the Chairman, as you know, late last night a very important amendment regarding funding for Afghan women's programs previously authorized by the Afghanistan Freedom Act of 2002 was accepted in the House version of this bill. The amendment was introduced by Congresswoman CAROLYN MALONEY of New York.

I know you share my concerns about the treatment of women in Afghanistan. And as we discussed earlier today, I have agreed not to offer my amendment, which was similar to the one accepted in the House bill, with the understanding that you will support this issue in conference.

Mr. STEVENS. I am aware of the House amendment. I appreciate your interests in this area and will work with my colleagues in conference to support funding for women's programs in Afghanistan.

Mr. BYRD. I would like to echo Chairman STEVENS' remarks and thank the Senator from Washington, Mrs. MURRAY, for bringing this issue before the Senate.

Mrs. MURRAY. I thank the Chairman and Senator BYRD.

#### USNA HURRICANE ISABEL DAMAGE

Ms. MIKULSKI. Mr. President, I have introduced an amendment to provide for recovery of the United States Naval Academy from damage caused by Hurricane Isabel. I appreciate Senators COCHRAN, SARBANES, and MCCAIN cosponsoring this amendment. The four of us serve on the U.S. Naval Academy's Board of Visitors. We share a commitment to this outstanding institution to educate and develop America's future military leaders.

On September 18, Hurricane Isabel struck the eastern seaboard. It was one of the worst storms in the last 100 years. Isabel left some Marylanders homeless and most Marylanders without electricity. From Bowley's Quarters to Shadyside, the storm surge caused by Isabel flooded homes and businesses. I appreciate the help that FEMA has provided to so many of my constituents in their time of need.

The U.S. Naval Academy in Annapolis, MD was one of the places most devastated by Hurricane Isabel. Over 8 feet of water surged through Bancroft Hall, where the midshipmen live, as well as the kitchens and dining hall where they eat. Classroom and laboratory facilities were flooded, leaving them unusable.

I went to Annapolis to see the damage with the new Naval Academy Superintendent, ADM Rod Rempt. Bancroft Hall still had several feet of standing water. A few midshipmen were boating across the yard. Boats and debris littered the fields. Labs were under water. The chiller and electrical systems were flooded. Mold and rot was beginning to set in, despite great efforts to contain the damage.

The U.S. Naval Academy was not shut down by a storm. Classes are being held on a barge tied up on the Severn River. But we must get the Naval Academy repaired and restored. As the Senior Senator from Virginia has pointed out, the military can't turn to FEMA, they have to turn to Congress.

I joined with Senator WARNER and others in offering an amendment which provides \$500 million to address storm damage to military and NASA facilities. I believe that amendment covers what I intended with my amendment. The Warner amendment was accepted last night. The funds should be sufficient to provide the Navy Operations and Maintenance and Military Construction funding needed to make the Naval Academy whole. I would appreciate the distinguished chairman of the Armed Services Committee, and the former Secretary of the Navy, confirming that that was his intent in offering his amendment. But first I would yield to one of the Naval Academy's distinguished alumni, the Senator from Arizona.

Mr. McCAIN. Mr. President, I share Senator MIKULSKI's commitment to the U.S. Naval Academy, and I greatly appreciate her outstanding leadership in addressing all matters that concern the health and welfare of midshipmen, especially in this matter of the serious damage which occurred at the Academy. I join her in seeking assurances from the Appropriations Committee and the Department of Defense that the funding provided by Chairman WARNER's Amendment will include funding to fully meet the needs of the Naval Academy to recover from Hurricane Isabel. Admiral Rempt, the Superintendent of the Naval Academy, and Mullen, the Vice Chief of Naval Operations, are still determining the extent of the damage and its total costs caused by the hurricane. According to ADMs Rempt and Mullen, there may be additional resources that may be required to relocate the Chiller Plant which provides critical heating and air conditioning and was seriously damaged by the floods from Hurricane Isabel. I thank Senator MIKULSKI for her leadership in this matter.

Mr. WARNER. Mr. President, I thank Senator MIKULSKI for joining with me in offering the amendment to address the damage done by Hurricane Isabel to military facilities, and for her help in getting that amendment adopted. I can assure you that I intend the needs of the U.S. Naval Academy and all other military facilities damaged by

the storm to be fully met from the funds provided by that amendment.

Ms. MIKULSKI. The House also provides funding in its bill to address Hurricane Isabel's damage to military facilities. I would appreciate assurances that the conferees will work to ensure that the needs of the U.S. Naval Academy will be funded as this supplemental bill goes to conference.

Mr. BYRD. I am fully in agreement with the Senator from Maryland on this issue. I look forward to working in conference so that the needs of the U.S. Naval Academy to recover from Hurricane Isabel are fully funded.

Ms. CANTWELL. Mr. President, I rise to discuss the emergency supplemental spending bill before us that will give our troops the resources they need to do their jobs; hold the President more accountable for his postwar plan; and help the Iraqi people get back on their feet.

I believe that the Iraqi people very much deserve U.S. assistance getting their country back on its feet. It is for this reason that I am supporting funding in this supplemental appropriations bill for Iraqi reconstruction.

However, I am very concerned that the administration does not have a clear, comprehensive and convincing plan to do this.

It is for this reason that I have strongly opposed providing the Bush administration with a blank check in the expenditure of funds in this supplemental.

Instead, this supplemental bill includes a broad set of reports and oversight mechanisms, including:

A permanent inspector general charged with overseeing the Coalition Provisional Authority on its operations and financial transactions.

Audits for the use of reconstruction funds, including how they are solicited, bid and granted.

A monthly report from the Coalition Provisional Authority on its progress in the stated goal of replacing U.S. troops with multinational forces and Iraqi security personnel.

A report on the administration's utilization of National Guard and Reserves, and the impact that this has on our country's homeland security.

A requirement for the President to submit to Congress its projected costs for Iraqi operations through 2008 and any changes to these projections.

Quarterly reports to Congress on the status of the hunt for weapons of mass destruction.

These are important mechanisms that demonstrate clearly that this funding does not come without strings attached. On the contrary, these mechanisms will hold the administration accountable for developing a strategy and ensure transparency in supporting Iraqi reconstruction.

We also need to be clear that the U.S. cannot do this alone. I believe the U.S. must take the leadership role to ensure that Iraq benefits from the legitimacy, cooperation and money that only a broad coalition can guarantee.

That is why I supported a provision in this bill that requires the President to report to Congress on his efforts to increase international donations and to assess how the U.S. can best leverage U.S. taxpayer dollars for international support and international debt forgiveness.

The administration has had some successes in gaining international support, notably yesterday's United Nations Security Council resolution, which was a unanimous statement supporting multilateral efforts to stabilize, reconstruct and support Iraq's transition towards a sovereign democracy.

Also, the administration has taken an important step in engaging foreign countries to commit troops, including the recent agreement from Turkey. The administration has also shown progress in soliciting financial contributions, including the \$1.5 billion Japanese commitment.

However, this is really just a start. Foreign troops and foreign contributions remain terribly lower than where they need to be.

The administration needs to be committed to broadening its coalition of support and making the Iraqi reconstruction a global challenge met by the international community.

I believe that it is also very important that the administration speaks with a solid, unified voice regarding its efforts and strategy in Iraq.

It seems that every day we hear a different plan, a different projection, a different statement on needs and demands from one of several agencies and "spokespeople" that claim to speak for the administration.

The American people need and deserve accountability and clarity—not only on the challenges that we face, but on the solutions that we are seeking to execute.

This clarity is particularly important for the central questions of how long reconstruction will take, what the U.S. role will be, and, perhaps most importantly, how long our troops will remain in harm's way.

The uniformed men and women of our armed forces have served their country well. Their military efforts have demonstrated historic success, and they continue to sacrifice for our country on a daily basis in securing and stabilizing Iraq.

Washington State is proud to be the home of thousands of troops, sailors and airmen that have served in Iraq and Afghanistan from home bases from such places as Fort Lewis, Fairchild Air Force Base, and Everett Naval Station.

These men and women are meeting the call of duty superbly and we must provide them with the equipment and support that they deserve.

We also owe a particular debt of gratitude for our National Guard and Reserve units, which have been mobilized in historic numbers and for sustained lengths of time—leaving their jobs



and families to serve their countries. In fact, in my state, the 81st Armored Brigade—almost 4,000 citizen-soldiers—were alerted for a possible deployment to Iraq.

Given this important sacrifice made by reservists, I am particularly pleased that this supplemental package includes my bipartisan fair deployment amendment.

Like many guard and reservists—including the National Guard Association, the Reserve Officers Association, and the National Military Families Association—I was disturbed last month by the administration's sudden change in deployment policy.

My amendment addresses the change by requiring that deployment times for guard and reserves begin as soon as they are activated, we ensure that every day of service counts.

I have long said that we need to be consistent in how we calculate the deployment times for our Guard and Reserve personnel and this will do this by starting the clock ticking when their boots are out of the house.

In addition, this includes resources for health care for reservists and their families, as well as critical funding for our veterans.

First, I was a proud co-sponsor of an amendment that will extend TRICARE coverage to reservists and their families who are not currently covered by health insurance, and provide assistance to those reservists who are called up to duty so that they do not have to cancel their existing health care coverages.

Second, I also proudly cosponsored a Bond-Mikulski amendment that will provide \$1.3 billion in funding for veterans health care. This amendment means that Washington State will receive approximately \$30 million in new VA health care funding, providing care to approximately 6,000 veterans who would not receive it.

This has been an important, productive and historic debate for the future of Iraq, the Middle East region and, most importantly, in shaping America's role in the world.

This ultimate bill ensures that Congress will retain a major role in overseeing the way this money is spent and I remain committed to ensuring that we give our troops the tools they need to do their jobs; get the international support that we need; and making sure that our mission in Iraq is completed quickly and that our troops can come home.

Mr. PRYOR. Mr. President. I rise today to address the historic legislation before the Senate. I refer to S. 1689, the Emergency Supplemental Appropriations for Iraq and Afghanistan Security and Reconstruction Act, 2004.

Let me begin with what seems to be the reaction of most Americans. I am captivated by the sheer sum of the bill—\$87 billion.

Once beyond the initial sticker shock, I began to look at the content of this package. I was sent to the Senate

by Arkansans in part to watch over the Federal budget so I wanted to know what Americans were getting for their hard-earned \$87 billion—\$87 billion that will propel our Nation even further into debt.

I want to go on record commending the work of my colleagues on the Appropriations Committee. They did the best that they could given the circumstances. I think that I am a fair-minded American but this \$87 billion request was dumped in Congress's lap by the President on September 17, 2003.

Today is October 17 only 4 weeks since we have received this package. It takes most people longer to do their taxes than we have had to figure out an \$87 billion package. And while we have heard testimony from the top brass in the Defense Department, we have not from any outside witnesses with views that might differ from the administration. For instance, would it not make sense to hear from the Iraqi Governing Council regarding this bill?

Regardless, here we are, and I have made every effort to fairly examine this package. This is what I have found.

The \$87 billion package is broken down into two titles—National Security and International Affairs.

Title I, the National Security section of the bill, provides \$66.5 billion to carry out the war in Iraq and Afghanistan. The committee report accompanying S. 1689 says that these funds are for increased operational tempo, military personnel costs, military construction, procurement of equipment, increased maintenance and military health care support.

Title II, the International Affairs section of the bill, provides \$21 billion to help secure the transition to democracy in both Iraq and Afghanistan. The committee states that these funds are for enhanced security and reconstruction activities including border enforcement, building a national police service in Iraq, standing up a new Iraqi army and continued building of the Afghan National Army, reconstituted judicial systems, rehabilitation of Iraq's oil infrastructure, and provision of basic electricity, water and sewer services and other critical reconstruction needs in Iraq and Afghanistan.

Let me tell you that once into the details, there is much in this bill that is straightforward and I wholeheartedly support.

For example, under the National Security section, this bill contains \$1.2 billion for enhanced Special Pays including Family Separation Allowance, Imminent Danger Pay, and Hostile Duty Pay. The Senate Appropriations Committee should be commended for their decision to support the continuation of the Family Separation Allowance and the Imminent Danger Pay at the levels authorized for all of fiscal year 2004, rather than the Defense Department's request.

Title I contains other essential funding for personnel, operation and main-

tenance, procurement, the Defense Health Program, and military construction that one would expect to support our obligations to the uniform services totaling around \$62-\$63 billion.

I support this funding. It is responsible. It is necessary and part of our obligation to our troops.

The National Security section further provides funding for the Iraq Freedom Fund, the Overseas Humanitarian account, the Disaster and Civic Aid account, drug interdiction and counterdrug activities, and the intelligence community management account. While I wish we had greater details about these programs, I will put my trust in this administration who believes that these funds are needed to support the missions in Iraq and Afghanistan.

However, I can only extend so much good faith and trust—which brings us to Title II of the bill. Title II or the International Affairs section of the supplemental is intended to help secure the transition to democracy in both Iraq and Afghanistan. Its price tag is \$21 billion.

Some of this reconstruction request makes sense to me, such as the \$35 million to establish a U.S. diplomatic presence in Iraq and Afghanistan and the \$90 million for emergencies in the Diplomatic and Consular Service which includes reward funds to be paid for information leading to the capture or whereabouts of Osama bin Laden and Saddam Hussein. It is expensive, but we have to back the work that our troops have done and keep our commitment to the Iraqi people.

But overall I, along with many Arkansans, struggle to embrace the administration's obtuse and costly approach to reconstruction in Iraq.

I have followed the progress of the war in Iraq keenly. I have attended the administration's war briefings faithfully. I have gone to the Senate Armed Services Committee hearings consistently. I have had the benefit of firsthand accounts from Secretary Rumsfeld, Ambassador Bremer, and General John Abizaid, to name a few.

Yet I was not prepared for the strategy, or lack thereof, of rebuilding Iraq.

I was never told that the American people would be footing the entire bill for Iraqi reconstruction. Therefore, I understand the reaction of many Americans. I understand that they have questions and concerns. So do I, and they are reasonable questions:

We must ask: One, what reconstruction efforts should the U.S. be solely responsible for and what should the Iraqis pay for? Two, what does Iraq need, and what does Iraq need right now?

There are many reconstruction items that this administration is asking for that should be scrutinized so we can properly determine whether they are truly needed to stabilize Iraq. I fully understand that Iraq has needs, but Arkansas has needs, too.

The Senate has just had an important debate on this bill and I have used

this time to be open to fresh ideas. There have been a few good alternatives to consider and I have supported several alternatives. One such measure was Senator BYRD's amendment that would have split U.S. troop funding from the Iraqi reconstruction proposal and given Congress an opportunity to sort through some of the administration's more questionable funding requests.

I want to hold this administration accountable but I do not wish to hold our troops hostage. By separating this money, we can ensure our troops get the support they need while making sure we are spending taxpayers' money in a wise and effective manner.

I also supported Senator DORGAN's amendment that would have used Iraqi oil revenues to offset the U.S. direct grant payments. Unfortunately, both amendments failed.

I came to Washington to protect the best interests of my constituents and all Americans. In spite of the rhetoric that many Americans hear every day about the partisan nature of Capitol Hill, last night a vote was held on the Senate floor that demonstrates that my friends on both sides of the aisle take their commitments very seriously.

In the spirit in which this Nation was founded, last night the Senate adopted, with my support, a bipartisan agreement on Iraqi reconstruction. I am proud to support this bipartisan agreement sponsored by Senators BAYH, BEN NELSON, ENSIGN, GRAHAM and CHAMBLISS, to name a few.

Under the bipartisan agreement, the proposed \$20 billion grant to rebuild Iraq will be divided into two parts: One, a \$10.2 billion grant for security efforts in Iraq; and, two, a \$10 billion loan.

Importantly, the \$10 billion loan will be converted into a grant if 90 percent of Iraq's preliberation debts are forgiven. I am told that Iraq may have the largest oil reserve in the world, but is currently captive to more than \$100 billion in foreign pre-war debt owed to countries such as Saudi Arabia, France and Russia. Even if the United States were to provide the \$10 billion up front as a grant, Iraq will have a very difficult time recovering economically from the burden of the \$100 billion debt. This amendment encourages the international community to forgive the debt incurred by Saddam Hussein by leveraging our negotiations for debt relief with the incentive that the United States will provide a \$10 billion reconstruction grant—above the \$10 billion already provided for in the supplemental—if the international community forgives 90 percent of its bilateral debt.

I support this proposal. It would help the Iraqi people and it would provide a long-term solution to rebuilding Iraq. More importantly, it helps the United States to move forward on our own important domestic spending, as the Iraqi debt issue will hopefully be resolved. I

hope that the administration will join in supporting this bipartisan plan.

Wars must be paid for and I intend to honor our commitments. I will support the amended version of the \$87 billion Iraq supplemental bill. It supports our troops and it starts to address a long-term solution for the economic viability of Iraq. I believe that this amended request offers a better solution than what was originally offered by administration. It is a small, but positive step toward meeting our obligations in Iraq while protecting the American taxpayer.

Mr. VOINOVICH. Mr. President, as we continue discussion on the supplemental spending request to support military operations and reconstruction in Iraq and Afghanistan, I would like to take a few minutes to again express my strong support for the funding included in this bill.

I believe these resources are essential to our efforts to secure a stable future for the people of Iraq. This funding is also crucial to American soldiers serving on the ground in Iraq, providing necessary resources to help them finish the job, and to bring them back home as quickly as possible.

This is true not only of the military portion of the request, totaling approximately \$66 billion, but also the \$20.3 billion in funding for reconstruction in Iraq.

Some of my colleagues believe this funding for reconstruction should be in the form of a loan. While I understand their rationale, after carefully considering the situation and listening to the points raised by Ambassador Bremer and our colleagues, I have concluded this funding must be in the form of a grant. It is important for several reasons.

First, if we tell the American people we are going to loan this money and that it is going to be paid back somewhere down the road, many of them will be very cynical about whether or not we will get the money back. There is no Iraqi government to agree to repay a loan. I think we ought to level with them and say, this initial grant is a grant. If we are asked to look at additional funding down the road, then that is a different story. However, there is very little chance that Iraq would be able to pay back this money in the near future.

Next, as we look to increase contributions from the international community, I think this funding must be in the form of a grant and not a loan. This is particularly important as we approach the Donors' Conference in Madrid next week. We must do all that we can to make this a shared responsibility, and if we make U.S. funds for infrastructure projects contingent upon a loan, I do not think our friends and allies would be willing to come to the table and support additional money for Iraq.

This is also crucial as we call on those countries that did business with Saddam Hussein to eliminate the debt

owed to them by the former Iraqi dictator. I would suggest to those who have made loans to the former regime in Iraq that they step up quickly and waive those loans. This will go a long way in helping a new, democratic Iraq move forward.

I am pleased that the Senate accepted an amendment that I introduced on October 2, 2003, which requires the President to report to Congress within four months regarding steps taken to increase financial commitments from the international community. The amendment also requires a detailed list of countries that have contributed funds, as well as information on those countries that have eliminated debt owed to them by the former Iraqi regime.

Further, as we encourage other countries to eliminate their debt, we should not saddle Iraq with any more loans. Countries that chose to do business with Saddam should, as I said, eliminate that debt as a way to share in the task of rebuilding a democratic Iraq.

Iraq's debt is already mountainous, totaling nearly \$200 billion in debts and reparations. As Ambassador Bremer has pointed out, Iraq can hardly service its existing debt, let alone take on more. As a matter of fact, as one member of the Iraqi Governing Council has said, in his opinion, those loans are morally repugnant to the Iraqi people because they were made to a dictator who killed thousands of their brothers and sisters and who made them live under a 35-year reign of terror.

Finally, providing assistance to Iraq at this time in the form of a grant is the right thing to do.

As I remarked on the floor of the Senate on October 1, 2003, we now have the chance of a lifetime to create a new paradigm of democracy in the Middle East, and to do for this part of the world what we did for Germany and Japan in the aftermath of World War II.

As we consider this question, it is appropriate that we look to the lessons of history. We should look to the peace that prevailed in Europe following World War II under the Marshall plan, when our assistance was given as a grant, as contrasted with the events that took place following the signing of the Treaty of Versailles.

Ambassador Bremer said it well in testimony before the Senate a few weeks ago. He observed that after World War I, the allied forces "celebrated their victory, mourned their dead and demanded the money they were owed."

He said, "We know the results of that policy. Extremism, bred in a swamp of despair, bankruptcy and unpayable debts, gave the world Fascism in Italy and Nazism in Germany."

Today we find ourselves with another historic opportunity to promote a new era of peace, stability and democracy in Iraq and in the Middle East. By extending support to help Iraq in the form of a grant, our actions will demonstrate better than any rhetoric could

that we are genuinely interested in supporting humane reconstruction in Iraq, as we did following World War II.

We must remember that our war on terrorism began after 9/11. Two years ago, after it happened, I said, "Our actions must be ongoing and relentless, and dedicated to excising the cancer of terrorism wherever it raises its ugly head. We owe it to the victims and their families, especially their children and grandchildren, to make sure this never happens again. Most of all, we owe it to the American people and the world community to bring an end to terrorism everywhere and forever."

There are millions of young people under the age of 20 in the Middle East and we want them chanting, "Freedom and Democracy!" not Jihad against the rest of the world.

This funding is critical as we continue that effort.

Mrs. LINCOLN. Mr. President, as debate about the supplemental appropriation for military operations and reconstruction in Iraq and Afghanistan comes to a close, I would like to ensure that our focus remains on the welfare of our Nation's troops.

That is why I would like to speak on behalf of the men and women who are serving in our Nation's Armed Forces—those currently on active duty as well as in the National Guard and Reserves—who are serving today in Iraq, Afghanistan, and across the globe.

Since the President declared an end to major combat operations in Iraq 5½ months ago, 195 American troops have died in action, and over 1,900 have been wounded.

Even if combat in Iraq is being waged at a lesser level than it was 6 months ago, it is still agonizingly clear that, in many parts of Iraq, our troops remain in danger.

The imminent and ever-present danger of guerilla attacks is one of the most severe threats that our soldiers in the field are facing.

Many U.S. troops have expressed concern that they are not adequately trained for the specialized demands of peacekeeping and policing that the reconstruction effort requires. Despite the fact that many of these soldiers are burdened with jobs and responsibilities outside their area of expertise, they have shown themselves to be resourceful and resilient in taking hold of their assignments.

But, alarmingly, the dangers and difficulties that our troops face go far beyond the threat posed by attacks from insurgents and guerrillas.

There are additional threats to their safety and security that we cannot neglect. I have grown increasingly concerned about the conditions under which many of our troops are being forced to serve in the Middle East.

Currently, the difficult conditions posed by a desert deployment—including brutal temperatures of 120 degrees or even higher in the summer months, along with high winds and sandstorms—are compounded by shortages of quality water and food.

While the military has emphasized to these troops the need to drink plenty of fluids and to eat properly, we have seen reports that military field hospitals in Iraq are contending with cases of dehydration and heat exhaustion on a fairly regular basis.

Given the nature of the desert climate, are our soldiers adequately supplied? It has become quite clear that they are not.

Troops are limited to a ration of two 1-liter bottles of water per day, according to numerous reports we have heard from the field.

I know of at least one mother in Arkansas who has routinely shipped cases of bottled water to her son who is serving in Iraq. I hear frequently from spouses or mothers who are forced to ship food, water, or other needed supplies to their loved ones in the field, at their own expense.

In many respects, the food supply situation is also a cause for concern.

One news report from this summer detailed the dismay of American troops who, while surviving on MRE rations, learned that Italian troops serving alongside them were being fed freshly cooked pasta.

These shortages of quality water and food are causing troop morale to flag.

On top of that, many soldiers are growing concerned, confused, and frustrated by the length of their deployments—particularly members of the National Guard and Reserves who are now bumping up against what should be the end of their deployment time.

Many of these soldiers have already served longer than they had been led to believe, causing great stress and hardship for them and for their families.

Adding to the uncertainty and frustration, news reports from earlier this summer indicated that the Bush administration was exploring a cost-cutting proposal to reduce the pay of reservists and guardsmen.

The administration quickly backpedaled from this plan in the face of an outcry from the public, but the pay-cut proposal was the next in a series of indignities and insults to the thousands of brave men and women who left their jobs and families for what they were led to believe would be a short stay in the Middle East.

On the front page of yesterday's Washington Post is a story about the dissatisfaction of our troops in the field, based upon an informal survey of soldiers conducted by the Stars and Stripes newspaper. According to the survey, half of the troops questioned rated their unit morale as "low" or "very low." Forty percent, according to the survey, believe that the jobs they are doing have "little or nothing to do" with what they have been trained to do.

Right now, Arkansas reservists in the 39th Infantry Brigade have been called up for rotation into Iraq beginning early next year. Nearly 3,500 Arkansas soldiers are being activated, which is the largest deployment of troops from

our State in Arkansas history. As a Senator and as an Arkansan, I want to know that these troops are going to receive the supplies that they need to do the job, and the pay that they deserve for their service.

When this President ran for office 3 years ago, one of his central promises was that he would make the needs of the uniformed military a paramount concern.

But the record of this administration in supporting our troops and their families suggests otherwise.

Now the President comes to Congress seeking an additional \$87 billion to sustain our engagement in Iraq and Afghanistan.

While this legislation was being crafted, I asked that the President use his leadership to place a higher priority on the well-being and quality of life of American troops serving in these war-torn nations.

The President has expressed his great pride in our troops, and I share that pride. I ask that he now match that pride with a commitment to these troops and their families.

First, the President and the Pentagon need to review the allocation of rations, water, and supplies to our troops to ensure that they can maintain their strength and health, as well as a modicum of comfort, in an extremely harsh desert environment.

Third, the President should instruct military commanders to develop greater certainty with regard to the length of combat assignments, so that troops and their families can plan for their futures.

Finally, the President should continue working to build an international coalition of countries to share in the burden of post-war Iraq.

American troops have paid with their lives and American taxpayers are paying for the reconstruction at rates that are greatly disproportionate to the rest of the free world.

The model of international forces working together for security and reconstruction has worked before. In fact, this model is working right now in places like Afghanistan, where troops from Germany and Holland, among other countries, are working alongside United States troops to bring security and peace to that nation.

Although Afghanistan still faces a number of security challenges and we still face a long commitment to the Afghan people, there is no doubt that the country is much better off now than it was at this time 3 years ago. This progress is a direct result of the multinational force working to secure and reconstruct Afghanistan today.

We should continue to seek a similar force structure for the stabilization and reconstruction of Iraq. The United Nations Security Council resolution that was passed today is one step in the right direction. Even if we don't yet have concrete commitments of troops or funding, it does help bring our allies to the table. It does give us an opportunity to begin the process of healing

the rifts in the global community and perhaps to ensure a more peaceful future. I urge the President to continue working to secure the support of our allies and the United Nations.

At this point, it is clear that there is a great deal of work to be done in Iraq, and that our commitment of troops in the Middle East is going to last for several more years at the least.

This latest request for billions of dollars to support operations and reconstruction in Iraq is the clearest suggestion from the administration that our commitment is only going to grow more intense in the coming months and years.

It is important to recognize that these decisions are not made in a vacuum. We have a responsibility to ask how these funds are being spent. We have a right to know what further resources will be needed beyond this supplemental appropriation. And we have an obligation to ask what effects this spending will have on our domestic priorities and the needs of our constituents.

I have heard repeatedly from my constituents in Arkansas, who are deeply concerned about this funding and how it is being spent. In Arkansas, we have a tremendous need for water projects, for education funding, for health care, for infrastructure, and for all the necessities that federal investment can bring. My constituents ask, how can we afford \$87 billion for Iraq when we're repeatedly told that there is no money for projects at home? Where is this money going to come from? How is it going to be spent?

Further, I support providing a substantial portion of the funding in this legislation designated for reconstruction projects in the form of a loan. I do not believe my children and possibly my grandchildren should be required to pay for this effort without at least some help from the Iraqi people. I was pleased the Senate approved an amendment with my support that converts \$10 billion of the reconstruction funding contained in the bill into a loan.

I also believe that to be successful in the long run, the Iraqi people and the global community must have a vested interest in this reconstruction effort.

When constituents from Arkansas come to ask me for help with projects in their communities, I have to tell them in most cases that I can't help them with funding to construct buildings, but I can help secure money for equipment, training and programming.

The rationale behind this Federal policy is that projects are much more likely to succeed if the participants have a vested interest. I think the same policy holds true for Iraq.

I am voting in favor of this supplemental appropriations bill, because I believe it is important that we support our troops and it is important that we assist the people of Iraq with rebuilding their country so that our men and women in uniform can finish the job and return home to their loved ones as soon as possible.

Even though we have made some significant improvements in this bill during consideration in the Senate, I do have some reservations. I remain concerned that we are spending too much money on reconstruction projects of dubious value, and too little on ensuring the safety and security of our troops. And I am deeply, deeply concerned of the effect of this additional spending on our burgeoning deficit—a burden that our children and grandchildren are going to have to bear.

In the weeks and months to come, I expect the administration to make a better effort to improve communications with Congress on the progress we are making in Iraq. I expect the administration to keep Congress better informed about progress in Iraq, and to present a clear plan for the future—how this money is being spent, how it is to be paid for, and what the results of this spending will be. I have supported legislation that promotes greater disclosure from the administration, and encourage the President to cooperate with Congress in good faith.

President Bush and members of his administration have told us repeatedly that this funding is needed in order to ensure that Iraq is stabilized and secured, and to ensure that we can bring down troop levels and casualty levels. I, along with the people of Arkansas, intend to hold them accountable for those goals.

Mr. CORZINE. Mr. President, after giving this matter considerable thought, I have decided to vote for this emergency supplemental. I do so with great reluctance, and I wanted to take a few moments to explain how I came to this decision.

Let me begin by saying that I voted in October 2002 against the resolution to give the President broad authority to go to war in Iraq. At the time, I believed the administration had failed to make the case that Iraq posed an imminent threat; had failed to develop a meaningful international coalition with whom to share the burdens and costs of war; had failed to prioritize the more serious risks of global terrorists, North Korea and Iran; had failed to develop a plan for reconstruction once the war was over, and had failed to be straight with the American people about why we were going to war in the first place.

Looking back at my decision, I am more convinced than ever that it was correct. It has become increasingly clear that numerous administration claims about the Iraqi threat were either exaggerated or simply wrong. With little international support, America has been left to fight the war and rebuild Iraq largely on our own. America is shouldering 90 percent of the costs, providing 90 percent of the troops, and tragically bearing 95 percent of the casualties on the ground. In that context, the administration still has not put forward a meaningful, long-term plan to rebuild Iraq and move toward its self-governance. And,

after all this time, the Bush administration still has not developed a consistent position about the rationale for this war. In fact, each passing day leads me to be more certain that the development and use of intelligence pre-conflict has been misused for political justification, not informed policy formulation. This is why I continue to call for an independent, bipartisan commission to investigate the development and use of intelligence related to Iraq.

Having said all that, the decision to go to war has long since passed. And the question before the Senate today is how to move forward from here.

Needless to say, all of us are glad that Saddam Hussein, a tyrannical dictator, is out of power. However, notwithstanding Saddam's departure, Iraq is now a country with very serious problems. Violence against American soldiers, and crime generally, plagues the country. Iraq's economy is struggling. Many Iraqis have lost jobs and are having a hard time making ends meet. And we have made very little progress in shifting power from American forces to Iraqis themselves.

While I opposed this war, I also am convinced that we cannot and must not just walk away from Iraq at this point. Having invaded the country and created a situation with such problems, we have a responsibility to help address them. Even more fundamentally, helping Iraq get back on its feet is very much in the interests of the United States itself.

A strong, democratic Iraq could well help stabilize the entire Middle East region, even if this rationale is often overstated. By contrast, an unstable Iraq would not only destabilize the region, but is likely to further become a breeding ground for terrorists. Our own national security could be put at risk as a result, as it was by a festering Afghanistan.

So, I do think we need to address the problems facing Iraq in a meaningful way. And that, inevitably, is going to cost money. I voted for the first supplemental appropriations bill, which provided almost \$80 billion for the effort. And I recognize that we are going to have to provide much more in future years.

At the same time, we in the Congress have a responsibility to do it right. And I have had serious concerns about the approach recommended by the administration.

Let me be clear: I fully support the funding requested for our military. But, as I see it, the administration's request for reconstruction funding was problematic in many ways.

First, the administration asked for a huge amount of money, but failed to identify a single penny in savings to offset that cost. Every dollar requested was a dollar to be added to the debt that our children, and their children, will be forced to bear long into the future. That, in my view, is fiscally irresponsible. And that is why I was

pleased to join Senator BIDEN in co-sponsoring an amendment to fully offset the bill's cost by merely scaling back a portion of the large new tax breaks for those with taxable incomes well over \$300,000. Unfortunately, our amendment was defeated. So this bill now will be financed entirely by new debt. That is troubling to me.

I also am concerned about the sheer size of the administration's request. There is no need to appropriate \$87 billion today. Funds already appropriated are sufficient to get us through the end of this year, and perhaps well beyond that. And we could sustain operations well into next year at a cost far below \$87 billion. In my view, Congress would be wiser to keep the Iraq operation on a short leash, to help ensure greater accountability.

Along the same lines, I remain very concerned about the widespread reports of abuses in the management of the reconstruction effort. Huge contracts have been awarded to companies with close ties to administration officials, often without any bidding, and there already have been major cost overruns. Halliburton is the most notorious example. But there are others. I was pleased to cosponsor an amendment with Senator LAUTENBERG in an effort to address some of these abuses, and I am pleased that another amendment, proposed by Senator COLLINS, should help block future no-bid contracts. It is important that this type of protection be included in the final conference report.

Another concern I have had about the administration's \$87 billion request is that it has not been matched by an effective or coherent outreach to bring other countries into the reconstruction process. So far, America has borne the overwhelming share of the costs of Iraq operations, and there is little evidence that this will change in the foreseeable future. While I was pleased that the U.N. approved a resolution yesterday that seemed to signal at least some outreach to the international community and some reciprocal accommodation, many of our allies who voted for the resolution, including France, Germany, and Russia, said that because the resolution did not go far enough, they will not provide any additional resources beyond those already pledged. As a result, American soldiers, and American taxpayers, will continue to bear a grossly disproportionate share of the operation's ongoing costs. That needs to change.

I believe it would be especially appropriate to ask the Iraqi people themselves to help share in the immediate costs of reconstruction, given that Iraq has vast oil reserves that, in the long term, will produce a huge stream of—revenue conservatively estimated \$30 to \$40 billion per year. As I see it, Iraq should securitize those revenues—borrowing today, using future oil production as collateral. That securitization would help relieve the huge burden that the President is imposing on American taxpayers.

Unfortunately, the administration has been unyielding in its determination to simply hand out \$20 billion in grants to Iraq, with no strings attached. As I see it, that is not a responsible way to manage the people's money. Nor is it an effective way to build long-term public support for the effort in Iraq. That is why I supported the Bayh amendment, which would turn half of the President's requested grants into loans that could be forgiven only if most of our allies agree to forgive debts incurred by the regime of Saddam Hussein.

Another concern of mine about the administration's request is that it failed to include sufficient mechanisms to ensure that reconstruction money is well spent, and well accounted for. The request asks Congress to give the executive branch largely unfettered discretion to shift funding approved by Congress for virtually any other purpose related to Iraq. That is why I was pleased to support amendments by Senator BYRD to eliminate these broad grants of authority, and to improve reporting requirements. I also supported the proposal to establish an inspector general to review related spending. These accountability measures must remain in the final conference report.

Yet better reporting and monitoring of spending in Iraq still does not address the more fundamental need for the administration to develop a long-term plan for operations in Iraq. Some will argue that the administration recently did submit a document to the Congress. But that document contains few details about the number of troops that will be needed, the cost of operations beyond this year, or the process by which power eventually will be shifted from the Coalition Provisional Authority to Iraqis. In my view, it is premature, at best, to appropriate such a massive amount of money until the administration produces a real long-term plan, and until that plan is subject to full public debate.

Having said that, I was pleased that the Senate did approve an amendment I drafted that will require the President to report every 90 days to the Congress about the long-term costs of Iraq operations, including military operations and reconstruction. This requirement would force the administration to think beyond the short-term. And it would give Congress the ability to plan long term. I hope the provision will be retained in the final version of the legislation.

Today I have detailed many of the problems associated with the administration's request for Iraq. Some of those problems have been addressed on the floor through the amendment process, and I am proud to have been part of those efforts. Yet serious shortcomings remain, and the bill before us remains substantially flawed.

At the end of the day, however, I have reluctantly concluded that this flawed bill, for all its problems, is better than nothing. There is no getting

around the fact that our troops are in Iraq, and they must be supported. Similarly, we have to accept that, even if we shouldn't have begun this conflict, it is now our Nation's responsibility, and it is in our Nation's interest, to ensure that Iraq is rebuilt and emerges as a modern democratic state in the context of its own culture. We simply can't walk away from Iraq. And it is imperative that we demonstrate to the Iraqi people, and the international community, that Americans across the political spectrum are committed to this cause, and will fully support the Iraqi people as they move toward a free Iraq.

Reluctantly, after balancing these many considerations, I will cast my vote "aye."

Mr. KOHL. Mr. President, 2 weeks ago when the Appropriations Committee marked up this \$87 billion supplemental spending request from the President, we spent an entire day attempting to improve one of the largest supplemental requests in our history. Most of the amendments voted on that day were defeated on party-line votes, but the issues raised remain unresolved and continue to engage this body and the American people. We voted to send this request to the floor without prejudice, and it is no surprise that there has been tremendous interest in continuing to debate the substance of the funding proposed for Iraq, and the timing for disbursing that funding. The interest in this bill reflects the broader concerns that persist about the direction of our policy in Iraq.

We need to take as much time as necessary to review the administration's plans to rebuild Iraq. By way of comparison, when Congress approved the Marshall plan, it spent 11 days debating an authorization bill submitted by the Truman administration before appropriating any funds. The time, planning, and extensive oversight that went into the Marshall plan helped ensure its success. Given the miscalculations that have occurred during our time in Iraq, it behooves us to be cautious and put in place mechanisms to ensure the most vigorous oversight of the reconstruction of Iraq.

If we approve this supplemental—and I believe we will—every provision that we have added to this measure to increase accountability and to hold the administration to benchmarks and timetables must be retained in conference. I voted to support Senator BYRD's amendment to add reporting requirements for the Coalition Provisional Authority and to mandate GAO audits of Iraqi reconstruction activities and numerous other amendments were adopted by voice vote that strengthen our ability to oversee the disbursement of these funds. We could have done even more to guarantee the success of the ambitious nation building proposed by the administration if we had adopted the Leahy-Daschle amendment to transfer reconstruction authority from the Pentagon to the

Department of State. It makes sense that those with the most expertise in this area be in charge of Iraq's reconstruction. The administration's indecision about how to manage the reconstruction suggests that we have not heard the last on this matter.

Americans' sense of unease about United States policy in Iraq is compounded by the sheer size of this supplemental. I have heard from countless constituents who are concerned that we are spending vast resources in Iraq when we have so many pressing needs here at home. I share their sense of irony that we are sending money to Iraq to build roads and schools, to construct housing and health facilities, and to spur economic development, when these same needs go unmet in our own States. That is why I would have voted to support the Stabenow amendment to spend \$5 billion on veterans' health care, school construction, health care and transportation needs here in the United States. Addressing these vital needs would have helped create as many as 95,000 jobs at a time when the numbers of unemployed who have given up and stopped looking for work at all is climbing.

In this time of economic uncertainty, I have joined many of my colleagues in questioning why we have not been more responsible in paying for military operations and reconstruction costs in Iraq now, instead of burdening future generations with the staggering cost of this operation. That is why I voted for the Biden amendment that asked the wealthiest 1 percent of this Nation's taxpayers to give up a small portion of their future tax breaks to fully offset the \$87 billion cost of the supplemental before us. And that is why I would have voted for the Dorgan amendment to require that Iraqi oil revenues be used as collateral to pay for the reconstruction in Iraq, an amendment I supported in the Appropriations Committee. Iraq is not a poor nation it has the second largest oil reserves in the world—and it is only a matter of time before the oil will begin flowing again. How can we worry about burdening the Iraqis with debt when our own debt looms so large? I hope that when Congress completes action on this bill, the Bayh amendment is a part of the final version and we will have found a way to have the Iraqis help pay for the cost of reconstruction.

We also need to do much more to gain the support of the international community in this endeavor. The U.N. Security Council vote on Thursday was an important step in that direction but the resolution itself glossed over important differences with our allies. After the vote, representatives from Russia, France, and Germany made clear that they do not plan to lend further support issuing a joint statement saying, "The conditions are not created for us to envisage any military commitment and no further financial contributions beyond our present engagement."

I have always believed that before we commit troops abroad, we must do so with international support and involvement. As I said when I cast my vote to authorize the President to use force against Iraq, I did so with the belief that "moving to disarm Saddam Hussein—in concert with the international community—was the President's great goal." And last year, before we voted, the President vowed to seek the support of the international community on Iraq. Working with the support of the international community made sense when we waged war against Iraq in 1991, and it would have made sense last year.

I wish the President had taken the time to build a broader international consensus before we went into Iraq. The price of going it alone is being paid in many ways. We have damaged our relations with some of our oldest allies. Our attitude in Iraq, coupled with this administration's approach to other international efforts has done real damage to our image in the world. While reasonable people can disagree about whether the treaties, protocols, and conventions the United States has opted out of over the last few years were good or bad for our national security, the fact remains that our friends around the world were surprised, and in some cases snubbed by our actions. At the time we may have thought the cost of leaving them behind was small but the bill has now arrived—and the first installment is \$87 billion.

Even the "coalition of the willing" has come with a price. While the United Kingdom has stuck by us admirably, many of the other countries that the administration points to as cooperating with us in Iraq are being compensated for their efforts. A Washington Post article this summer pointed out that the international division headed by Poland will face roughly \$240 million in expenses, \$200 million of those will be paid by the United States. The supplemental before us contains some \$900 million for Pakistan—to pay them to police part of their own border.

Last year, the Congress and the Nation heard all about the advantages of unilateralism. We heard that only weak countries that could not control their own destinies had to wait for the approval of the United Nations or the international community. But now we are learning the limits of our own strength. We hear stories about how our military is stretched thin and we are asking more and more of our Reserve Forces. The United States military strategy was to be ready for two nearly simultaneous major military conflicts, but now it appears that our operations in Iraq and Afghanistan are pushing the military to the limit. I believe our Armed Forces are up to the job that lies before them, but we did not have to ask this much of them. Better coordination with our allies earlier this year, or even now, could do a lot to ease the burden on our men and women in uniform.

While there has been a great deal of discussion regarding the reconstruction dollars included in this bill, no one has disputed that the military funding is crucial to the support of our troops in Iraq. Our men and women in uniform need the \$67 billion included in this package to replace damaged equipment and stores of spare parts. They need it to buy necessities like body armor and improve security around facilities. They need it so they can move out of tents and into air conditioned barracks. Some of my colleagues may have opposed the war from the beginning, and others may now be doubting the value of this military adventure, but we all agree that the troops who are over there now need the best that we can give them to accomplish their mission quickly and safely. In that spirit, I supported the Dodd amendment that would have taken \$322 million from Iraqi prison building and witness protection funds on the reconstruction side of this bill and would have used those funds to pay for sorely needed personnel equipment for our troops.

I wish we could have considered the reconstruction funding separately. Much of that funding is far less urgent than the military spending in this bill. That is why I supported the Byrd amendment that would have separated the reconstruction funds from the \$67 billion in defense funds. If we had approved that amendment, we surely would have approved the military and security funds expeditiously and then taken the necessary time for the administration to provide us with more specificity on the plan for the political and economic reconstruction of Iraq.

Mr. President, we are being asked to approve this \$87 billion request for Operation Iraqi Freedom; yet, no one can say authoritatively how long this operation will last. We are being asked to approve \$87 billion when we have no information on the extent to which the international community will shoulder some of the burden of stabilizing and reconstructing Iraq. And we are being asked to approve \$87 billion with no idea of how much more we will be asked to commit in taxpayer dollars and human lives.

I plan to support this supplemental. I do so after having supported amendments to try to improve the reconstruction package, and I do so because we cannot delay any further the military spending so crucial to making this mission a success. We owe our fighting men and women in the field our full support and we owe the Iraqi people a fighting chance to rebuild their nation. And while it may be true that these debts were amassed through misguided policies of unilateralism, they are debts nonetheless, and they must be paid. So I will vote for this supplemental and urge my colleagues to do the same.

I yield the floor.

Mrs. MURRAY. Mr. President, it has been a year since the full Senate debated military action in Iraq, and now

the President is asking Congress for \$87 billion.

It is time to assess where things stand, to look at the reality facing our troops, and to see if we are on the right track in Iraq.

Unfortunately, it is clear to me that today we are not where we need to be in protecting our troops, gaining international support, or even having a plan to win the peace.

As the daughter of a disabled World War II veteran and the representative for hundreds of thousands of Washington State veterans and military families, I will fight for every dollar our troops need to protect themselves, and to complete their mission successfully, and I am deeply troubled that the President still does not have a plan for success in Iraq.

I have invested a lot of time examining the President's \$87 billion request.

I am taking a close look at what is needed and who will foot the bill.

I have attended hearings and briefings where I have questioned administration officials, from Defense Secretary Rumsfeld to Ambassador Bremer. And I have heard a great deal from the citizens I represent in Washington State.

Everywhere I go at home, I am approached by people who have a family member who is now serving or a family member who is going to be called up.

As we speak, 3,500 soldiers with the Army's 1st Stryker Brigade Combat Team at Fort Lewis are being deployed to Iraq. About 2,100 Washington reservists are serving in Iraq today. About 300 Washington National Guard are already serving in Iraq and another 3,300 are on "ready alert."

Like their families, I am very concerned about what they—and all of our troops—will encounter overseas.

Each day in Iraq, our American soldiers face vicious attacks from snipers, car bombs, roadside explosives, and rocket-propelled grenades. These attacks are taking a deadly toll. We learned this morning that four more soldiers were killed in Iraq. Our hearts and prayers go out to their families as we continue to support all of the men and women who are still there.

Five months ago, President Bush stood on an aircraft carrier—under a sign that read "Mission Accomplished"—and told us that major combat operations had ended. Since that day, however, more than 180 American soldiers have been killed, including four from Washington State. Their families will never be the same. Their communities will never be the same. They—and all of our troops—deserve our thanks and our gratitude. But they deserve much more.

They deserve a plan that will help them complete their mission successfully and return home safely. So far, there is no plan.

Many of the questions I asked on the Senate floor a year ago still have not been answered, but today we must focus on the reality on the ground.

We have about 130,000 troops in Iraq, according to the Defense Department. They are working hard in dire circumstances, and they are facing deadly attacks every day. There is still no plan for winning the peace. There is still no real international support, either in troops or treasure.

Anyone who asks a legitimate question or who talks about what is really happening is criticized. And now the administration wants \$87 billion without accountability.

The way to fix this is for the White House to "swallow some pride," face reality, be accountable, and offer a credible plan. But instead of a plan, the administration is offering a public relations campaign.

Today we have complaints about media filters and a lively policy debate within the administration, but we still have no plan.

So as I assess where things stand in Iraq, I see no real international support; no tolerance for important questions; no consistent policy—even within the administration; no accountability as to how money is spent in Iraq; no plan for success; and a PR campaign to "paper-over" the failures.

With all due respect, that is not a formula that will help bring our troops home.

We have to deal with the situation as it is and figure out how to make it better.

Sound bites and speeches are not going to help our troops finish their mission and come home. A credible plan, accountability, and international support will. We do not need a PR campaign to make it look like things are going well. We need a plan that will actually help our troops succeed, and the American people are losing patience. That is the context in which we are having this debate.

Now I wish to turn to the specifics of the President's \$87 billion request.

Most of it—about \$65 billion—would go to military operations. I absolutely support that. Without question, we must provide our military men and women with the resources they need to complete their missions in Iraq, Afghanistan, and every corner of the global war on terrorism.

About one-quarter of the \$87 billion is being proposed to rebuild Iraq. I am concerned with how the burden for Iraq's reconstruction is being shared with the rest of the world.

The Bush administration is proposing to spend more than \$20 billion in Iraq, while the rest of the international community has currently pledged only \$3 billion—\$20 billion from American taxpayers and \$3 billion from the rest of the world. This is far different than the 1991 gulf war.

In 1991, the first President Bush put together a coalition of countries to liberate Kuwait. The cost of that operation was \$60 billion. Because that President had won the support of our allies and had secured the support of NATO and the United Nations, Amer-

ica's allies paid 90 percent of the cost of that war. The U.S. paid only \$6 billion.

I am also troubled, both as a citizen who cares about my country and as a Senator who will cast a vote on this bill, that Americans were told a lot of things about Iraq before the war which have turned out to be false.

One repeated assertion was that Iraq's vast oil reserves could pay for its own reconstruction. In fact, the Deputy Defense Secretary Paul Wolfowitz said:

There's a lot of money to pay for this that doesn't have to be U.S. taxpayer money. We're dealing with a country that can really finance its own reconstruction, and relatively soon.

Just a few months later, it is clear that the bill to reconstruct Iraq is massive, and that bill is being handed to every American family.

As my Republican colleague, Senator LINDSEY GRAHAM, said last night:

It's very hard for me to go home and explain how you give \$20 billion to a country that is sitting on \$1 trillion worth of oil.

The American people were told that Iraq's oil reserves would finance its reconstruction but now we are getting stuck with the bill and I believe the American people deserve an explanation. We all agree that we must help Iraq and Afghanistan get back on their feet quickly, but we should not carry the burden alone while our own schools, hospitals, and communities are in need.

We all understand the importance of helping the Iraqi people, but it need not come at the expense of our needs here at home. Even though the administration says that Iraq should be able to produce \$35 billion in oil revenues in a few years, the American taxpayer is still getting stuck with the bill.

Let's remember, there is no guarantee that President Bush will not come back to ask U.S. taxpayers to provide even more money for Iraq's reconstruction. The World Bank says Iraq's reconstruction will cost at least \$60 billion.

Today our families and communities are being asked to do more with less. Americans everywhere are sacrificing to make up the difference. American families will feel this \$20 billion impact in crowded classrooms, delayed transportation improvements, and less access to health care. One of the reasons American taxpayers are so upset is because we need those kinds of investments here at home. This administration's priorities are wrong.

The people I represent want to see that level of effort and resources put back into our own country. After all, we will only be strong abroad if we are strong here at home.

Let's not forget no matter how much we are sacrificing at home, the burden is always far higher on our soldiers overseas. That is why, while they are fighting for us, we must continue to fight for them. We have to make sure they come back to a country that has



jobs that can support them, health care they can count on, retirement they can look forward to, and education and opportunity for their children.

Before we reach for our wallets again, the American people deserve to know how this money will help bring our troops home as soon as possible. It is clear that our concerns and questions will not be fully addressed before we are forced to vote on this legislation. It is also clear that we cannot afford to fail in Iraq.

We have situations in Iraq and Afghanistan that can go either way. Both Iraq and Afghanistan could become either havens for terrorism or nations that can inch their way toward stability. We have to get it right. We cannot allow Iraq or Afghanistan to descend into chaos.

We have tried to make this proposal better through amendments. I voted to separate the military funding from the reconstruction funding. I voted to make the entire \$20 billion a loan. I voted to require a long-term plan for the reconstruction. Unfortunately, those amendments failed, but I am very pleased that last night, the Senate took a positive step to improve the proposal.

The Senate passed an amendment that will ensure the burden of debt is shared and will give the Iraqi people a greater stake in their own reconstruction. The progress last night is a dramatic improvement over the President's proposal and is a good reason to support the modified funding request.

At the end of the day, we cannot afford to fail in Iraq. The reality is that we have got 130,000 troops over there. We cannot fail to give them what they need to protect themselves and complete their mission. Reluctantly, I will vote for this \$87 billion request because we cannot deny our troops the resources they need even as we demand that the administration offer a real plan.

To illustrate just how badly our troops need resources and equipment, I want to read an email I received on Wednesday from David Willett of Bellingham, WA, about his son Ian Willett.

David writes:

My son, Specialist Ian Willett, a 2001 graduate of Sehome High School, was deployed to Iraq on September 5th, his 21st birthday.

Prior to him leaving he came to me to request money in order to help him buy combat gear he would need to take with him to Iraq. This is gear the Army either would not issue him or was as old and outdated as to be virtually useless. I, of course, bought the gear that he requested.

After talking with other men who have come home or are on their way to combat, I have become quite angry that our government has placed our sons and daughters in combat without the best equipment in the world. As an example, Ian spent \$50.00 his grandfather gave him for his 21st birthday on knee pads. The Army-issue knee pads fall down around your ankles when you run with them on.

Now I read a quarter of the combat troops in Iraq don't have the right body armor. I am

outraged that it has taken over four years to get this ceramic body armor to our combat troops, and that our troops would even be sent into combat without this necessary technology. The reason front line troops don't have this body armor? Delays in funding, production and shipping. Small solace to family that has their loved one killed in combat for lack of the proper vest.

Other stories in the press talk about wounded soldiers being given bills for food they ate while in the hospital in the U.S. recovering from combat wounds. The Bush Administration wants us to focus on the good news coming out of Iraq.

It is outrageous that we are sending our soldiers to Iraq without the equipment they need, forcing their parents and grandparents to buy things that our government should be providing.

Ian is married and has two children. His family can't wait for him to return home, and the burden of protecting Ian should not fall on his family. It is the job of our Government. I am voting for this amendment so that soldiers like Ian won't have to ask their parents for the equipment they need to protect themselves.

Even as I support this funding, I want to be very clear that this is not over. I am going to watch this administration very closely. I am going to watch how they spend this money; how accountable they are; how our soldiers fare; and how much international support we get.

We will hold this administration's feet to the fire. I will continue to be an aggressive advocate for moving us in the right direction because there is too much at stake to just trust that the President has learned from his failures so far.

America is a strong nation, and Americans are a determined people. In our Nation's history, we have confronted adversity. We have dealt with the challenges that have threatened our democracy. In each case, we had a clear vision and a plan to get there. There were bumps in the road, but at the times of our greatest need, America has come together with resolve and determination. Today is no different.

The American people are ready, and we are waiting for the President to face reality in Iraq and to give us a credible plan to win the war and win the peace.

Mr. BAUCUS. Mr. President, I wish to address my amendment No. 1831 to the Iraq supplemental appropriations bill.

Mr. President, today, our Nation faces three simultaneous challenges. This amendment would address each.

First, we need to support our troops and protect our national security. Second, we must not worsen our fiscal crisis. And third, we must work to restore our ailing economy.

We are considering today a bill that, among other things, provides resources to support our troops.

Now many of my colleagues have made the case, and made it well, that our government could well have avoided the quagmire that has become Iraq. And others of my colleagues have also

made the case that the bill before us includes spending that is not appropriate for an emergency supplemental appropriations bill.

The merits of these disputes aside, that is not the subject of my amendment. The bill before us includes funding that will help our fighting men and women who valiantly serve our Nation. For that reason, I, and I expect the vast majority of Senators, will support this bill.

But as I noted at the outset, our entanglements in Iraq and Afghanistan are not the only challenges that face our Nation. We also face crises of fiscal solvency. And we also face a stagnant economy. This amendment would address these two challenges as well.

As would the amendment offered by my colleague from Delaware, Mr. BIDEN, my amendment would pay for the spending in the bill before us today. As was so ably argued by the Senator from Delaware, the two Senators from North Dakota, and others, our Nation faces a fiscal crisis. Even for something as important as this bill, we must now seek to pay for what we do.

The Government's two most-authoritative estimators of our fiscal condition, the President's Office of Management and Budget and the Congressional Budget Office, are agreed: The year just ended set an all-time record for budget deficits.

In its October Monthly Budget Review, CBO stated: "The federal government incurred a total budget deficit of about \$374 billion for fiscal year 2003, CBO estimates, more than twice the deficit recorded in 2002."

And OMB and CBO also agree that the deficit for the year just started, fiscal year 2004, will again set a record. This summer, OMB projected this year's deficit at \$475 billion. CBO projected it at \$480 billion. Either way, it will once more be the largest ever.

And these summer projections did not include all of the new funding that we are debating today for the military occupation and reconstruction of Iraq. The bill before us today would provide \$87 billion in additional funding, beyond the \$79 billion already approved in this spring's supplemental appropriations bill. Of this new funding, the administration says \$50 to \$60 billion will spend out in fiscal year 2004. This would raise OMB's projection for next year's deficit to \$525 to \$535 billion.

This number would be in line with private forecasts. For example, the investment firm of Goldman Sachs projects a \$525 billion deficit next year.

Now some say that we should ignore that these are record deficits because the numbers are smaller when compared to the size of the economy. But these deficits are large even as a percent of the GDP.

A deficit of \$535 billion this year would equal 4.7 percent of the GDP. This would be the same percent of the economy as was the record \$290 billion deficit in 1992. It is close on the heels of

the 4.8 percent to 5.1 percent deficits of the mid 1980s. And it is not far from the all-time record 6.0 percent of fiscal year 1983.

And if one excludes Social Security surpluses from the calculation, as required by law, this year's deficit would be almost \$700 billion. Not only would this set an all-time record in dollar terms, it would also set an all-time record as a share of the economy.

Over the years to come, both OMB and CBO continue to project unacceptably large deficits. OMB projects deficits larger than \$200 billion for as far as it projects—the next 5 years.

And CBO's August report indicates that if one simply extends expiring tax provisions other than the bonus depreciation provision, reforms the alternative minimum tax, and spends the expected \$400 billion on a Medicare prescription drug benefit, then the Government will still end the next 10 years running a deficit of more than \$400 billion a year.

In other words, if the Government simply stays on its current fiscal course, CBO projects that the Government will still be running unacceptably large deficits in 2013.

Under this realistic, indeed, conservative, scenario, over the next 10 years, the Government will run deficits totaling nearly \$4 trillion. And 10 years from now, the amount of Federal Government debt held by the public will almost double, to nearly \$8 trillion.

Again, private forecasters back up these scenarios. If anything, their projections are more pessimistic. The investment firm of Goldman Sachs is projecting a \$5.5 trillion 10-year deficit.

Using the CBO projections adjusted as I have discussed, from 2001 to 2013, the Government will have piled up \$4.6 trillion in debt held by the public, or roughly \$15,000 in debt for every man, woman, and child in America. Every American child born in 2013 will come into this world owing \$15,000 more in taxes because of the economic decisions that the Government is making right now.

That \$4.6 trillion in new debt will come in addition to the \$3.3 trillion in debt that we already owed in 2001. So that new baby born in 2013 will have a total debt burden of roughly \$26,000 hanging over his or her head.

And more and more of the Government's debt is being held by foreigners, like China. With this greater debt, we are transferring to overseas powers a greater ability to affect our economy.

And that level of debt means that by 2013, the Government will be spending roughly \$400 billion on interest on the debt alone. Before the Government can choose to spend anything in 2013 on fighting terrorism or education or national defense, it will have to spend \$400 billion—that's about 11½ percent of the total budget—that is nearly 2½ percent of the entire country's economic output—just to pay the interest on the debt that the Government will have accumulated by then.

But that is not all. If the Government stays on its current fiscal course and runs persistent and increasing budget deficits, it will increase its borrowing requirements. It will increase the Government's demand for money.

It will thus raise interest rates for mortgages, car loans, and student loans. It will thus lower economic growth. And it will thus lower the standard of living for millions of Americans.

Our Nation's high national debt and high deficits at the end of the next 10 years will leave our Nation in a vulnerable fiscal condition at exactly the wrong time, as the baby boom generation starts to retire.

We know to a near certainty the number of people who will reach the age of 65 in 2013. Unlike the likely results of particular economic policies, reasonable people cannot and do not disagree significantly over how many people were born in 1948—and thus over how many will be eligible for Social Security and Medicare in 2013. We know that we have a substantial budgetary challenge ahead of us, finding the money to pay for the retirement needs of the baby boom generation.

If we head into the next decade with high deficits, the Government will have no room to accommodate those retirement needs. The current policy will thus leave the Government with fewer choices to respond to the growing entitlement costs of the decades to come. The current policy will thus leave us with the grim choice of raising taxes, cutting long-promised and much-needed benefits, or dramatically cutting defense, education, and other core Government services.

So the first thing we need to do is to stop making things worse. We need to bring back the rule of paying as we go.

And that is what this amendment would do. It would suspend some of the tax cuts that Congress enacted earlier this year.

But my amendment would not do one thing that the amendment offered by my colleague from Delaware would have done. My amendment would not alter any of the tax cuts that Congress enacted in 2001. It would only affect tax cuts enacted earlier this year.

My amendment makes this distinction because I—and many of my colleagues—supported the 2001 tax cuts. We believed then and still believe that the tax law changes enacted in 2001 were important to our economy. And these tax cuts are still important to our Nation's economic growth. And so my amendment would not change them. Not at all.

Instead, it would postpone some of the tax cuts enacted earlier this year. When these tax cuts were debated, we were at war with Iraq. I believe—and continue to believe—that it is irresponsible to enact tax cuts during a time of war. The very fact that we are here debating an additional \$87 billion for Iraq proves that.

This amendment would postpone some of the tax cuts that are targeted

to wealthy individuals in order to pay for this \$87 billion.

It would allow all of the funding in the underlying bill to go forward. It would thus support our troops.

It would pay for the spending in the bill. It would thus keep us from worsening our Nation's deficit crisis.

And it would pay for the spending in this bill without altering the 2001 tax cuts. It would preserve the economically beneficial effects of that tax cut in place. It would thus help our ailing economy.

I shall not press my amendment to a vote on this bill. The votes on this bill are now clear. But I urge my colleagues to consider the policies that I am seeking to advance with this amendment.

Mrs. BOXER. Mr. President, just this past April, I voted for the emergency supplemental appropriations bill authorizing \$70 billion for our military operations in Iraq. I felt that funding was necessary at the time. But I expected that the administration would move us toward a multilateral approach, one that would take the burden off our troops and our taxpayers.

Now the President is asking for \$87 billion more for Iraq.

While war inevitably carries great costs, both in terms of financial losses and losses in human life, the American people and the families of our troops should not be alone in shouldering those costs and burdens.

We cannot afford to continue down this path without legitimate burden-sharing. Our troops are overstretched, our financial obligations are becoming more taxing by the day, needs at home are going unmet, and the Federal deficit is absolutely soaring.

In Congress we have a responsibility to our constituents to debate and decide upon the path that is best for our country. We should not rubberstamp every proposal the administration puts forward, particularly when lives are being lost.

The American people are not satisfied with the direction of this country. But all that the administration has offered so far is the status quo, another blank check for Congress to sign that offers no plan to genuinely decrease the strain on American resources.

That is why I supported an alternative proposed by Senator BYRD. The Byrd amendment put the needs of our troops first by authorizing 100 percent of the funding requested for military operations, and requiring the administration to gain commitments of funding and manpower from other nations to ease our Nation's incredible burden.

It also would have carefully reviewed the Iraq reconstruction process.

I also supported several worthy amendments that, if passed, would have greatly improved this bill:

The Biden amendment to pay for the cost by reducing the Bush tax cuts for the wealthiest 1 percent of Americans;

The Dorgan amendment to pay for the reconstruction of Iraq with Iraqi oil revenues;

The Dodd amendment to shift \$322 million in funding for new Iraqi prisons to protective gear for our troops;

The Stabenow amendment to provide \$5 billion in funding for important American domestic priorities such as veterans health care, education, community health centers, and transportation. This amendment was paid for by delaying \$5 billion of Iraq's reconstruction money to 2005.

Compared to this \$87 billion that will be spent abroad, we are spending annually, \$23.9 billion on veterans health care, \$23.4 billion on higher education, and \$31.8 billion in total highway spending. Our domestic priorities are going unmet.

I am pleased that my amendment to reimburse wounded soldiers for hospital meals was successful, as well as my amendment to call attention to the need to protect commercial aircraft from shoulder-fired missiles.

But basically, we are left with one huge \$87 billion check which will be used to continue a policy that has led to 194 American postwar deaths and 903 Americans wounded in action to date.

Administration officials, including Defense Secretary Donald Rumsfeld and Deputy Defense Secretary Paul Wolfowitz, repeatedly, and perhaps even deliberately, downplayed the cost of reconstructing Iraq. They claimed that we would pay for this war with Iraqi oil revenues and with support from the other nations. They told us this would be easy.

No one is suggesting that we abandon our efforts in Iraq. The Byrd alternative responsibly addressed the situation in Iraq by proposing a road map for success. It would have put an end to this blank check policy and established a realistic and responsible plan for the future.

My decision to vote no on the \$87 billion request and for the Byrd amendment is a stand against the status quo and for a change in this administration's go-it-alone, pay-it-alone strategy.

Mr. FEINGOLD. Mr. President, I do not support the administration's policy in Iraq. After listening to the administration's hard sell, after hearing a series of ever-shifting justifications for our policy, after discovering that some of these justifications were of extremely dubious credibility, after confronting the administration's reluctance to straightforwardly acknowledge the costs and commitments entailed in the occupation of a major Middle Eastern country, after watching the administration alienate potential allies who could help us share this burden—after all of this, I do not support the notion that American taxpayers should be saddled with astronomical burdens and tremendous debt to support this misguided approach.

I wish our policy had been different. But I must deal with the reality before us today. The stakes are too high to do anything else.

I cannot oppose this bill. I cannot pull the rug out from under our brave

troops on the ground, who were called to serve and now find themselves in harm's way, confronting suicide bombings and guerilla warfare tactics. This bill contains resources that they need, and I will cast my vote to get them those resources.

I also recognize that stability and reconstruction in Iraq are in our national interest. For years now, I have urged my colleagues to recognize the dangers inherent in weak and failing states around the world. I have studied the appeal that such states hold to criminal opportunists, including terrorists. And I know that a weak or failing Iraq would present a threat to this country. To abruptly pull the plug on reconstruction, to leave Iraq to the disorder that filled the vacuum left by the fall of the Saddam Hussein regime, would make us less safe, less secure.

So I will not vote against the final passage of this very problematic bill.

But I want to be very clear about two points. My vote does not suggest that I am resigned to accepting the administration's policy. I am not, and I will continue to urge them to change it. That is my responsibility as a Member of this body, and I will not abandon it.

My vote also does not mean that I will support future funding for the Iraq mission if the administration fails to put that mission on a sounder footing. Over 330 U.S. troops have lost their lives in Iraq—and over 190 of those deaths occurred after the President declared an end to major military operations. Many more have been seriously injured.

The administration has tried to argue that Iraq is the central battlefield in the war on terror. I strongly disagree with that point of view. Iraq is at best a distraction from that war, which should be our country's main focus. At worst, our invasion and occupation of Iraq may well turn out to be a major setback in our efforts to combat terror. The extremely well-respected International Institute for Strategic Studies recently released a report indicating that "war in Iraq has probably inflamed radical passions among Muslims and thus increased al-Qaida's recruiting power and morale and, at least marginally, its operating capability."

I remember what the Vietnam war did to this country. I remember when good people convinced themselves that they had to keep accepting terrible losses because of sunk costs, I remember those desperate and destructive efforts to salvage the credibility of long-since discredited policy. Iraq is not Vietnam, but the lessons of history must not be forgotten. Without a better plan, without burden sharing, without a clear strategic vision that refocuses on this country's first foreign policy priority—he fight against the terrorists who attacked this country on September 11, 2001, and their allies—without these changes, withdrawing from Iraq will be the right thing to do.

I would like to comment on one of the most contentious issues that arose

during the debate on the supplemental bill—the debate about grants versus loans. This week I was unable to support the amendment offered by Senator DORGAN to the supplemental bill before the Senate. I do not believe that it is in our national interest to have U.S. authorities making decisions about how to use future Iraqi oil revenues. On this point, the President is right. To do so would play into the hands of those who would promote the ugliest, most distorted images of American motives abroad, conjuring images of imperialism and corruption, and undermining one of our greatest sources of strength internationally—the compelling power of our principles and ideals.

But while the President is right about that point, he is wrong to place this heavy burden almost entirely on the shoulders of American taxpayers. I am by no means enthusiastic about financing Iraqi reconstruction with huge grants. Iraq's reconstruction needs should be met, to the extent possible, by Iraqis themselves. But the decisions about the use of Iraqi oil should be Iraqi choices, not decisions made by American occupation authorities.

That is why I was pleased to support the amendment offered by Senators BAYH and NELSON, which converted a portion of the grants to loans, and leverages this approach to encourage international debt forgiveness. This amendment did not involve any U.S. decisions about Iraq's future oil revenues, rightly leaving those decisions to the Iraqi people.

Once again, I urge the administration to take concrete steps to build meaningful international support and ensure real burden-sharing in the international community. I was pleased to support the amendment offered by Senators BYRD and KENNEDY, which called on the administration to present a concrete and detailed plan for working with the rest of the world to bring stability to Iraq. I am disappointed that the amendment was defeated. The best way to avoid making unfair demands on the Iraqi and American peoples is to give our allies a meaningful role in the country and ask that they in turn contribute to reconstructing the country.

I am pleased that three amendments I offered to this bill were adopted. First, I offered an amendment to establish an inspector general for the Coalition Provisional Authority, so that there will be one auditing body completely focused on ensuring that taxpayer dollars are spent wisely and efficiently, and that this effort is free of waste, fraud, and abuse. I am troubled by some of the seemingly inexplicable requests and figures contained in the administration's funding request—the \$6,000 phones, the state-of-the-art postal system, the new monuments, all of them in an "emergency" request. At the very least, we should take concrete steps to ensure that vigorous oversight and auditing mechanisms are in place to protect each and every taxpayer dollar.

I also offered an amendment to help alleviate some of the difficulties faced by families of military personnel deployed or preparing to deploy for a contingency operation. My amendment allows a spouse, son, daughter, or parent who already qualifies for benefits under the Family and Medical Leave Act to use their benefits for issues arising from one additional set of circumstances—the deployment of a family member. Our military families—be they active duty, Guard, or Reserve—are coping with tremendous strains and a great deal of unpredictability. Long-standing childcare arrangements can be suddenly upended; in a matter of days, legal powers may need to be transferred to allow a spouse to maintain control of the home while his or her partner deploys. This amendment has been endorsed by the Military Officers Association of America, the Enlisted Association of the National Guard of the United States, and the National Partnership for Women and Families. I am delighted that it was adopted, and I hope it brings some measure of relief to the families who are sacrificing so much.

I was also pleased that two other amendments to help our Guard and Reserve were adopted. One was an amendment offered by Senator BILL NELSON to provide \$10 million for the Family Readiness Program of the National Guard. This program provides needed support services and assistance for Guard families prior to, during, and after deployment. And I was pleased to vote for an amendment offered by Senator DURBIN, which also passed, that would ensure that Federal employees who take leave without pay in order to serve do not see a reduction in their pay.

In addition, I thank the managers for accepting a very modest amendment that I offered calling for the Coalition Provisional Authority to regularly post up-to-date information in both English and Arabic on its Web site about oil revenues, seized and frozen assets, and how these resources are spent. Recently the Advisory Group on Public Diplomacy for the Arab and Muslim World reported on how much needs to be done to address the inadequacies of our current public diplomacy efforts. Making a good-faith effort to be transparent when it comes to what is happening to Iraqi resources is just basic good sense, and that means making an effort to communicate in Arabic.

I believe that the amendments I have discussed are small steps in the right direction, but I remain deeply concerned about where the administration's policy is leading us overall. I hear the concerns of my constituents every day—constituents who wonder when their loved ones in the military will come home, constituents concerned about the massive deficit, constituents who feel betrayed by the mixed messages and shifting justifications of the administration. Voting on

this bill does not mean that Congress can set aside the issue of Iraq. In fact, voting on this bill should make it painfully clear to all of us—we have a great deal of work to do to get our policy on a firm footing and we cannot afford to wait any longer.

Ms. MIKULSKI. Mr. President, 1 year ago, America was on the brink of war. One year ago, Congress debated whether America should go it alone to confront Saddam Hussein or get international support to bring the world with us. Now we are finishing work on the President's request for \$87 billion for Iraq. Again we have debated whether we go it alone or find a way to share the burden and the cost of war.

Today, I will vote in favor of the supplemental bill for Iraq and Afghanistan because I will not fail in my commitment to support our troops and because the Senate voted to provide loans and not just giveaways.

Through this debate, I fought for five principles I continue to believe are critical for the Iraq supplemental:

First, we need to support for our troops. The men and women putting their lives at risk to serve our country deserve our support.

Second, we need international burden sharing. If the stability of Iraq is in the world's interest, then the world should help pay for the reconstruction.

Third, we need to give Iraq loans, not giveaways. Iraq has the world's second-largest oil reserves and is capable of pumping out millions of barrels a day. This oil revenue should help with the reconstruction.

Fourth, we need accountability and responsibility with the money we provide. We need to stop waste, cronyism contracting and profiteering.

Fifth, we need for a plan to end the occupation of Iraq. There was a plan for war. Now we need a plan for peace.

I have used my voice and my vote in the Senate to stand up for these principles as we considered the supplemental bill.

America's Armed Forces are made up of ordinary men and women that are called upon to do extraordinary, difficult and dangerous things. Last year, when we debated whether to send our troops to Iraq, I asked whether they would be met with flowers or with land mines. Now we know. Our troops are at risk and they need our help. Our troops need equipment and gear, like modern body armor and replacement vehicles to help them complete their missions as safely as possible. Military families need financial support to make ends meet.

The men and women putting their lives at risk to serve our country deserve our support not just with words but with deeds. That is why I voted for amendments to increase combat pay, to end the practice of charging wounded soldiers for hospital meals, and to improve veterans health care.

I believe we need international burden sharing to share the risks and share the costs of occupying and re-

building Iraq. We need more troops, but not more American troops. We need more money, but not just American money. Last year, when we debated the war, I voted to go to the United Nations, to have international legitimacy and international burden-sharing. If the stability of Iraq is in the world's interest, then the world should help pay for the reconstruction. That is why I voted 12 times for amendments to promote greater burden sharing.

Wherever possible, American aid should be loans, not give-aways. Iraq has the world's second-largest oil reserves. Iraqi oilfields are already producing close to 2 million barrels a day. That means billions of dollars a year in oil revenue. According to Ambassador Bremer, by 2005 Iraq will produce enough oil to take care of its basic needs and have additional funds.

Congress already provided \$75 billion for Iraq last April. It also included \$2.5 billion for Iraq relief and reconstruction. That was grant aid. Now the President wants to give Iraq another \$20 billion. A better solution would have been to loan Iraq the money and have it repaid from Iraq's oil.

The facts are simple: There is a loan. \$87 billion is added to our national debt. The question is whether the American taxpayer must pay it back or whether the Iraqi people will pay some of it back with their oil.

That is why I cosponsored amendments to provide loans rather than grants. I am so glad the Senate voted to make \$10 billion of the aid loans. These loans would only be forgiven if the rest of the world forgives its loans to Iraq.

We need to safeguard our troops and safeguard our money. We need responsibility and accountability to stop waste, cronyism contracting and profiteering. We need to use American taxpayer dollars to invest in America. That is why I supported an amendment to require full and open competition for contracts in Iraq. That is why I voted for an amendment to end cronyism contracting by preventing these funds from going to a company in which the President or Vice President or a cabinet member has a financial interest.

The administration must lay out a plan to end the occupation of Iraq. There was a plan for war. Now we need a plan for peace. The American people deserve full disclosure and a real assessment of where we are going and how long we will be there. We must not let Iraq turn into a quagmire. We cannot just send more money and more troops with no end in sight. The President needs to present a clear exit strategy. That is why I voted for an amendment to require a comprehensive plan for Iraqi reconstruction to include goals and timelines.

I worked to fulfill my principles on this bill: to support our troops. International burden sharing; loans, not giveaways; accountability; and the need for a plan to end the occupation of Iraq.

Marylanders are patriotic people, willing to do what's necessary to defend our country and help other people when we can. But they have children to educate, parents to support, houses to buy and retirements to fund. It is not fair to ask them to pay for the rebuilding of Iraq just because this administration made critical mistakes in foreign policy.

I am going to vote for this bill because I will fulfill my commitment to America's men and women in uniform, who are risking their lives for the American people in Iraq and Afghanistan.

I will continue to press for an exit strategy to bring our troops home. I will continue to fight for greater accountability. I will continue to demand that President Bush bring in other nations to share the burden, to share the risks by sending troops to Iraq and to share the costs by contributing to Iraq's reconstruction.

Mr. KERRY. Mr. President, I have said many times, and I will say it again, it is critical that we succeed in Iraq. But it is equally important that we do the job the right way—the way that best protects our troops on the ground, enhances our security, and shields the American taxpayer from undue burden. President Bush's approach fails this test.

I support our troops in Iraq—and their mission. I believe we must do our part to reconstruct Iraq and make it a force for peace and stability in the region. I am prepared to spend whatever it takes to win the peace. But I want to spend that money responsibly and effectively—pursuant to a strategy that will maximize our prospects for success through greater internationalization and burden sharing and provide the transparency and accountability that American taxpayers expect and deserve when we spend their hard-earned money. I want to be sure that the financial costs are distributed, in the spirit of shared sacrifice, among those Americans who can best afford to pay. Unfortunately, the President and his advisers disagree.

I cannot vote for the President's \$87 billion request because his is not the most effective way to protect American soldiers and to advance our interests. Simple common sense tells us that we need more countries sharing the burden and more troops on the ground providing security. We need a fairer way to pay the bill.

I had hoped that the Administration would prepare for building the peace in Iraq as well as it prepared for fighting the war. But that was not the case.

Over eager to rush to war, the administration failed to plan adequately or effectively for the peace. American forces are being targeted daily by remnants of Saddam Hussein's Ba'athist regime, newly arrived terrorists hoping to capitalize on anti-American sentiment, or a combination of both. The attacks are becoming more lethal and more sophisticated, and increasingly

the attackers are going for high profile targets associated with us or our allies. But the administration played down or, worse yet, ignored the likelihood of this kind of resistance when planning for the postwar period.

It low-balled the number of forces that would be needed to seize the alleged WMD sites for which we fought the war, to protect the infrastructure needed for reconstruction, or to contain civil unrest. It failed to put together a meaningful military coalition to help us meet these needs.

The administration underestimated the magnitude of the reconstruction task and, as we now know, misrepresented the ease with which oil would flow for rebuilding. It refused to tell the American people up front the long-term costs of winning the peace. And it refused, until recently, to ask the international community to join us in this very difficult endeavor.

This administration's brazen go-it-alone policy has placed our soldiers at unnecessary risk and our hopes for success in jeopardy. It has turned American liberators into occupiers in the eyes of many Iraqis. It has created a terrorist presence in Iraq where none previously existed and made Iraq a recruiting poster for terrorists of the future. It has undermined the legitimacy of our efforts at home, abroad, and in Iraq. And it has left Iraqis wondering when they will get their country back. We cannot continue on this course. The stakes are too high—for our troops, for the Iraqi people, for the region, and for American security.

A year ago when we were debating the use of force resolution for Iraq, I said: "If we do go to war with Iraq, we have an obligation to the Iraqi people, and to other nations in the region, to help create an Iraq that is a force for stability and openness in the region." That obligation is upon us. We are now committed—as a result of our military victory and postwar occupation to building a democratic Iraq that is reasonably secure and economically viable. Our credibility and our interests demand that we succeed.

Successful reconstruction of Iraq is critical to peace and stability in the Mideast and to the security of Israel, our closest ally in that volatile region. We cannot allow Iraq to become a failed state or let the Ba'athists return to turn their wrath once again on innocent Iraqis. We must not allow Iraq to be fragmented into mini-states, warring with one another and further destabilizing the region. Nor can Iraq be dominated by Iran or any other state in the region. Success in Iraq is also crucial to our war on terrorism. The terrorist violence which has emerged in the wake of our military victory in Iraq poses a major challenge, but it is one we must meet. Iraq cannot become a terrorist sanctuary like Afghanistan, either as a platform for al-Qaida or Israeli-directed violence.

It is imperative that we succeed in Iraq, but to do so, we have to tackle

the challenge of rebuilding Iraq an effective way, not the Bush administration's failed way. We need a detailed plan, including fixed timetables and costs, for establishing civil, economic and political security in Iraq.

We need to internationalize both the military and civilian sides of the occupation and build a coalition that will provide tangible assistance in terms of boots on the ground and money in the coffers for Iraqi reconstruction. Only in this way will we reduce the risk to American service members and alleviate some of the financial burden on the American taxpayer for reconstruction.

We have to give the United Nations a clearly defined, central role in the reconstruction of Iraq and in the process of establishing a new Iraqi Government, and we must provide the necessary security so that U.N. personnel will go back to Iraq. The United Nations is not perfect, but it has far more experience and capacity in these areas than the Pentagon and the Coalition Provisional Authority. The process of reconstructing Iraq and its political system must be an international process—not an American process. Only then will it have legitimacy in the eyes of the Iraqi people and the world.

We have to involve Iraqis more in the process of rebuilding their country and assure them through concrete steps that political power and responsibility will be transferred to them as quickly as possible.

The administration, albeit belatedly, has recognized that we need help in Iraq. The resolution adopted this week by the U.N. Security Council is a step in the right direction. It will provide greater international legitimacy to our efforts in Iraq. It does require that the Iraqi Governing Council lay out by December 15 of this year a timetable and program for the drafting of a constitution and national elections, but this resolution does not fundamentally change the lines of authority and responsibility for the reconstruction and governance of Iraq. It is really more show than substance. Whether it will gain meaningful international support for our efforts in Iraq remains to be seen but the prospects do not look good. Already three of our allies who voted for it—Russia, France and Germany—have indicated that they will not provide troops or funds to support our efforts. And Pakistan, which had been expected to provide troops once a resolution was passed, has now declined. If he is serious about generating funds and troops for the operation in Iraq, President Bush must see this resolution as the beginning of a process of diplomacy—not the end.

The President is asking us to give him \$87 billion for Iraq. As we decide whether or not to vote for this package, there are some fundamental questions each of us should be asking.

First, what is it for? Much of it some \$66 billion is for our troops on the ground. Another \$20 billion is supposed

to be for reconstruction of basic services, such as water, sewer, and electricity, and for training Iraqi security forces. It also includes \$82 million to protect Iraq's 36 miles of coast line, new prisons at a cost of \$50,000 per bed, a witness protection program at a cost of \$1 million per family, nearly \$3 million for pickup trucks at a cost of \$33,000 each, \$2 million for museums and memorials, and a whopping \$9 million for a state-of-the-art postal service. I could go on, but the point is obvious: This supplemental is padded with requests that go far beyond Iraq's emergency needs.

Second, who reaps the benefit of this \$20 billion for reconstruction? On one level, of course, it is the Iraqi people. But let's not fool ourselves. Halliburton and other select American companies with close, high-level connections to the Bush administration are getting the lion's share of the contracts funded by this money. No one can object to giving contracts to American firms, but those contracts ought to be offered on a competitive, open bid basis. And at a minimum, these firms should be required to seek subcontractors from outside of the United States including Iraqi companies where feasible. Opening and internationalizing the contracting process would provide much-needed transparency and give others in the international community a stake in the success of the reconstruction process.

Third, what is the plan for spending the \$20 billion? We don't really know because the administration has only given us a set of goals and vague timetables—not a detailed plan. The President wants us to give him \$87 billion on faith. His administration has failed miserably in anticipating the risks to our troops, planning for the peace, and building international support for our effort. Why should we trust him now?

Fourth, how does President Bush intend to pay for rebuilding Iraq? He wants to saddle future generations of American taxpayers with the bill by adding to the Federal deficit. This is fundamentally unfair. There is a better way—the one Senator BIDEN and I offered when we proposed that the tax cuts for the wealthiest Americans be repealed. At a time when men and women in uniform are sacrificing for our interests in Iraq, it is only fair to ask those Americans who can afford it to do their fair share, but President Bush's refusal to accept this approach betrays the spirit of shared sacrifice that has made our nation great.

Fifth, what is the urgency for rushing forward with such a large proposal now? There isn't one. Ambassador Bremer, the head of the Coalition Provisional Authority, has told us that his funds for reconstruction will last until the end of the year. Whether or not Iraq can absorb \$20 billion over the next year is another question. The World Bank recently estimated that Iraq could absorb only \$5.2 billion in reconstruction funds for next year. In-

stead of rushing to complete this bill, the administration should be doing more of the hard work of diplomacy to generate contributions from other countries and to generate a more accurate assessment of what Iraq's real needs are over the next year.

Finally, it is incumbent upon us to ask what needs at home are underfunded? The answer is: plenty, including health care, education and homeland security.

The President must be held accountable and he must change course. While he may still salvage success in Iraq, the question we must ask is: at what cost—in terms of dollars and lives? We should do this the right way. We can win the peace in Iraq but we cannot—and should not—do it alone. Our troops on the ground deserve a strategy that will take the target off their backs and bring them home more quickly. The American people deserve a strategy that decreases the bill, pays our costs fairly, and makes America safer. We must have a new approach, one that maximizes international cooperation and burden sharing and minimizes the risk of failure. If the President adopts that new approach, I will gladly support any proposal that funds it.

Mr. JEFFORDS. Mr. President, it is with great frustration that I come here today to address the President's request for an additional \$87 billion to pay for the war in Iraq and to confront the aftermath of this conflict.

One year ago, I addressed this body, arguing against the notion that Iraq posed an imminent threat to the United States. I feared that the administration's single-minded obsession with Iraq would cost American lives, poison our relations around the world, divert resources from the real war on terror, and deal a crippling blow to critical domestic needs. I pleaded with the administration to work with the international community to address the Iraqi problem in a cooperative manner. I urged my colleagues not to grant the President a blank check to launch a reckless, unilateral, preemptive attack against Iraq.

Those words fell on deaf ears. The President got his blank check, and we now have to deal with the consequences. While the military campaign in Iraq was predictably swift and effective, the aftermath is a mess. It is now obvious that there was a shameful lack of planning for anything beyond the initial war, leaving us in a much worse position than predicted. Our military is suffering daily losses. The Iraqi population is increasingly restive and hostile. Terrorists are flowing into the region, eager to take a shot at American forces and undermine our reconstruction efforts. Longtime allies are so put off by the administration's arrogant approach to this war that they are reluctant to lend a hand when we, and the people of Iraq, so clearly need the assistance.

Through it all, the administration has refused to give straight answers to

the Congress or the American people. It has misrepresented intelligence on the threat posed by Iraq. It has dodged the issue of how much the war and Iraq's reconstruction will cost. And it has refused to provide Congress with a detailed plan for post-war political and economic reconstruction.

Now the President is back before the Congress, asking for what I believe amounts to another blank check. Our economy is in dire straits. Our schools are woefully underfunded. Millions of Americans are seeking work, and many have given up trying. The number of people without health insurance is soaring. This Nation's budget deficit is spiraling out of control, in no small part because of huge tax cuts for the wealthiest Americans pushed through by this administration. Nevertheless, while the President seeks to reduce funding for pressing needs at home, he urges the Congress to quickly pass his \$87 billion request for Iraq and Afghanistan.

Just like a year ago, we are presented with incomplete plans for how the money will be spent. We have not been provided with detailed information on steps the administration is taking to involve the international community in the reconstruction effort. Moreover, we are treated to blank stares when we seek concrete answers on how much more this occupation and reconstruction will cost and how long our men and women will be stationed on the ground in Iraq.

Ambassador Bremer testified recently concerning the administration's plan for rebuilding Iraq. This plan is striking in its failure to address the most critical issues. It is silent on the size of the U.S. troop commitment, a timetable for the return of U.S. troops, the financial or troop contributions we might expect from other nations, and the short-term and long-term costs associated with the U.S. invasion of Iraq. Beyond that, the plan makes assumptions that are so unduly optimistic that they call into question the credibility of other key elements of the plan. For example, the plan assumes that U.S. forces will defeat internal armed threats and deter external aggression and subversion by the end of October. That is 2 weeks from now. Anyone who reads a newspaper or watches TV would have difficulty believing this will happen. This plan seems based upon the notion that merely opening the spigot of taxpayer dollars will ultimately overcome whatever shortcomings may exist in our policies toward Iraq.

We have it in our power to do something about this situation. This Senate must demand answers to these critical questions. It has learned the hard way the consequences of granting this administration a blank check in Iraq. Enough is enough. Additional funding for Iraq should be withheld until the administration develops and presents a comprehensive, credible plan that details how the money will be spent, how

the administration plans to broaden the international involvement in reconstructing Iraq, how much more this operation will cost, and when our military men and women will come home to their families. We owe at least that much to the American people. And we owe it to our brave forces on the ground in Iraq.

As a former officer in the U.S. Navy, I know firsthand the importance of supporting our troops and have great respect and admiration for their efforts. On the whole, American military personnel have done an outstanding job of providing leadership and direction in countless Iraqi communities in the wake of the collapse of Saddam Hussein's regime. Our officer corps has received widespread praise for their wise and humane conduct in a role for which they received little preparation. I am proud of many Vermonters' unsung acts of bravery, leadership and humanity. RADM Barry Costello of Rutland, VT, served with distinction and played a pivotal role in Operation Iraqi Freedom as the Commander of the U.S.S. *Constellation* battle group. But Vermont has also suffered great losses. We grieve for Mark Evnin of South Burlington, Eric Halverson of Bennington, Kyle Gilbert of Brattleboro, and Justin Garvey of Proctor, VT. My heart goes out to their families. They are but 4 of over 350 American troops killed since the war began.

We cannot continue to accept such losses. We need to make decisions that will help our troops in the long run. It is our job to ensure that scarce resources are being spent wisely, and it is our responsibility to demand something better than the floundering post-war effort we have seen to date. Writing a blank check for Iraq does a disservice to our military if there is no coherent plan for securing the peace and bringing them home.

Meanwhile, the war in Iraq has distracted the United States from the real fight against terrorism, an issue of critical importance to American security. We have reduced our forces in Afghanistan and lost focus in our hunt for Osama bin Laden. As a result, the stabilization and reconstruction of Afghanistan have suffered serious setbacks in recent months. One could even argue that the U.S. invasion of Iraq actually created an opening for terrorists. Osama bin Laden had long targeted Saddam Hussein, whose secularism he loathed. There is no evidence that Iraq under Saddam Hussein had any significant connection with al-Qaida, even though the Bush administration has tried hard to link the two. Ironically, in the chaos that has followed the collapse of Baath Party rule, Iraq has now become a haven for terrorists who see an opportunity to strike against U.S. forces.

For over 50 years, America's Presidents have led the world in constructing a web of relationships and institutions that have succeeded in pro-

moting peace, stability, and respect for the rights of each and every human being on the face of this Earth. They worked closely with allies to meet common threats and they supported the United Nations and other world bodies as mechanisms that fit naturally with our goals of promoting freedom, trade and democracy around the world.

This administration has turned its back on the work of the last 50 years. This administration has demonstrated time after time that it has neither the patience nor the will to engage in real consultations with allies and world bodies such as the U.N. President Bush and his administration frequently assert that the attacks of September 11 made the world a different place. Their response has been to abandon long-held American policies and justify radical new approaches like the doctrine of preemptive war. I disagree wholeheartedly with this response. While the attacks of September 11 were a horrific, senseless act of evil, they have not diminished the value of the international structure that America and its allies have worked to build since the close of World War II. The new challenges are different, but now more than ever, they demand a strong and unified international community. They demand more international cooperation, not less.

The United States needs its traditional allies and it needs the U.N. It needs them to ensure that the situation in Iraq does not continue to slide toward an American occupation and to help defray the costs and challenges associated with rebuilding a deeply troubled nation. It needs them to undercut assertions that the primary interest of the United States is in controlling Iraqi oil. Moreover, America needs its allies and the U.N. because we have too many pressing needs at home to continue hemorrhaging money in Iraq.

Having spurned the international community on the way to war in Iraq, the administration must be prepared to go the extra mile to enlist international support at this hour. We must be prepared to cede meaningful control over the political and economic rebuilding of Iraq. And we must do more than adopt the "join us if you want" approach the President set forth in his recent speech to the U.N. President Bush is correct when he says that it is in the world's interest to join with us in working toward the reconstruction of Iraq. Our longtime allies and other countries around the world are equally correct, however, when they ask for a measure of control over their efforts. While I am encouraged that the U.N. Security Council stands ready to approve a resolution backing American plans for reconstruction of Iraq, this may be too little too late. Our closest allies still have deep reservations about how we have conducted ourselves thus far in Iraq, and it remains to be seen if any of them will contribute any significant funds or any troops at all.

Meanwhile, because of the worsening security situation, the U.N. has been forced to withdraw nearly all of the 600 employees it had in Iraq just a couple months ago. There must be a turnaround in current conditions on the ground before most international relief organizations can do any effective work in most of the country.

We are caught in a real bind. Iraq clearly needs our help. Yet the American economy is hurting and basic domestic needs are crying out for funding. While asking for \$87 billion more for the war in Iraq, the President's proposed budget shortchanges his No Child Left Behind initiative by \$6.2 billion. Special education will receive less than half of what it is authorized by law to receive. The President has proposed cutting \$400 million in afterschool programs, and has undermined efforts to make up for the shortfall in early education funding. Pell grants now cover only 40 percent of the cost of attending a 4-year public college, whereas in 1975 they covered approximately 84 percent of the cost. Our entire Department of Education receives only \$53 billion.

The list goes on and on, and it speaks to an administration with misplaced priorities. While the administration seeks \$87 billion for Iraq, water quality grants have been reduced by 32 percent, environmental enforcement staff has been cut by 6 percent, and funding for land acquisition and conservation has been reduced by 50 percent. The entire Department of Homeland Security is receiving less than half of what the President seeks in this bill. Meanwhile, our borders are porous, and first responders in our State and local governments are starved of resources. The administration seeks \$87 billion for Iraq when there are over 1.1 million Americans who have exhausted their unemployment benefits without finding a job and the President's supporters in Congress have refused to extend their benefits.

Meanwhile, tax cuts weighed heavily in favor of our most wealthy citizens are driving up the deficit and politically well-connected firms such as Halliburton and Bechtel are reaping millions from no-bid contracts handed out by the administration.

Just as the President must live up to his responsibilities, so must the Congress. It has a corresponding responsibility to the American people, and to our military forces, to demand from the administration a credible plan for bringing U.S. involvement in Iraq to an end and for bringing U.S. troops home. The Congress must demand that the administration develop a plan for involving other countries in the process. We must have a credible, detailed plan for turning over political and military control to the Iraqis. And the Congress must demand a credible, detailed projection of the costs associated with our continuing presence in Iraq. Previous administration statements and testimony on these subjects have been markedly lacking in candor.



This is the largest supplemental funding request in my memory. Clearly, our military must have the funding needed to carry out its tasks. I also realize that our own security will be damaged if reconstruction efforts in Iraq are not successful. Yet this is the moment for Congress to demand answers to these critical questions, rather than simply hand the administration another blank check to pursue its policies in Iraq. We must get our efforts on the right track before it is too late.

I am left with no choice but to oppose this bill. Anything less does a disservice to the men and women of our military and to the American public.

Mr. LEVIN. Mr. President, there are very many things in the Emergency Supplemental Appropriations for Iraq and Afghanistan Security and Reconstruction bill with which I strongly disagree. For example, I object to the virtually unfettered ability of administration officials to move dollars from one classification of Iraqi relief and reconstruction to other classifications. And I object to Ambassador Bremer's unilateral approach to spend U.S. taxpayer's money on such things as zip codes for Iraq, expensive business school scholarships, and a honey pot for high-priced U.S. consultants.

Nevertheless, I will vote in favor of this bill. I do so in order to provide \$67 billion to support the American troops who are in harm's way in Iraq and Afghanistan and elsewhere. And I do so because the Senate wisely decided last night to provide one-half of the funding for Iraqi reconstruction as a loan, which could become a grant only if 90 percent of Iraq's bilateral debt was forgiven. I have long maintained that Iraqis must have a stake in the reconstruction of their own country and Iraqis must have a say in decisions that affect their future. The Bayh, et al., amendment gives them the investment in their own future that is so important to them and to us.

Mr. DODD. Mr. President, 2 weeks ago the Senate began debate on President Bush's \$87 billion emergency funding request for Iraq and Afghanistan. Since that time, many amendments have been considered by this body. Most of them have failed largely along partisan lines. That is unfortunate in my view. After all, we are talking about spending 87 billion American taxpayer dollars, and this during a time when so many of our national priorities remain unaddressed. Our education system, our health care system, and our homeland security priorities are all drastically underfunded. More and more Americans are finding themselves out of work. Certainly we need to continue to support our troops in Iraq and to assist the Iraqi people to rebuild their country. But we can't do this alone and ignore the vital domestic needs that so many Americans are today facing.

About a month ago, I rose in this Chamber to share my thoughts about

United States policy toward Iraq. I did so shortly after President Bush's September 7th televised address to the Nation on the same subject. In that speech, the President was candid with the American people about what we should expect in Iraq, namely that it is going to be "difficult and costly" to rebuild that country and to bring democracy to a people who have had no tradition of political freedom or self-determination.

This Senator welcomed the President's honest assessment of what we are likely to be facing in Iraq. It was a positive change from the doublespeak and "non-answers" that the Congress and the American people have been hearing from some officials in the administration since before the outset of our military engagement in that country.

Of course, what the President told us wasn't news. The difficulty and the cost of our involvement are painfully apparent. More than 150,000 coalition forces remain in Iraq 5 months after the President declared the end to major hostilities. One hundred and thirty thousand of those men and women are Americans. And every day there are reports of yet another American service man or woman being killed.

With the approval of this \$87 billion emergency supplemental, the United States will have committed more than 150 billion of American taxpayers' dollars in a matter of months for our missions in Iraq and Afghanistan—the vast majority of those sums for the Iraq mission.

In light of those statistics, who could disagree with the President that our mission in Iraq has become difficult and costly—both monetarily and in human terms. I only question why it took our President so long to come to that realization. In fact, it now appears that estimates of human and monetary costs that were formerly discounted by the Bush administration—statements made by Army General Eric Shinseki and the President's former Chief Economic Advisor Lawrence Lindsey—might not have been so far off the mark.

During his most recent address to the Nation, President Bush also explained, in simple terms, United States policy objectives: destroy terrorists, enlist the support of other nations for a free Iraq, and help Iraqis assume responsibility. He was less clear on how he intends to achieve those objectives, or to mitigate the myriad of costs to the American people.

That is why many of our colleagues who have spoken on the floor have decried the fact that at the very time we are being asked to approve \$87 billion in additional money for the military and reconstruction costs of Iraq and Afghanistan, the administration has yet to lay out a clear plan for how any of the objectives mentioned by the President are to be achieved. Perhaps progress is now possible in inter-

nationalizing the rebuilding of Iraq. I take note in particular of yesterday's unanimous U.N. Security Council vote in support of the United States-sponsored resolution on Iraq. However, it is important to remember that this resolution is only the first step toward achieving a broad international coalition with additional governments and international organizations willing to share the burden of this difficult and costly occupation.

Our military has done an exemplary job in winning the war. They should be commended. But they also need help winning the peace. Our forces are stretched thin and our troops are tired. Tragically, more than 332 American military personnel have now died in Iraq, 1,511 have been wounded, and 335 have sustained other injuries. One hundred and twenty of those deaths were unrelated to hostile fire dehydration, auto accidents, and other causes.

These deaths have prompted legitimate questions about the adequacy of the equipment our troops have been provided for the hostile environment being encountered. Efforts by the U.S. Army to address some of these equipment shortcomings have not been fully funded in the pending legislation. That is the Army's assessment—not mine.

That is why I offered an amendment on October 2, to transfer \$300 million from Iraqi reconstruction funds to U.S. Army accounts for the purchase of equipment vital to the safety of our troops or to reimburse them for equipment they were forced to buy for themselves. In the broader scope of things, I continue to believe that those few hundred million dollars were a mere drop in the bucket. But this drop could have helped protect and provide our troops with hydration and other lifesaving equipment that they need. I was very disappointed that my amendment failed, largely along partisan lines, because I strongly believe that the first and most important priority of this funding bill should be to protect our troops.

United States liberation of Iraq has not ended the suffering of the Iraqi people. They continue to suffer, and they are frustrated as well. While the decades of fear and brutality perpetrated by the dictatorial regime of Saddam Hussein are now gone, uncertainty and hardship continue despite the best efforts of U.S. Ambassador Paul Bremer and members of the Coalition Provisional Authority. And this uncertainty and hardship have brought resentment—resentment against U.S. forces, resentment against the U.N. mission headquartered in Baghdad, resentment between and within local communities.

That resentment has brought with it increasing acts of violence.

While I have not yet had an opportunity to make a first-hand assessment of the situation in Iraq, many who have believe that security remains the most immediate and pressing challenge confronting the Provisional Coalition

Authority. It is my hope that the monies contained in this legislation for our troops, coupled with the \$5 billion allocated to assemble and train Iraqi police and security forces will improve the security climate so that the road is clear for the equally difficult task of rebuilding the country. I fully support those elements of the supplemental request.

However, I have serious questions about some of the so-called reconstruction priorities that the administration intends to pursue once the emergency supplemental is approved—projects that the administration has identified as high priorities in need of immediate funding. A number of these misplaced priorities have been mentioned during the course of this debate. Let me remind my colleagues of some of these:

No. 1, a \$100 million witness protection program for 100 Iraqi families—that is \$1 million per family;

No. 2, two maximum security prisons at a total cost of \$400 million—\$50,000 per prison bed;

No. 3, \$15 million for the purchase of computers, with a price tag of \$3,000 per computer;

No. 4, \$20 million for 4 weeks of business training classes at \$10,000 per student; and

No. 5, \$30 million to teach English as a second language to Iraqis.

These are just a few of the questionable spending priorities embedded in the measure before us.

I supported President Bush last year when he sought authority from Congress to use all necessary means to secure Iraq's compliance with U.N. resolutions. But even while doing so I was deeply concerned that absent broad international support for preemptively removing Saddam Hussein, the American taxpayer and our troops would be left holding the bag when the time came to win the peace in Iraq. That concern has proven well placed.

Indeed, I am not only troubled by the so-called emergency programs that I just mentioned; what concerns me even more is that we all know that Iraq is going to need more money—above and beyond this current request. A lot more. Yet despite the recent U.N. Security Council resolution, many doubts remain as to the administration's willingness or ability to ensure that other governments and international organizations will begin to share some of those future costs.

The President did not listen to those of us who cautioned him about the implications of removing Saddam Hussein unilaterally. This debate gives him a second chance to listen to similar concerns being articulated about attempting to unilaterally deliver democracy to Iraq. Without significant and meaningful help from others we risk an even more "costly and difficult" engagement in Iraq than the President has contemplated. Equally serious, the President risks losing the support of the American people for his policy. Without that support continued U.S. involvement will not be sustainable.

During consideration of this legislation, Members of this Congress have taken certain steps to press the administration on the issue of burden sharing. These were not partisan efforts because this is not a partisan issue. It is not partisan to insist that the President not have a blank check to pay for all of Iraq's reconstruction. It is sound fiscal policy. Quite simply, we cannot afford to write endless checks for this purpose.

Even before the administration's supplemental request, the Congressional Budget Office had calculated that the annual budget deficit would reach \$480 billion—the largest in history. Over the past 3 years, 3.2 million Americans have lost their jobs—44,000 alone in July. So there are clearly pressing needs at home that remain unmet. We could do a lot with an additional \$20 billion on the domestic side of the Federal ledger.

We could do a lot in the area of health care: \$20 billion could provide health coverage for approximately 1.3 million Americans; current Medicare prescription drug proposals include large gaps in coverage; the \$20 billion could be used to close those gaps; and \$20 billion would provide Medicaid coverage for an additional 300,000 children, adults, senior citizens, and individuals with disabilities.

We could do a lot in addressing our Nation's education shortfalls: \$8.5 billion would fully fund No Child Left Behind; \$6.15 billion would fully fund title I programs—programs to help our poorest schools better serve our children; \$750 million would bring afterschool programs to their fiscal year 2004 authorized levels; \$29 million would restore the Troops to Teachers Programs.

We could also do a lot in supporting important programs for our Nation's children. Twenty billion dollars would: provide 4.4 million more kids with childcare; enable participation of 2.8 million kids in Head Start; fund enrollment of 26.7 million kids in afterschool programs; or 16.6 million more kids covered by health care.

The bottom line is that we are not going to be able to do any of those things if we continue to go it alone in Iraq. Moreover, the huge and unprecedented amounts of national debt that we are incurring are going to cripple our economy for the foreseeable future.

Why do we go through this silly budget exercise of declaring all these projects an emergency? It is so that our budget rules won't apply—so somehow it won't count. Well, Mr. President, it does count. And I think we should agree here and now that this is real money. Other programs, real programs, important programs, won't be funded because of the so-called emergency projects I mentioned earlier. There are trade-offs.

It is now clear that these trade-offs aren't going to be confronted by the President unless the voices of the unilateralists in the Bush administra-

tion are silenced, or at least the President stops listening to them. The recent U.N. resolution was an important first step toward that end. Hopefully it has taught this administration an important lesson: that to garner international help in building democracy in Iraq help we desperately need—there must be compromise and respect for other points of view.

There is nothing wrong with compromising or with sharing the costs and responsibilities for Iraq's future. In fact, I believe that Congress has a responsibility to see that those costs and responsibilities will be shared. International burden sharing was a condition of congressional support for funding U.S. peacekeeping efforts in Bosnia and Kosovo. This very Congress included a burden sharing requirement in the legislation passed earlier this year authorizing U.S. participation in the Global HIV/AIDS Fund. Why should Iraq be different? Senate adoption last night of the Bayh amendment, which would convert a portion of the reconstruction monies to loans, should be understood as one small step toward more equitable burden sharing in the rebuilding of Iraq.

During consideration of this legislation we have taken some important first steps. But these are only small steps, and much more needs to be done if the \$87 billion we are about to approve is to be effectively used. I will reluctantly support final passage of this bill because I believe we have an obligation to support our troops. However, I want to make it clear, here and now, that if this President expects my future support, he is going to have to bring together a much broader international coalition than currently exists—one that will provide significant financial and military support to our efforts.

The recent U.N. resolution holds out the promise that this may be possible, but it is only a promise—it is up to the President to see it become a reality.

We cannot and must not let this administration continue to deny what we all know to be true; namely, that "multilateralizing" the reconstruction and democratization of Iraq is the right thing to do. It is the right thing for America. It is the right thing for Iraq. And it is the only way to ensure that we will be able to fulfill our responsibilities to the American people. Let us hope that the administration will use the resources and authorities contained in this bill to accomplish that goal.

Mr. HOLLINGS. Mr. President, I oppose this appropriation because we refuse to pay for it. Foreseeing our venture into Iraq, in early January I introduced a value added tax to pay for it. On this current bill I was a strong supporter of the Biden amendment. In fact, I negotiated the rewording to require that we forego the tax cut for the top one percent of income tax payers and use that money to pay for this appropriation. Led by the Republican opposition, it was voted down.

Ambassador Bremer testified that by next July oil from Iraq would be flowing at the rate of three million barrels a day, a net export revenue of \$16 billion a year and a 10-year net export revenue of \$160 billion. Iraq is not Afghanistan. With the second highest oil reserves in the world Iraq is one of the richest countries and could easily pay the bill. Again with White House opposition, the collateralization of this \$20.3 billion cost was voted down.

This bill includes many items not just to rebuild, but to build facilities that did not exist at the time of war. While we are denying many facilities and services for our people here in the United States, we are going to the extreme financially to correct the mistake of President Bush. I supported the Stabenow amendment for our facilities and services which also was defeated by the White House.

The attempt to equate 9/11 with Saddam fails. Al-Qaida was not operating from Iraq. Saddam was not a threat to our national security. We had overflights in both northern and southern Iraq. We knew what was going on. We had economic sanctions on Iraq. The resolution I voted for had two resolution clauses: One, to enforce the United Nations resolutions and, two, to protect the national security of the United States. Saddam was not a threat to our national security and we all know it. The United Nations at the time was in Iraq on a search for weapons of mass destruction. We preempted the search with invasion. I don't know whether it was oil or finishing the unfinished business of Desert Storm, but be that as it may, they have not met us with rejoicing in the streets. Saddam still exists. There is a daily killing of our soldiers.

At this moment we are an occupation army and the enemy. While we try to internationalize our effort, there is no question that terrorism has been internationalized in Iraq. The borders are porous and deployment for law and order is inadequate. I call Iraq a mistake because we have more terrorism since our invasion rather than less. As reported in the *Financial Times*: "The London-based International Institute for Strategic Studies said in its newly published Military Balance survey that while the invasion of Iraq might have isolated al-Qaida from potential state sponsors, it was also likely to have had the effect of 'swelling its ranks and galvanizing its will.' War in Iraq has probably inflamed radical passions among Muslims and thus increased al-Qaida's recruiting power and morale and, at least marginally, its operational capability, the report states."

You can't stop the killing until you have law and order. The twelfth Roman Canon still applies: *Salus populi suprema lex*—the safety of people is the supreme law. In order to get safety, in order to get law and order we need more troops. The administration's approach is to regenerate the wetlands, build a sewer system, put in internet, make the people happy and then they

will stop killing us. It could happen, but first you have to establish the people's security and we are trying to do it on the cheap with troops.

As I have told Secretary Rumsfeld on two occasions, more than a money supplemental we need a manpower supplemental. If our troops are sent to secure, there are too few and if they are sent to be killed daily, there are too many. The cheer to support the President and support the troops by proponents of this supplemental misleads. The cheer should be to stop the killing of our troops by supplying more manpower. My vote supports the troops by emphasizing the need for more manpower. But more particularly, it emphasizes the reality of our situation.

Money will not stop the daily killings, nor will a constitution by December. With the passage of this appropriation we are not only trying to do it on the cheap. We are telling the GI in downtown Baghdad, "We hope you don't get killed. And the reason we hope you don't get killed is that we want you to hurry home to pay for it. My generation is not going to pay for it. This Congress is not going to pay for it because we need a tax cut to get re-elected next year."

Mr. DASCHLE. Mr. President, I rise in strong support of the Leahy amendment to strike wasteful funding from this supplemental and redirect that spending for humanitarian and peacekeeping assistance to Liberia. I commend my colleague for advancing this important amendment.

Last month, I had a moving meeting with Archbishop Frances of Monrovia. He relayed to me stories of suffering and pain in Liberia, a country that has been ravaged by war and brutal government. He also relayed to me the great hope the people of Liberia place in the United States and pleaded with us to help Liberia in this time of great need. This amendment is an answer to the pleas from Archbishop Frances—and a response to the hope invested in us by millions of Liberians.

Though 85 percent of Liberians are unemployed and 75 percent do not have access to clean drinking water, there are reasons for hope in Liberia. A new leader, Charles Gyude Bryant, has assumed the task of shepherding the people of Liberia from war to peace, from violence and destruction to rebuilding and reconciliation. The open violence that has plagued the country for over a decade has been checked.

An international peacekeeping force will be necessary to ensure outright war does not return. This amendment would help pay for an international peacekeeping force—an African force to stabilize an African nation.

In addition to renewed security, this amendment ensures that disaster relief and humanitarian assistance will get to thousands of Liberian families uprooted by years of conflict and children who have been separated from their parents. The amendment will provide relief for Liberians denied access to food and basic services for years.

In this supplemental appropriations package, Congress is providing funding to our Nation's efforts to restore stability and democracy in Afghanistan and Iraq. We do so not because we are obliged to, but because we need to see democratic government flourish in these countries that have been so crippled by violence and corruption. Liberia, a country to whom we are bound by shared history, enduring interest, and national security, needs our help as much as Afghanistan and Iraq.

I urge my colleagues in the Senate to answer their call.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass?

Mr. BOND. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Tennessee (Mr. ALEXANDER) is necessarily absent.

I further announce that if present and voting the Senator from Tennessee (Mr. ALEXANDER) would vote "yes."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 12, as follows:

[Rollcall Vote No. 400 Leg.]

#### YEAS—87

Akaka	DeWine	McCain
Allard	Dodd	McConnell
Allen	Dole	Mikulski
Baucus	Domenici	Miller
Bayh	Dorgan	Murkowski
Bennett	Durbin	Murray
Biden	Ensign	Nelson (FL)
Bingaman	Enzi	Nelson (NE)
Bond	Feingold	Nickles
Breaux	Feinstein	Pryor
Brownback	Fitzgerald	Reed
Bunning	Frist	Reid
Burns	Graham (SC)	Roberts
Campbell	Grassley	Rockefeller
Cantwell	Gregg	Santorum
Carper	Hagel	Schumer
Chafee	Hatch	Sessions
Chambliss	Hutchison	Shelby
Clinton	Inhofe	Smith
Cochran	Inouye	Snowe
Coleman	Johnson	Specter
Collins	Kohl	Stabenow
Conrad	Kyl	Stevens
Cornyn	Landrieu	Sununu
Corzine	Levin	Talent
Craig	Lieberman	Thomas
Crapo	Lincoln	Voinovich
Daschle	Lott	Warner
Dayton	Lugar	Wyden

#### NAYS—12

Boxer	Harkin	Kerry
Byrd	Hollings	Lautenberg
Edwards	Jeffords	Leahy
Graham (FL)	Kennedy	Sarbanes

#### NOT VOTING—1

Alexander

The bill (S. 1689), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 3289.

All after the enacting clause is stricken and the text of S. 1689, as amended, is inserted in lieu thereof. The bill is read a third time and passed, and the motion to reconsider is laid upon the table.

Under the previous order, the Senate insists on its amendments, requests a conference with the House on the disagreeing votes on this measure, and the Chair is authorized to appoint conferees.

The Presiding Officer (Mr. SUNUNU) appointed Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. BURNS, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CAMPBELL, Mr. CRAIG, Mrs. HUTCHISON, Mr. DEWINE, Mr. BROWNBACK, Mr. BYRD, Mr. INOUE, Mr. HOLLINGS, Mr. LEAHY, Mr. HARKIN, Ms. MIKULSKI, Mr. REID of Nevada, Mr. KOHL, Mrs. MURRAY, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, Mr. JOHNSON, and Ms. LANDRIEU conferees on the part of the Senate.

Mr. STEVENS. Mr. President, I take the opportunity to express my appreciation to the Appropriations Committee staff for the many hours and days they worked on this bill. Their commitment and professionalism is critical to the bill. I have the list of the names of the majority and minority staff who worked so hard on this bill and I ask it be printed in the RECORD in recognition of their efforts.

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

#### THE MAJORITY STAFF

Jim Morhard, Andy Givens, Sid Ashworth, Kevin Linskey, Katherine Hennessey, Dennis Balkham, Jill Shapiro Long, Shannon O'Keefe, Jessica Roberts, Jennifer Chartrand, Alycia Farrell, Menda Fife, Tom Hawkins, and Robert Henke.

Lesley Kalan, Mazie Mattson, Kraig Suicacuse, Brian Wilson, Niclé Royal, Paul Grove, Brendan Wheeler, Dennis Ward, Sean Knowles, Rebecca Davies, Leo Spivey, Bettilou Taylor, Lisa Sutherland, and Christine Drager.

#### THE MINORITY STAFF

Terry Sauvain, Charles Kieffer, Charles Houy, Nicole DiResta, Betsy Schmid, B.G. Wright, A. William Simpson, Lila Helms, Kate Elrich, Chad Schulken, Tim Rieser, Mark Lippert, and Christina Evans.

Mr. DASCHLE. Mr. President, I know the regular order is to now recognize Senator LEAHY. I ask unanimous consent that we alternate between Republican and Democratic Senators following Senator LEAHY in speeches regarding the vote just taken.

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

Mr. DASCHLE. Mr. President, I ask unanimous consent that I be recognized for a very short colloquy prior to the time Senator LEAHY is recognized for his remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I discussed the appointment of the conferees on this important legislation

with Senator STEVENS and the distinguished majority leader. As I mentioned on the floor earlier, we in the minority have been concerned about our lack of input in conferences that are now ongoing. And that is unsatisfactory. I have made that clear to the majority leader.

This bill enjoys bipartisan support, as we have just seen from the vote, and provides an opportunity to begin anew. As a result, I sought and received the assurance of the chairman of the Appropriations Committee that the minority will be full participants in this conference on the bill. That should be the norm when the Senate seeks to resolve its differences with the House. This means the minority will have the opportunity to provide input on key issues for the duration of the conference and be kept fully apprised of all developments as we seek to get a conference report on this legislation which will enjoy the same broad bipartisan support as did the bill before us today.

I ask if that is in keeping with the understanding of the distinguished manager of the bill.

Mr. STEVENS. Mr. President, the Democratic leader is correct. The conference will meet and the minority will be full participants in the conference.

Mr. DASCHLE. I thank the manager of the bill.

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished Presiding Officer, my friend and neighbor from across the Connecticut River.

Mr. REID. Mr. President, will the Senator from Vermont, who has been so patient, withhold so that the Senator from Pennsylvania, who is here, can make a very important unanimous consent request?

Mr. LEAHY. Mr. President, I will withhold with the understanding that I be recognized after my colleague speaks.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. I thank the Senators from Nevada and Vermont for their indulgence.

#### UNANIMOUS CONSENT REQUEST—H.R. 7

Mr. President, I rise to ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7, which is the charitable choice bill. I further ask unanimous consent that all after the enacting clause be stricken and the Snowe amendment, which is the amendment on the child tax credit, and the Grassley-Baucus amendment, which is an amendment for the tax extenders, which are at the desk, be agreed to en bloc; that the substitute amendment, which is the text of S. 476, the Senate-passed version of the charitable choice bill, which has the Charitable Giving Act as well as the military fairness provisions, as amended by the Snowe-Grassley-Baucus amendment, be agreed to; that the bill, as amended, be read a third time and

passed and the motion to reconsider be laid upon the table; further, that the Senate insist upon its amendments and request a conference with the House; and, lastly, that the Chair be authorized to appoint conferees of a ratio of 3 to 2 and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, Mr. President, I want the RECORD to be spread with the fact that this is why Senator DASCHLE just entered into a colloquy with the distinguished chairman of the Appropriations Committee. Conferences haven't worked very well in this Congress.

We are willing to pass this bill, send it directly to the House. There would be a simple amendment. We can do that quickly, soon. We feel that would be the most expeditious way to handle this most important legislation. We favor the legislation. The minority favors this legislation.

I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, what the Senator from Nevada has suggested is instead of taking the normal course, which is the House has passed a bill, the Senate has passed a bill, and for us to go to conference to negotiate the differences, the Senator from Nevada is suggesting we take our bill and send it back to the House where the House would simply take it and put a bill there and send it back here, which would be fully amendable again, and it would go back to the House and it could go back to the Senate and we never reach a conclusion. I suggest the way to solve this problem is to go to conference. I hope we can do so.

The PRESIDING OFFICER. The Senator from Vermont.

#### PASSAGE OF S. 1689

Mr. LEAHY. Mr. President, I speak today about the Senate's vote on the President's request for an additional \$87 billion in emergency funding for Iraq and Afghanistan, of which \$65 billion is for military operations and \$21 billion is for relief and reconstruction. The lion's share of the funds are for Iraq.

I attended the three hearings in the Appropriations Committee, when Ambassador Bremer, Secretary of Defense Rumsfeld, General Pace, and several other witnesses testified. Unfortunately, there was not nearly enough time in those hearings to discuss the details of a budget request of such enormous size and complexity. I was also disappointed that the hearings provided a one-sided perspective, as there were no witnesses from the U.S. Agency for International Development or the State Department, and no witnesses from outside the government.

I also reviewed the materials provided by the Office of Management and Budget in support of the request, which

are useful but devoid of detail. For example, a request for \$800 million for police training in Iraq is justified with only three vague sentences.

It is also one thing to ask for \$400 million to build two new prisons. It is another to fail to explain why on Earth it costs so much, when the price of labor in Iraq is half what it is in the United States. This is one of many examples—\$33,000 pickup trucks that cost \$14,000 in the U.S. and \$6,000 satellite phones that sell in neighboring Jordan for \$500, are others—that have been cited in the press and in speeches by Senators.

Of course there are things that need to be done in Iraq. But some of these costs are shocking and inexplicable.

The administration is cutting food aid for poor children in Nicaragua; a million children die of measles each year because they can't get the vaccine which costs pennies; a third of the world's people live in conditions most Americans would find appalling. Yet we are going to build wireless internet access on the Euphrates. It makes no sense.

And then we saw in last Thursday's New York Times that although this is a 1-year, emergency appropriation, only \$6 billion, not \$20 billion, can be effectively spent in Iraq next year. Could it be that the reason the White House wants this \$20 billion now, and not a penny less, is because they do not want to have to defend this increasingly unpopular policy again next year before the November elections? I think the answer is obvious.

I cast my vote against this supplemental. This decision did not come easily. There are strong arguments pro and con. I know that I will be among a small minority. But for me, this is a matter of principle, and after a great deal of thought I have concluded that I can not support this proposal. I did not support the policy that got us into war alone. I do not support the tactics the White House has used to get this supplemental passed. And I do not support appropriating so much money, at one time, for an oil rich nation when the responsible thing would be to approve a portion of the money today and to revisit this again next year.

Before I explain how I reached this decision, I want to make three points.

First, I want to mention the issue of support for our troops. We all support our troops, who have endured great hardship and fought bravely. We worry about their safety. We have spoken to the grieving families of soldiers who have died. I and other Senators have worked to get them better protective equipment, after we learned that some were sent into battle in Iraq without bulletproof vests or the latest available armor for their vehicles.

But supporting the troops is not simply a matter of spending billions of dollars so they can remain in Iraq indefinitely, with no exit plan, targets in a guerrilla war that is likely to drag on for years. The President's policy that

caused them to be sent there, and that will require them to remain there, must also be a policy that each of us who has to vote on this supplemental can support. And if we are to make good use of the taxpayers money, there must be an effective plan to implement that policy.

Second, it is beyond dispute that Iraq is infinitely better off without Saddam Hussein, whose rein of terror was a disaster for the Iraqi people and a blight on the civilized world. The Iraqi people have a chance to build the foundations of a more open, tolerant, peaceful and prosperous society. Whether they will succeed in that endeavor may not be known for many years, but I credit President Bush, Secretary Rumsfeld, our troops, and the Iraqi people themselves, for giving them this chance.

Third, I am voting against this proposal. If, instead, I thought the administration was being honest with the American people about its motives and its policy in Iraq and the Middle East; if this supplemental were designed to implement a credible plan to internationalize our policy rather than to continue a unilateral approach; and if this had not been a one-time only, take-it-or-leave-it, partisan approach in which almost every amendment offered by Democrats was defeated along party lines, my vote today might be different.

I want to be clear. Since 1989, I have served as either chairman or ranking member of the Foreign Operations Subcommittee. I am a strong believer in foreign aid. Spent wisely, foreign aid is in our national interests. I am not opposed to helping Iraq rebuild. In fact, I supported the supplemental, passed in April, which contained billions of dollars to rebuild Iraq and to support our military operations there. I also voted for several amendments, which were defeated along party lines, which I believe would have improved this supplemental in important ways.

For example, the Byrd-Kennedy-Leahy amendment would have allowed \$10 billion of the Iraq reconstruction funds to be spent immediately. The balance of \$10 billion would be withheld pending a certification by the President that the U.N. Security Council has authorized a multinational force under U.S. command in Iraq and a central role for the U.N. in the political and economic development of Iraq, and a second vote by Congress. I am convinced that if we do not truly internationalize our policy in Iraq our troops will continue to face daily attacks, our efforts to rebuild will be in jeopardy, and U.S. taxpayers, virtually alone, will pay the skyrocketing costs.

The Biden amendment would have paid for the \$87 billion by repealing a tiny fraction of the President's huge tax cut for the wealthiest Americans. I have no doubt that if the American people had been able to vote on the Biden amendment it would have passed overwhelmingly.

The Dorgan amendment would have paid for the reconstruction with reve-

nues from future Iraqi oil sales. Yearly revenues from Iraqi oil are expected to reach \$100 billion in less than a decade. This amendment, had it passed, would have lifted a portion of the staggering financial burden of this war off the backs of American taxpayers.

I offered an amendment, with Senator DASCHLE, to shift responsibility for rebuilding Iraq from the Secretary of Defense to the Secretary of State. The Pentagon's role is fighting wars, which they do superbly. It is not nation building. That is the role of the State Department. It is ironic that President Bush, who ridiculed the Clinton administration for nation building in the former Yugoslavia, is today defending the Pentagon's role in the biggest nation-building effort in half a century.

These are only four of the amendments that I supported, each of which was voted down because the White House and the Republican leadership opposed them.

Mr. President, in the weeks and days leading up to this vote, I have been guided by several things.

First is the importance of multilateralism. There is no realistic alternative in the 21st century to working collectively with other nations to combat terrorism and other grave threats to our security which extend far beyond our borders. Iraq, perhaps more than any foreign policy adventure in recent memory, illustrates the costs we pay for unilateralist thinking—the cost to our soldiers, to our relations with allies and the Muslim world, to our influence with other nations on so many critical issues, and to American taxpayers.

Second, I did not vote for the resolution that President Bush used to justify the invasion of Iraq. I felt it gave the President sweeping authority that the Constitution reserves for the Congress. I was also convinced that the White House, despite its protestations to the contrary, was determined to short circuit the U.N. inspectors and go to war alone.

This administration's policy has been driven by lofty, unrealistic ambitions; White House and Pentagon officials who were so convinced of their own version of reality that they felt no need to ask questions, not to mention listen to the answers; a presumption that other nations would follow us simply because of who we are; and a naive assumption that we would be embraced as liberators and that the Pentagon's chosen exiles, unknown to most Iraqis, would be quickly enthroned in the seat of power.

Detractors were silenced. Other nations were bullied. Members of Congress who did not fall into line were called unpatriotic. The administration's justification for a preemptive war, carried out not in self defense, not in response to 9/11, and without United Nations support, has changed from month to month, depending, it seems, on what the White House's polls say the American people will believe.

And third is my concern that in the 2 years since the tragedy of September 11th, President Bush has squandered the support of the rest of the world and has largely failed to build an effective global response to terrorism.

Mr. President, I am not among those who feel that everything we have done in Iraq has been a failure. To the contrary, thanks to the heroics of our soldiers—many hundreds of whom have paid with their lives and limbs—the Iraqi people have a chance to build a government they can be proud of. But the issues before us are far more complex than whether or not we should help Iraq. We should help in ways that are right for the Iraqi people, and right for the American people.

The question each of us must answer, for ourselves and our constituents, is whether this \$87 billion, for the purposes for which the Administration has requested it, is the right way to do that.

Thinking back, as I have often done since President Bush launched an essentially unilateral, preemptive war against Iraq, I believe the President got off on the wrong foot from the moment he made that famous, or infamous, remark “if you are not with us, you are against us.” That statement was made shortly after September 11th, when the American people were feeling the brunt of that national tragedy, and it may have been reassuring to hear the President express his world view in such bold terms. But I, like many Vermonters, was uneasy about what the President said, and in retrospect I believe it represented a fundamentally flawed approach to the threat our Nation faced then, and will continue to face for years to come.

What the President's challenge has come to mean is that regardless of who you are, including our oldest, closest allies, if you do not agree with us we will ignore what you say, we will dismiss you as irrelevant, we will punish you if we can, and we will go our own way in spite of you. That, I believe, is a recipe for failure. It is beneath the United States. It weakens the United States.

Not only has the White House done grave damage to our foreign relations, it has squandered its credibility with the Congress and the American people.

After handily defeating Saddam Hussein's army, virtually everything this administration predicted about Iraq has turned out to be wrong. Yet one would hardly know that from listening to senior administration officials on television or in testimony before Congress. Rather than give an honest assessment of the pros and cons, they have preferred to make personal attacks against those of us who ask legitimate questions. Since jamming through a Gulf of Tonkin-like resolution last year, top administration officials have continually ridiculed those opposed to the war in Iraq, calling them pro-Saddam Hussein or pro-Osama bin Laden.

Only weeks ago, Secretary Rumsfeld accused those who were asking questions about the deteriorating security situation in Iraq of giving comfort to our enemies.

That is baloney. Every one of us wanted Saddam Hussein gone. But it is the duty of each Senator to ask questions when young Americans are dying overseas.

The administration said, over and over, that the reason we had to invade Iraq was because of weapons of mass destruction. The Vice President said, “We believe he [Saddam Hussein] has, in fact, reconstituted nuclear weapons,” although there was apparently virtually no evidence to support that.

But after blaming the United Nations inspectors for being duped, and after months of searching without any interference, the administration has yet to find any weapons of mass destruction. And now, as reported in the press, they want to spend another \$600 million to continue the search.

Not long ago, the Secretary of State said the weapons were the chemical weapons used against the Kurds in 1988, before the first gulf war. The gassing of the Kurds was a horrific war crime, but as much as I respect the Secretary, it is absurd, and contrary to everything we were told a year ago, to use an atrocity of 15 years ago to justify a pre-emptive war.

In fact, when Saddam Hussein used mustard gas against the Kurds, the Reagan-Bush administration did little about it. And they continued to sell weapons to Saddam Hussein for years after. The Secretary of State was a member of that administration.

This Administration apparently has no idea what happened to the weapons of mass destruction, did next to nothing to secure the sites where it believed them to be after the fall of Saddam Hussein's regime, and now seems to want to forget about them altogether.

This time last year, there were daily warnings about mushroom clouds. Yet in his speech to the Nation on September 7, the President barely mentioned the issue.

This is not, as some have suggested, a partisan issue. It is an American issue. These are questions that get to the heart of U.S. security and credibility. Where are these weapons? Were they destroyed? Are they in the hands of terrorists, like the Islamic extremists who are flooding into Iraq to attack our troops? Are they in Syria or Iran? Was this a massive intelligence failure?

The administration's handling of this issue has severely undermined the credibility of our intelligence and of the President's justification for rushing into war.

The White House's other major justification for the invasion of Iraq was to fight al-Qaida and combat international terrorism. Over and over again, hardliners in this administration tried to make this connection. They created a special unit in the Pen-

tagon. They worked hard to link Saddam Hussein with 9/11, even if the facts did not support it.

Only recently, after misleading a majority of the American people, did the President publically concede that there is no evidence of a link. Yet, Vice President CHENEY continues to suggest there is. It would be helpful if the Vice President would agree with the President on this point.

Mr. President, I want as much as any person to mount an effective campaign to deter, prevent, and combat terrorism. But what we have been given is a partisan, “take it or leave it,” rushed approach costing scores of billions of dollars that is not backed up with a credible plan.

And by a plan I mean a detailed strategy that shows us a way to internationalize this policy and bring our troops home within a reasonable time.

Many in Congress, Democrats and Republicans, warned of the costs and pitfalls of fighting a war to enforce U.N. resolutions without the support of the U.N. Security Council, and of rebuilding Iraq without the support of other nations. Iraq is a complex country with a long history of ethnic and religious conflict, and it was crucial to have a sound postwar plan and a viable exit strategy. But the administration did not want to hear those warnings. I think my good friend Senator HAGEL spoke for many of us, when he said the administration “did a miserable job of planning the post-Saddam Iraq” and “treated many in the Congress, most of the Congress like a nuisance.”

We also know that the White House ignored concerns expressed by some in the administration, especially in the CIA and the State Department, about the difficulties and dangers involved. Instead, a small, secretive group in the Pentagon dominated postwar planning, and miscalculated. Vice President CHENEY said “[t]here's no question [that the people of Iraq] want to get rid of Saddam Hussein and they will welcome as liberators the United States when we come to do that.”

Many Iraqis are grateful. But the Vice President says almost nothing about the fact that our soldiers, who have performed so bravely, are under constant attack or threat of attack from terrorists and remnants of the Baathist regime. He and others in the White House don't talk about the hundreds of Americans who have died, or the nearly 2,000 wounded. And many of these injuries are not just a broken bone or scrapes. They are lost limbs. Lost eyesight. Lifetime disabilities.

The Secretary of Defense does not talk about the billions of dollars in this supplemental to repair damage caused by the catastrophic looting of government buildings, electric generating equipment, hospitals, oil refineries, railroads, and communications infrastructure, because the Pentagon did not plan for the war's end and did not have enough troops in place to keep order after the fall of Saddam's government.

This \$87 billion request is made by the President of the party that just a few years ago gave great speeches in support of a constitutional amendment for a balanced budget. In fact, it was the Clinton administration that actually had the fiscal discipline to achieve a balanced budget, which President Bush inherited. President Bush and Vice President CHENEY say they are deficit hawks. Yet today we are on the road to putting a \$1 trillion deficit squarely on the backs of our children and grandchildren.

This is also a President who says we cannot spend another \$1 billion in emergency funds to combat AIDS this year, a disease that kills 8,000 people every day. This Administration's AIDS initiative, which has such promise, is starting looking like more talk than action. Others here have recounted the statements of former chief economic adviser Lawrence Lindsey, who estimated that it would cost between \$100 billion and \$200 billion to rebuild Iraq. He was right, but his analysis was disputed again and again by administration officials who wanted to paint a much rosier picture. For telling the truth, he was forced out of the administration.

Former OMB Director Daniels said between \$50 billion and \$60 billion.

Deputy Defense Secretary Wolfowitz said "We're dealing with a country that can really finance its own reconstruction, and relatively soon. The oil revenues of that country could bring between \$50 and \$100 billion over the course of the next two or three years."

Andrew Natsios, Administrator of the U.S. Agency for International Development, said that \$1.7 billion was all that America's taxpayers would have to pay. \$1.7 billion. That is incredible.

These estimates were wildly off the mark. After so many misstatements, misjudgments, and distortions, I have no idea who to believe. This Administration has been wrong, wrong, and wrong.

As Senator BYRD has pointed out, this \$87 billion brings to \$194 billion the amount the United States is spending in Iraq and Afghanistan—more than twice what the administration had led the public to believe just a few months ago.

The 1991 gulf war, by contrast, cost \$61 billion, of which the United States paid only \$7 billion. That is \$7 billion spent in 1991 compared to \$194 billion today—almost 28 times higher, and this is only the beginning.

The \$20 billion that the President wants for rebuilding Iraq is more than we are spending this year on foreign aid for the entire rest of the world. The \$87 billion is one and a half times the amount we spend on education in the United States. It is larger than the total economies of almost half the states of the Union.

The administration hopes that it will receive an additional \$55 billion for Iraqi reconstruction from other countries and Iraqi oil revenues over the

next 2 years. But that, again, may be wildly optimistic.

We are going to rebuild Iraq and put the Iraqis back to work. The President says there is money for that—\$87 billion. But there is no supplemental to help the millions of Americans who have lost their jobs here at home. There is no money to fix our broken public schools. There is no money for health care for 44 million Americans who are without insurance. None for affordable housing for the growing number of Americans living in poverty.

Instead of a plan, we get more rhetoric about winning the war on terrorism. Instead of specifics, we get abstract talk about democracy in the Middle East—civilizations that predate ours by a thousand years. This administration continues to support autocratic regimes in the Middle East, Central Asia, and elsewhere, whenever it suits them. Instead of a timetable and a detailed justification of costs, we get simplistic and inaccurate comparisons with the Marshall plan.

The Marshall plan, as I, Senator DASCHLE, and others have pointed out, bore little resemblance to what we are dealing with here. The most specific thing the President has talked about is the pricetag: \$87 billion. This is staggering. It gave many Americans sticker shock and awe.

Their so-called "plan" is a July 23rd document, totaling 8 pages of text and 19 pages of a hypothetical time line. It is not a plan of anything. It is a vague statement of objectives, which begins by saying, not a little presumptuously, that "now that Saddam Hussein's regime has been removed, the Iraqi people have the opportunity to realize the President's vision" for Iraq. I wonder if anyone asked the Iraqi people about their own vision for their country.

This plan, which we did not receive until August 22—the day Ambassador Bremer came to testify before the Appropriations Committee—tells us only what has become obvious to everyone—the President sent our troops into war without a postwar plan.

Is everything going badly? No. Iraq is not engulfed in flames, as some press reports might suggest. The port has been rebuilt. Businesses and schools are opening. Electric power and health services are being restored. Rubble is being cleared. A new police force is being trained. There has been progress, and I commend Ambassador Bremer, USAID, and the many private voluntary organizations who are working assiduously in extremely difficult and dangerous conditions.

But there is another picture that the White House prefers not to talk about. The coordinated, deadly attacks against our troops and Iraqi police are growing in frequency. Aid workers are facing daily threats and acts of sabotage. Many relief organizations are evacuating their employees, as the U.N. has done. Horrific bombings of civilian targets are becoming routine. There is growing resentment among the Iraqi people.

Mr. President, we are at a crossroads, not only in Iraq, but in our relations with the rest of the world. A year ago, I listened as the President suddenly, inexplicably, changed his focus from defeating al-Qaida in Afghanistan to overthrowing Saddam Hussein. I listened to his reasons, which were unconvincing given what we knew at the time, and they are less convincing today. Like many, including some of my friends on the other side of the aisle, I urged patience. We were ignored.

We waited for the evidence. It was distorted and manipulated.

After a brilliant military victory, the postwar strategy and the justification for the war itself have largely evaporated. Faced with an \$87 billion down payment on what is likely to be a far more costly, far longer United States involvement in Iraq, I have tried, through hearings and amendments, to promote an approach which I believe could succeed. But the White House and the Republican Majority have been inflexible.

This has been a difficult process. I do not believe the United States, having destroyed Iraq's government, should walk away. But neither can I support a policy that was ill-conceived from the beginning, has seriously eroded our influence with our allies, further poisoned our already frayed relations with the Muslim world and weakened the United Nations. It is a policy which cannot succeed over the long term without a significant change of course.

I have listened to some in the majority argue that "we have no choice" but to "stay the course." We may have no choice but to stay in Iraq, but we do have a choice about the course. I believe we need to change course.

We should change course in three key ways.

First, as I and so many others have urged, we should internationalize our policy. The amendment I sponsored with Senator BYRD and Senator KENNEDY would have helped do that, and the U.N. resolution that was adopted yesterday is a welcome and encouraging step, for which I commend Secretary of State Powell. But it is nothing more than an expression of good intentions. We have no idea if it will change anything, as this White House has steadfastly resisted meaningful input from other nations.

Will the multinational force be anything more than a fig leaf for an ongoing U.S. military occupation involving over 120,000 troops? Will other nations contribute significant resources? Or will U.S. taxpayers continue to shoulder 99 percent of the costs?

We need to know if the U.N. resolution represents the change in policy that is long overdue, or if it is nothing more than political cover to continue drifting along as we are today alone, with our troops under fire and U.S. taxpayers mortgaging their children's savings.

Second, we must do a far better job of protecting the taxpayers' money.



Today we should be voting to appropriate not a penny more than the amount of funds that can be spent wisely in Iraq and Afghanistan during the next 12 months. It should be paid for by repealing a portion of the tax cut for the wealthiest Americans, as proposed by Senator BIDEN, not by increasing the deficit. By mid-year we should hold thorough hearings, and vote again on whether to stay the course.

Third, we should get the Secretary of Defense out of the business of nation building and put the Secretary of State back in charge. My amendment would have done that.

These are not radical alternatives, but the President's advisers decided that nothing was open for discussion. It has been their latest version of "if you're not with us, you're against us." They have treated this supplemental as a referendum on the President's policy in Iraq, a policy which I believe is fraught with dangers for our Nation. It is no more the right way to build the peace than the pre-emptive, unilateral use of force was the right way to go to war.

Mr. President, I voted for every amendment that I felt would make the best use of the taxpayer's hard earned money. I voted for every amendment that I felt would support our troops and help them do their jobs better, and come home safely. I support them by spending money wisely. And I support them by voting to change course when I believe the course we are on endangers them unnecessarily.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I thank the Chair. I understood that it would go back and forth between Republicans and Democrats.

The PRESIDING OFFICER. The Senator is correct.

Mr. BENNETT. Mr. President, I take the floor to make a few personal observations. I don't want to revisit all of the arguments that have been made over and over again. But I do want to make a few statements just for the record. I want to make it very clear, speaking for myself—and I think for other Members of the Senate, but they can speak for themselves—that I have never challenged the patriotism, the motives, or the rights of any Senator who has disagreed with the President on this vote.

I have utmost respect for the senior Senator from West Virginia. I have watched him serve for many years. I watched him serve while I was a staff member for my father. He and my father served together in this body for many years. I would never, under any circumstances, suggest that I was challenging his patriotism in any way. I do think he is profoundly wrong in the decision he has made with respect to this war. But I recognize that he has every right to make that decision. He has every right to defend that decision in

as vigorous language as possible, but I want to make it clear to him and to any who may have misunderstood that under no circumstances and at no time have I ever challenged his patriotism.

I am not sure I know of any other Senator who has ever challenged his patriotism. I hope we will understand that as we disagree, as vigorously as we do on this issue, we are not, in fact, engaging in what has been called the politics of personal destruction.

I believe the Senator from West Virginia is wrong because I think his world view is wrong with respect to where the world is and where the President is going in the postwar world.

We all celebrated the fall of the Berlin Wall and the end of the cold war. There were books written about it. One was entitled "The End of History." We found that history did not come to an end with the end of the cold war, that the challenges to American lives and American interests around the world did not disappear with the Soviet Union, and that we have additional challenges today.

I will not suggest that the Bush administration has done everything right. I have had my moments of disagreement with this administration, some of them relatively serious and some of them relatively recent. But I am behind the President in this effort because I think his overall global view is the correct one.

The primary challenge to peace in the world right now is coming out of the Middle East. For a variety of reasons, for a variety of historic patterns, that part of the world is producing the principal challenge to peace everywhere.

Europeans feel more secure than they have ever felt in their lives, and perhaps accurately and properly so. The Soviet Union is gone. The age-old rivalries between the Germans and the French and the other principalities in Europe are over. They are striving to write a European constitution and bring themselves together in a legitimate economic way. They feel more secure after centuries of war than they have ever felt in their lives. They are no longer the target. We are. They are no longer the focus of those who would bring instability to the world. We are. And we saw that happen in dramatic fashion on September 11, 2001.

The President has said there is no connection between what happened on September 11, 2001, and Iraq, and that is true, and the President never claimed such a connection. But there is an overall connection in the sense that those warriors for their cause who attacked us on September 11, 2001, came out of an area and a culture and an attitude that exist in the Middle East that must be addressed in the Middle East, even if there are no direct links, even if there was no direct funding, even if there was not a case that a law enforcement official could make in a court of law.

We must recognize the significance of the Middle East as the source of insta-

bility in the world and recognize those players in the Middle East who are part of that instability. I believe Saddam Hussein was a principal player for instability.

We can argue, appropriately, and we can go back and examine the mistakes that were made with respect to Saddam Hussein. We can say there are statements made prior to the attack on Iraq which, in retrospect, turned out not to be true. I can list some of them.

No. 1, I heard in this Chamber that we were going to get body bags coming back from Iraq by the thousands. We were told in this Chamber that we were going to have house-to-house fighting in Baghdad, door-to-door assaults. We were told that our troops were going to be gassed—that from people who voted against the resolution to give the President the authority to go forward.

It turns out all of those predictions are not true. Do I attack the people who made those predictions as having botched it? I suggest they read the intelligence and came to the wrong conclusion. I also recognize that whenever this Nation or any nation goes to war, you never know exactly what is going to happen.

This is perhaps a small example, but it has struck me, as I read the history of the Second World War. As carefully as we planned the assault on Normandy, as carefully as we did the disinformation to get Hitler to think we were going to attack someplace other than we did, the disguises, the false information that was put out, all of the rest of the intelligence that was done, we made one very fundamental and, in retrospect, stupid mistake. In all of the training of our troops in advance of the Normandy invasion, we assumed that the hedgerows between fields in France would be the same height as the hedgerows between fields in Great Britain.

So as we trained in Great Britain, we trained with hedgerows that were about knee height and then found ourselves in France with hedgerows that were almost as high as a building. It completely disrupted all of our tank assaults and plans because as a tank would try to go up and over one of those hedgerows, it would be vulnerable to fire from the other side. They could hit the underbelly of the tank because its tracks were exposed and the base of the tank itself was exposed and an artillery shell could take it out instantly.

It was improvisation on the field from a GI who used to work on a farm who helped create what would be a version of a snowplow on the front of a tank to drive the tank through the hedgerow. An incredible intelligence mistake of something as simple as that, and they could have determined that if they could have found a French farmer to talk to.

Did this Chamber ring with accusations that President Roosevelt had lied to the American people about our plan in Normandy? Were there denunciations of General Marshall or General

Eisenhower because they made that intelligence error? Some would say the analogy doesn't hold, and certainly there are many aspects of it that do not, but the point I think is legitimate. The intelligence failures that we now know occurred with respect to Iraq were not deliberate lies. The intelligence failures that have accompanied every American military action are the best efforts of human beings doing the best they can under pressure and always making mistakes.

What matters is the overall world view and strategic direction, and, as I said, I believe George W. Bush has the right strategic direction. He recognizes that the instability in the world is coming from the Middle East; that we must do everything we can to deal with those characters who are responsible for that instability. And he made the decision that one of those characters was Saddam Hussein.

I cannot believe anyone can look back on it and say that particular decision was the wrong one. As I have said here before, one of the first people who alerted me to Saddam Hussein and his capacity to spread instability throughout the world was Madeleine Albright, Secretary of State, as we met with her in S-407 and heard her outline the description of weapons of mass destruction that were in Iraq. We heard her boss, the President of the United States, President Clinton, do the same thing in public fora.

Was there any reason to believe they were for any purpose trying to mislead the American people? We might say they were wrong based on what we now know, but they were wrong, if they were, because of the fog of uncertainty over the intelligence reports all of us had. They made the best judgments they could make on the basis of the best information they had, and then they moved ahead. President Bush did exactly the same thing.

There are those who say he has squandered our good will in the world. Everybody loved us after September 11. There were demonstrations in the streets in Europe, demonstrations of support, demonstrations of sympathy. How long would those demonstrations have nourished our position if indeed we had done nothing following September 11?

Oh, it is all right to do something as long as everybody is with you. It is all right to do something as long as everybody agrees. Well, it seemed to me the United Nations agreed. Fifteen to nothing strikes me as a fairly definite vote in the Security Council for resolution 1441.

Then when the United States said, all right, resolution 1441 is not being complied with, resolution 1441 says if it is not complied with, there will be serious consequences—serious consequences is U.N. speak for war—how about it, U.N.?

Oh, no, no, said members of the Security Council.

Mr. LAUTENBERG. Will the Senator yield for a question?

Mr. BENNETT. I would be happy to yield.

Mr. LAUTENBERG. Does the Senator know how much longer his remarks will be? I ask simply because I follow the Senator and I have an airplane to catch. It would be helpful if I could get an estimate.

Mr. BENNETT. I am glad to have the Senator tell me of his schedule and I shall cut it as short as I possibly can, because I do not want to disconcert the Senator in any way.

Mr. LAUTENBERG. Not at all. When I served in Normandy, I saw a lot of things the Senator is talking about. It is very interesting.

Mr. BENNETT. No, I do not need to go on further because it has all been said.

I will conclude.

Mistakes have been made. I think both sides can admit that and should recognize that. People have been offended by the administration on both sides of the aisle. I think we can recognize that and admit that.

The fundamental question to me is whether the overall direction in which the President is trying to take the country is the right one. As I study history and as I listen to the reports that come back from Iraq, as I talk to the people in Utah who are serving there—we have a higher percentage of our Armed Forces who are Reserve and Guard in Iraq than any other State—I am convinced the President is right in his overall direction. Whatever course corrections need to be made we can talk about, but when all is said and done, this President has done the right thing.

I am proud to have voted to give him the authority in the first instance, and I am proud to be one of the 87 Senators today who have voted to give him the continuing support he requires.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I thank the Senator from Utah for his cooperation. I am sorry to interrupt. He did just what the order called for and I respect that.

I have a couple of things to talk about and I will try not to be too long. One of the things I want to talk about is the very important vote we just had. I was one of a very small group to have voted against the supplemental appropriations bill for Iraq. I want to make sure my vote is clearly understood. I support taking care of our military, making sure their conditions are as comfortable as they can be under difficult circumstances, making sure they have the latest in weaponry, and that they are treated fairly and they receive medical care and their health care is the best we can offer. I was prepared to vote for that \$87 billion in a flash, but that was not the only thing we voted on. We also voted on extending \$20 billion to Iraq for reconstruction.

I think it is a noble effort we are making to show we care about other

people, but we also have to care about the people here. We also have to worry about the schools here that are crumbling, schools where it is hard to learn. We also have to understand that when we say Leave No Child Behind, we mean all the children, and we need more funding to do that. That has to be paid for. We do not seem to have the funds for that.

Thank goodness we have Social Security surpluses we can borrow from—money we can take from the senior citizens, those who are here now and those in the future. So we borrow money from one place and then we lend or give that money to another place, to Iraq, to make sure they have schools and garbage trucks. And I do not mean to diminish that. I think it is important to show we care about those people, but we ought to be a little more inventive in the way we do it. We ought to be able to find the kind of support we need, true support, in the United Nations which we scorned so much as we were preparing to go to war.

I was a supporter of the war, so I cast a vote I feel very good about. I thought very carefully about it. I wore a uniform, as I said before. I wore it during the "Big War." I enlisted at the end of 1942 and got out in 1946. I am very attached to the military and the responsibility they have.

Well, the vote has been cast and shortly, we will be distributing a total of \$87 billion for reconstruction aid and for the resources our military men and women need.

Mrs. CLINTON. Mr. President, we have had a busy week as we have considered the \$87 billion request from the administration. There has been a great deal of debate. A number of amendments and senses of the Senate have been voted on. In the end, we were faced with the difficult choice as to whether we would or would not support this request by the administration.

I have the greatest respect for my colleagues who voted against this \$87 billion. I listened with great interest and attention to my friend and colleague, Senator LEAHY, as he laid out a compelling argument with a number of points concerning the reasons why he voted against the request for \$87 billion.

I know, from having heard the brief remarks of the Senator from Florida, that in a few minutes we will hear his usual thoughtful exposition as to why he, too, voted against the \$87 billion.

I think it is imperative we all agree that, whichever way one of us voted, for or against this funding, all of us are united in our support for our brave men and women who are literally risking, and all too tragically losing, their lives on a daily basis in Iraq.

This was a very difficult vote for many of us. There are those of us, such as myself, who voted to give the President authority. We disagree with the way he used that authority. We have many questions, and still most are unanswered, about the choices the President and his team have made over the

last year. But the idea of giving our President authority to act in the global war against terrorism, if necessary in his opinion, against Saddam Hussein, was one I could support and I did so. In the last year, however, I have been first perplexed, then surprised, then amazed, and even outraged and always frustrated by the implementation of the authority given the President by this Congress.

One can agree on the goal that was adopted in 1998 for regime change. I, for one, am in the camp that believes the world is better off without Saddam Hussein at the helm of a dangerous, tyrannical regime. But it is not enough to say you support the goal. There are many different obstacles and difficulties and choices on the way to achieving that goal that have both intended and unintended consequences.

A number of my colleagues have addressed the concerns arising out of the use and misuse of intelligence. I, for one, have said repeatedly the intelligence about the threat posed by Saddam Hussein had been consistent—consistent through three administrations: the first Bush administration, the Clinton administration, and now this administration.

There was a consensus there had been and were continuing to be programs devoted to the creation of weapons of mass destruction. We certainly knew, as the world saw, that this man had no compunction about using them.

Nevertheless, I think it is clear, and it is not just a mistake, it is not just a wrong assessment—I think now it is clear that, for a combination of reasons, the administration gilded the lily, engaged in hyperbole, took whatever small nugget of intelligence that existed and blew it up into a mountain, in order, I suppose, to make the case more strongly and convincingly to the American people. But at what a cost? The cost of our credibility, the cost of our national leadership, and even more so the cost of perhaps not being able to take actions in the future that are necessary to our well-being and our interests because we may look like the nation or at least the administration that cried wolf. It is a big price to pay.

Yet continually, rather than saying what I think all of us would agree, the consensus turned out not to be right. There were some, such as my good friend from Florida, who at the time was serving as the chairman of the Intelligence Committee and was in a position to see all the different interlocking facts, who said: Wait a minute. We are heading off in the wrong direction. We are jumping on the wrong horse.

But for many of us, looking at the intelligence, being briefed continually about what the threats were, being told by the highest levels of our Government in public and in private that we were facing an imminent threat, it certainly seemed like a bet on which nobody—at least speaking for myself—wished to be on the wrong side.

I think there would be considerable understanding on the part not just of Members of Congress but of the American public if leading members of the administration would now come forward and say: You know, we may have gotten overly invested in the intelligence. We may have gotten a little ahead of the game. We may have seen more than there was, and we perhaps said a few things and made some claims that we can't support—whether it is uranium in Niger or links with al-Qaida by Saddam Hussein—but the fundamental fact remains that this man posed a threat to his neighbors. There is no doubt in anyone's mind—because we had already seen him use it—that he would have employed weapons of mass destruction at some future date. Although we may have gone a little too far, we believe we made the right decision.

But you do not hear that from this administration. This administration never makes a mistake, in their own eyes. They are never willing to back off. They have the Vice President still going on national television shows repeating discredited intelligence. That is not free. That is costly. That sends a signal not just to those of us who serve and vote in this body, not just to the American public, but to the entire world that either there is an unwillingness to accept the evidence and the facts or there is a commitment on an ideological basis to a world view or a point of view that is wrong.

Time and time again, the administration has had the opportunity to level with the American people. Unfortunately, they haven't been willing to do that.

Among the many questions that I and others raised and the many criticisms we lodged against the use of the authority, which I and the majority of this body voted for, was the administration's aborting of the United Nations process and the inspections regime in order to launch military action.

There was never any doubt in anyone's mind with any knowledge of the American military what the outcome would be. I, for one, knew there was no worry whatsoever; that we have the finest equipped, trained, and motivated military probably in the history of the world, and they would do the mission they were assigned. So they did.

But all during the period from the voting on the authority to the end of organized major conflict, we kept asking questions: What are the plans once we know the military does the job it is sent to do? How many troops will we need? How long will they be there? What will this cost us in lives and treasure? Over and over, the answer we received from the administration was: We are ready; we are prepared. And oftentimes it came with an almost embarrassingly romantic view of this conflict—that we would be met by cheering and rose petals thrown in the streets, that we would be in and out

quickly, that the oil would be flowing. It sounded fabulous. But that is what it turned out to be, a fabulous fantasy.

It is hard for me to really understand how this administration, led by many—from the Vice President to the Secretary of Defense to others who have been committed to overturning the regime of Saddam Hussein since they made the mistake of not going to Baghdad in the first gulf war—could be so ill prepared. How on Earth? These people have spent 10 years obsessing over Saddam Hussein and Iraq. One would think they knew what they would do when they arrived.

They would not answer our questions, and all too often they would punish representatives of our civilian and military leadership who did answer the questions—most famously General Shinseki who told the truth about the numbers of troops it would take, and the number of years it would take, and was largely ignored or pilloried by this administration. How could they not have been prepared? How could they have turned their backs on the most obvious kinds of planning?

I know for a fact there were many from previous Republican administrations who came in over and over again and said: You are going to face a looting problem; You don't have enough troops for that; We have to be sure we can secure not just a couple of facilities but we need the troops to secure a number of the most important institutions—somehow they were not hurt, to say nothing of those from former Democratic administrations who offered the same advice.

We have the President land on the aircraft carrier, We have him declare the end to major conflict, and here we are months later losing on average a soldier a day, seeing the maiming and disabling of hundreds more, being asked to spend, last spring, \$70 billion in a supplemental to sustain our military function and now being asked to spend \$87 billion, \$67 billion, approximately, for our military and \$20 billion for necessary functions on reconstructing Iraq.

Given the level of criticism that I and others feel about this venture and its failure, it is hard not to see this \$87 billion as anything but a bill for failed leadership. Yet I, for one, believe this mission in Iraq is too important for failure. If we do not stabilize Iraq, if we do not protect our forces, if we do not clearly send a signal to the Iraqi people who are and certainly will be better off because of the removal of Saddam Hussein, we will not just have failed in this mission, we will have undermined our long-term stability and we will certainly have created a more dangerous world despite our efforts to avoid that.

I understand very clearly the anger and frustration my constituents and Americans across the country feel about this \$87 billion. I share it. It is really hard to vote for this money. It is hard because you wonder what is going to actually be accomplished with it

given the poor track record of this administration. You wonder how you can justify it in the face of the irresponsible fiscal policies of this administration that has undermined our present obligations and our long-term economic security. You wonder how you can possibly support this request when you know you don't get the straight story out of this administration time and time again. Yet, at the same time, it is hard to walk away now. In fact, I don't think we can.

Yes, we have not found the weapons of mass destruction, but we are there. No, we do not really have any links between al-Qaida and Saddam Hussein to be proven, but we are there. We have not stabilized the country and we have not even secured the weapon caches all over the country, but we are there. It is just hard to accept that we are there without an adequate plan and understanding of what it will take to be successful.

The fact that the administration purposely left the impression that there would be a quick victory and our troops would be home in no time is very hard to accept for a lot of the husbands and wives and mothers and fathers and sons and daughters of the people serving. We have all read the story today from the interviews done by Stars and Stripes, the newspaper of the Army, reporting in great detail about the questions and concerns and poor morale of many of our soldiers and other forces in Iraq.

I understand completely why people are frustrated and angry, but I don't think we can allow our frustration and anger with the administration to undermine our commitment to our country and our national security.

So what is it we are called upon to do? For me, the choice as a member of the Armed Services Committee was to support the money for our troops, wondering, though, as I did, why so many of them still do not have the body armor they should have to protect themselves against Iraqi attacks and hoping they will shortly. We certainly put enough money into the defense budget in the last 2½ years to at least equip every one of our soldiers with adequate body armor.

I also know that we do have to work to help reconstruct Iraq. We are the only people who can and will, in part because the administration has alienated those who would have been our natural allies. It is frustrating for many, but I don't think we can at this point fail to pay this bill of \$87 billion for failed leadership.

We have to put the administration on notice that this vote, 87 to 12, was a vote for our troops, a vote for our mission. Speaking as one of those who cast a ye vote, it was not a vote for our national leadership. We not only can but should expect more than we have been given.

While we confront the reality of our present situation in Iraq, we cannot find ourselves in this position again.

Many will no longer be able to support this administration if they do not start listening, occasionally even admitting when they make a mistake that has life-and-death consequences, reining in their most rabid neocon ideologues when they try to "out" CIA operatives or continue to claim nonexistent links between the global war on al-Qaida and everything else that happens in the world.

I hope the administration understands the level of frustration and anger that is out there. It is not just Democratic frustration and anger, it is not just partisan, it is across the board, people wondering: Where are we going? How will we even know when we get there? Did we take on this incredible responsibility under false pretenses?

I hope the administration will build on the vote in the United Nations that gives us at least the opportunity of lessening the burden and the costs by sharing it with others who should also have a stake in a free and functioning Iraq. I hope the administration will change course when it comes to working with the rest of the world and start acting more like allies instead of bullies. We cannot keep on this path and sustain the support of the American people. That is my most important point.

I have had the great privilege of not just traveling around the country but spending a lot of time in every State in our Nation. Now I have the great honor of representing the most diverse place in America, the State of New York. Americans are not only patriotic in the best sense of the word but they are so compassionate and caring about other people. What other country would free a people from tyranny and then reach into their own pockets to help build schools and hospitals and roads and fix the electric grid? Americans do not begrudge that. But they want to feel they know where we are headed, that their Government is leveling with them.

They also wonder and ask me, How come we are spending \$5 billion to fix the electric grid in Iraq and we have not spent any money to fix our electric grid in the United States? We are building schools and we have schools falling down here. We are building hospitals and we have hospitals under all kinds of pressures here. Those are totally legitimate questions. They will not go away.

One of the greatest issues for us to address is how we will provide for the needs of the American people while we spend this money abroad. Americans will stay with you, Americans will be with you and support you, if they understand where we are headed and why it is important to our future.

On that count, this administration is losing the confidence of the American people even though the mission we face in Iraq is essential, in my view, to the long-term safety and security of our country and the leadership America should provide to the world.

This is not just about money. It is not even, tragically, about the lives we

lose and the issues we confront in trying to stabilize and build Iraq. It is about whether this administration can repair the trust it has lost with the American people. I hope it can because I don't think it is in anyone's interest to have the President of the United States and his top team viewed as having misled our Nation and having alienated the rest of the world.

We are in for a long-term battle in the war against terrorism. I take it very seriously. We have determined and ruthless adversaries out to destroy our way of life, inflict violence on as many Americans as possible. I take a back seat to no one in my resolve to root out and destroy global terrorism. My question is, What is the right way to do it? And how do we prepare the American people to stay the course for what will be a long, protracted struggle?

I worry deeply that this administration is undermining both our ability to win the global war on terrorism and the trust that is needed to keep the American people committed.

So I cast a vote for this supplemental for our troops and for the work that has to be done in Iraq. But I cannot endorse this administration's plans and policies very much longer if they do not recognize the reality of what we confront, not just in Iraq but elsewhere in the world and here at home.

The administration has forced false choices on this Congress and our country. It is very difficult for me, having represented New York during the horrors of 9/11, to realize that we had the will and good wishes and support of the rest of the world and we have dissipated that. We desperately need it in this war against terrorism.

This may be reported as a resounding victory for the administration—a large vote—but I do not think it was. I think this was, first of all, a vote for our troops, a vote to continue to provide the funding they need to protect themselves and to fulfill their mission. It was a vote to take responsibility for what does need to be done in Iraq. There is not, in my view, any doubt about that.

But the debate in this body, and the frustration, and even anger across the country shows clearly that it was not a vote of confidence in the administration's leadership. That needs to be won back by their actions going forward. And it is essential that they attempt to do so.

We cannot fail in Iraq. We cannot fail in the war against terrorism. Ultimately, we must not fail our own people. The American people deserve better. I hope the administration recognizes and accepts that.

The last 2 years that I have had the privilege to serve in this body have been very emotional ones—the attacks of 9/11; the military action in Afghanistan; the action in Iraq; the destruction of our budget surplus and plunging

our Nation into huge deficits and burgeoning national debt; the undermining of the future, in my view, of this generation.

I come not as a partisan but as an American to say, we have to do better. I hope this administration will do so.

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

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM of Florida. Thank you, Mr. President.

Mr. President, I rise this evening to elaborate on my vote against the \$87 billion supplemental appropriations for the occupation and rebuilding of Iraq and Afghanistan.

This supplemental appropriation raises significant domestic issues for the United States as well as the fundamental question of what will be required for an honorable completion of our responsibilities in Iraq and an expeditious exit.

The domestic issues include an enormous addition to our national debt. This year's deficit is now estimated to surpass last year's record-setting deficit of \$455 billion. With this additional \$87 billion, we are imposing another crushing burden on our children and grandchildren while assuring that we will escape most of the cost.

The President, with our concurrence, has avoided any sacrifice by most Americans, including the sacrifice of paying for the occupation and reconstruction of Iraq. This is in sharp contrast with previous occupations and reconstructions such as the Marshall plan.

The Marshall plan, from 1948 to 1952, was paid for by the generation of Americans who were in this country through the period at the end of the Second World War. In fact, the national debt—that debt owed to the public—actually was lower in 1952 than it was in 1948.

But today the only Americans who are being asked to sacrifice are our brave men and women in uniform and their families, and our children and grandchildren who will eventually be called upon to pay this crushing debt.

A second domestic reality is that while American roads, bridges, schools, water and sewer lines, and electric grids are deteriorating, there will be scant Federal funding to contribute to their reconstruction because we are making the decision that it is more important to rebuild Iraq. And we are making the decision to do it alone.

In spite of my great concern about those domestic implications, I would be prepared to vote for the \$87 billion of unpaid funds in this supplemental appropriations bill if I had been satisfied that it would achieve the goal of an honorable and expeditious exit from Iraq. However, it is my assessment that it will not do so. Rather, it could well extend our Iraq occupation into a 21st century sequel to Vietnam.

It is my firmly held belief that we need to extricate ourselves from the

quagmire that our policy has created in Iraq. We need to refocus our foreign policy on the greatest threat facing Americans at home and U.S. interests abroad: the networks of international terrorism. We must restart the war on terrorism, which has effectively been in abeyance since this administration shifted our military and intelligence resources from Afghanistan to Iraq in the spring of 2002.

As I have said previously, that shift was misguided. We have allowed al-Qaida to regenerate. We have allowed other terrorist networks—Hezbollah, Hamas, Palestinian Islamic Jihad—to continue their devious plotting against us and our allies.

We still have not caught al-Qaida's and the Taliban's senior leaders, including Osama bin Laden and Mullah Omar. We are witnessing a resurgence of the Taliban in Afghanistan. International terrorists operating from the sanctuary of Syria are now targeting United States citizens. As a result, we have again been forced to endure bombings and significant loss of life in Riyadh, Israel, the Gaza Strip, and elsewhere.

Last October, I voted against the resolution authorizing the use of force against Saddam Hussein's regime. I argued at the time that there was no question that Saddam Hussein was anything other than an evil man but, further, that he lived in a neighborhood with many evil men and women and that we needed to remain focused on the war on terrorism in order to deter additional attacks, such as the tragedy our Nation suffered on September 11, 2001.

In fact, I offered an amendment to the Iraqi resolution to expand the President's authority to use force against al-Qaida to include five other terrorist networks that pose immediate threats to America.

In the rush to war in Iraq, the amendment failed. I am tempted to offer that amendment again to emphasize we need to disengage from Iraq as quickly as we can honorably do so and to restart the war on terrorism, a war against our real enemies, not those with phantom weapons of mass destruction.

I say: Let us take President Bush at his word, at least the words he uttered 9 days after the tragedy of September 11, when he told a joint session of Congress:

Our war on terror begins with al-Qaida but it does not end there.

It will not end until every terrorist group of global reach has been found, stopped and defeated.

In his State of the Union speech on January 29, 2002, President Bush restated our priority:

Our Nation will continue to be steadfast and patient and persistent in the pursuit of two great objectives.

First, we will shut down terrorist camps, disrupt terrorist plans, and bring terrorists to justice.

And, second, we must prevent the terrorists and regimes who seek chemical, biologi-

cal or nuclear weapons from threatening the United States and the world.

Frankly, I did not offer my amendment, although I thought it would have provided the legal basis for the President's objectives to be accomplished, because I knew my amendment would fail. It would fail because a coalition from the right, which has elevated the war on Iraq over the war on terrorism and now is attempting to confuse the difference between these two, with a coalition from the left which opposes any increase in President Bush's authority to use U.S. military force. So I did not offer the amendment. But I will remain true to my convictions, as I voted no on this supplemental appropriations bill.

I know a vote against this bill will be described as a vote against our troops. I would say, however, the best way to support our troops is to get other soldiers from other nations into Iraq. First, we need troops from other nations as an addition to the presence of military force in Iraq to increase security and, hopefully, end the shooting gallery which we have forced our brave men and women to endure. I would suggest an additional 50,000 troops are needed to secure the peace.

Second, we need to get additional foreign troops on the ground to substitute for American troops so our soldiers, our men and women who have been enduring long deployments in hot, dangerous conditions, can begin to rotate home. These additional foreign troops should number between 50,000 and 100,000.

Secretary Powell's efforts at the United Nations resulted yesterday in a unanimous vote by the Security Council. But that vote was immediately followed by firm statements from the French, the Germans, the Pakistanis, the Russians, and others that they will not lend additional troops or financial aid to the occupation and reconstruction of Iraq. The fact that the Security Council passed a resolution is commendable, but not one of the 100,000 to 150,000 foreign troops needed to secure Iraq and relieve our troops has been provided.

Without commitments of troops and Euros and rubles and rupees, there will be no additional protection or burden-sharing for U.S. troops who are on the ground in Iraq.

I warn my colleagues, I have detected two clocks ticking on our almost unilateral occupation of Iraq. The first clock is the increasing reluctance of other countries, countries which are capable of doing so, to participate in the occupation and rebuilding of Iraq. If the United States had requested immediately after the war that these countries participate and did so under respectful conditions, it is quite likely we would have significant support on the ground in Iraq tonight. However, almost 6 months later, as the violence and the cost of occupation and restoration in Iraq accelerates, those nations

capable of sharing the burden and willing to do so have shrunk. On the current course their number may evaporate.

The second clock has been the declining support of the American people, as evidenced by recent polls. The decline has steepened since the President's request for this supplemental spending bill was announced during a televised address on Sunday, September 7, of this year. Here are the poll numbers. When Americans were asked, do you approve of the President's policy in Iraq, as recently as April, 75 percent of Americans answered yes. By June, that 75 percent had declined to 67 percent. From the latest poll, which was published on October 14, just 50 percent of Americans said they approved of the President's policy in Iraq. Clearly, the American people are not willing to write a blank check for rebuilding Iraq when we have so many unmet needs here at home, when the cost of that occupation has been so great in terms of loss of life and American dollars.

A component of this second ticking clock is the ominous state of morale among our troops in Iraq, as found in a nonscientific survey conducted by the military newspaper, Stars and Stripes.

This survey demonstrated that fully a third of regular Army troops described their morale as either low or very low. Among reservists and National Guard members, 48 percent, almost half, described their morale as low or very low.

I ask unanimous consent to print a copy of an article from the October 16 issue of Stars and Stripes in the RECORD.

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

[From the Stars and Stripes, Oct. 16, 2003]  
IN SURVEY, MANY IN IRAQ CALL MORALE LOW;  
LEADERS SAY JOB IS GETTING DONE  
(By Ward Sanderson)

What is the morale of U.S. troops in Iraq? Answers vary. High-ranking visitors to the country, including Department of Defense and congressional officials, have said it is outstanding.

Some troops on the ground have begged to differ, writing to Stars and Stripes and to others about what they call low morale on their part and on the part of their units.

There was a correlation between such things as local services and release dates on the one hand, and morale on the other.

Stars and Stripes sent a team of reporters to Iraq to try to ascertain the states of both conditions and morale. Troops were asked about morale, among many other issues, in a 17-point questionnaire, which was filled out and returned by nearly 2,000 persons.

The results varied, sometimes dramatically:

Among the largest group surveyed, Army troops, the results looked much like a bell curve. Twenty-seven percent said their personal morale was "high" or "very high." Thirty-three percent said it was "low" or "very low." The largest percentage fell in the middle, saying it was "average."

Among the second largest group, reservists and National Guard members, the differences were much starker. Only 15 percent said their own morale was "high" or "very high,"

while 48 percent said it was "low" or "very low."

Among Marines, the next largest group, 44 percent said their morale was "high" or "very high," and only 14 percent said it was "low" or "very low."

Among airmen, the smallest of the four major groups surveyed because fewer questionnaires were allowed to be circulated to them, the results were also very positive. Thirty-nine percent said their morale was "high" or "very high," and only 6 percent said it was "low" or "very low."

Very few Navy servicemembers could be found to question in Iraq.

The questionnaire findings can't be projected to all the servicemembers in Iraq. Still, the reporting of "lows" among the two largest groups surveyed, Army and Reserve/National Guard, seemed significant. The views of these troops, at least, appeared to contrast sharply with those of the visiting VIPs.

Respondents to the survey were not given a definition of morale. They responded according to what they interpreted the word to mean. Some believe morale reflects the degree of well-being felt by the servicemember. On the other hand, commanders say that in measuring morale, they want to know if the servicemember is following orders and getting the job done.

Lt. Gen. Ricardo Sanchez, the top U.S. officer in Iraq, said that low morale isn't an issue because troops are fulfilling the mission.

"Morale is . . . not necessarily giving them Baskin-Robbins," he said in a Stars and Stripes interview. "Sometimes it's being able to train them hard and keep them focused in a combat environment so they can survive."

"So as its most fundamental level within our Army, taking care of soldiers and their morale could have very few worldly comforts. But the morale of the soldier is good. He's being taken care of, he's accomplishing his mission, he's being successful in the warfighting."

Other military leaders say they are always looking at ways to improve the morale of their troops. "Morale begins with caring leaders looking their soldiers in the eye," said Lt. Col. Jim Cassella, a Pentagon spokesman. "When senior leaders visit the troops in Iraq, they relate that the troops tell them that moral is good, a fact that's backed up by re-enlistment and retention rates."

(These rates have been acceptable or good for the services overall. Figures for re-enlistments in Iraq are not available yet, officials said. In the Stripes survey, half or more respondents from the Army, Marines and Reserves said they were unlikely to stay in the service. Officials say reenlistments normally drop after conflicts.)

Cassella said that leaders visiting Iraq seek out the opinions of troops. Some say the views expressed may be distorted as a result of the nature of the get-togethers, "dog and pony shows," in the words of combat engineer Pfc. Roger Hunsaker.

"When congressional delegations came through," said one 36-year-old artillery master sergeant who asked not to be identified, commanders "hand-picked the soldiers who would go. They stacked the deck."

Others on the ground in Iraq think top leaders are right more times than they are given credit for.

"I heard that reports/politicians were trying to say morale was down out here," Petty Officer Matthew W. Early wrote on his questionnaire at Camp Get Some in southern Iraq. "What do people back home expect us to feel after a war? Are we supposed to be as happy here as we are with our friends and families back home? Hell no."

"Of course, when confronted by reporters, we're going to voice our opinions about our situation. Unfortunately, some people like to complain about how they live or what they don't have. The complaint concerning morale is the voice of the minority, not the majority."

In the Stripes survey, troops consistently rated their unit's morale as lower than their own. John Kay, marketing director for the Army Research Institute, said, "Soldiers always rate self [personal] morale higher than unit morale. This is nothing new."

Troops may wish to report what they perceive as the true morale situation without getting themselves into trouble, a way of saying, "I'm OK, but the unit's not."

Some of the gap can also be the result of hearing other troops complain, compounding the impression that unit morale is low, even if each complainer believes his or her own morale is better.

"Both are true," said Charles Moskos, a military sociologist with Northwestern University.

The military studies morale regularly, but "the further you go up the chain in the officer corps, the reality of day-to-day morale cannot register completely," said Lt. Col. Daniel Smith, retired chief of research for the Center for Defense Information. "Whereas when you talk to the platoon sergeants, platoon leaders and even company commanders, you get a better sense of the true state of affairs. Do the weapons work? Are they getting hot meals? Are they getting enough rest? Are their leaders competent and not taking unnecessary risks?"

Unlike some officials who have visited Iraq, Defense Secretary Donald H. Rumsfeld, during a September stop in Iraq, spoke not about morale per se, but about the importance of the mission and about sacrifice.

"You're people . . . who weren't drafted, you weren't conscripted, you searched your souls and decided that you wanted to step forward and serve your country," he told the 4th Infantry Division, according to a Pentagon transcript.

Another speech to air assault soldiers of the 101st Airborne division echoed the sentiment:

"The important thing I would also add is that every one of you is a volunteer. You all asked to do this, and that is impressive and it's appreciated."

Mr. GRAHAM of Florida. At this stage we have two options in the conflict that has engulfed us in Iraq. We can continue to carry on unilaterally, which is the course we have taken, a course which, in my judgment, will be continued through this \$87 billion supplemental appropriation; or, second, to the maximum degree possible, pursue a real internationalization of the occupation and reconstruction of Iraq, a sharing of the burden of blood and treasure and responsibility for decisionmaking while also including a central role for Iraqis in determining the future of their country.

Of these two options, the second, the commitment to real internationalization, has significantly more potential to get us out of Iraq as honorably and as expeditiously as possible. If we do not change from our current unilateral course, we will continue to bear the unilateral burdens alone: One soldier killed per day, 10 soldiers maimed per day, an increasing cost of occupation. Last year the occupation cost \$1 billion a week. Under the supplemental appropriation we have just voted, it will now

be \$1.3 billion a week. The total cost of reconstruction, including the funds we have just voted, through September 30 of next year will be almost \$25 billion.

This administration has avoided answering the question: How much will we spend before we exit Iraq?

As a result, I am concerned that this \$87 billion supplemental appropriation is in essence a blank check for the President's failed policy. It will remove a substantial portion of the pressure for real progress in the internationalization of the occupation and reconstruction efforts directed at Iraq. Passage of this supplemental spending bill will remove the incentive for this administration to negotiate.

Mr. President, the reality is that it is only through significant international troops and money, only with significant decision sharing by the United States with those foreign countries that our Nation has any reasonable expectation of an honorable and expeditious exit from Iraq.

This appropriation leads us in the opposite direction. We will do it alone. It will increase the risk to our brave soldiers. It will unnecessarily transfer reconstruction costs to the U.S. taxpayer, and it will lengthen the time when the United States can honorably and expeditiously leave Iraq.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TODAY IN CONGRESS

Mr. FRIST. Mr. President, today has been a very good day in the Senate, as well as in the House of Representatives, with a strong bipartisan majority vote in both Houses of Congress approving the funds necessary to support our soldiers and civilians serving in Iraq and to move quickly to stabilize Iraq and Afghanistan.

I believe this is a major victory for the President of the United States in his efforts to bring stability and peace to Iraq.

Personally, I am very pleased with the overwhelming bipartisan support for the President's proposal in the Senate. When the package was first sent to the Hill several weeks ago, very few thought it possible. We have had to make a number of difficult votes and, indeed, we worked very late last night, into the early hours of this morning, completing this bill, now, just several hours ago.

I am certain the Senate- and House-passed bills will allow us that opportunity to negotiate a final legislative package that, indeed, will give the President everything he requested.

It was important to do. It was important to complete this legislation today

especially, not only to get the money to our troops as soon as possible and to rebuild the civilian infrastructure in Iraq as soon as possible but also because of the donor conference in Madrid next week.

The President, indeed, has made a strong stand for freedom and democracy in Iraq, as well as Afghanistan, and he has taken forceful action against brutality and terrorism in the region, and by doing so has made America safer and our citizens more secure.

Indeed, we are at war in Afghanistan as well as Iraq. The funds in this legislation provide both the direct support for our soldiers, as well as an investment in creating a safer environment in the countries where they serve. The legislation will make them safer and, in all likelihood, will get them home sooner.

I also want to take this opportunity to commend Senator STEVENS for his tremendous leadership on this particular legislation, as well as Senator WARNER and Senator MCCAIN and Senator MCCONNELL, all for their tireless efforts to pass this emergency funding request.

#### MEASURE RETURNED TO THE CALENDAR—S. 1689

Mr. FRIST. Mr. President, I ask unanimous consent that the vote on final passage on S. 1689 be vitiated and that the bill be returned to the calendar.

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

#### MORNING BUSINESS

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

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

#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Pittsburgh, PA. On April 19, 2002, Adam Bishop was bludgeoned to death with a claw hammer by his own brother, Ian Bishop, 14, and alleged accomplice Robert Laskowski, 15. As several witnesses testified, the killing was because Ian thought his brother was gay. The victim was struck by his brother at least 15 times with the hammer and was moved to various parts of the home before he was left to die in a bathtub.

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.

#### DISARMING DOMESTIC VIOLENCE ABUSERS

Mr. LEVIN. Mr. President, last week the Brady Campaign to Prevent Gun Violence United, with the Million Mom March, released a report entitled "Disarming Domestic Violence Abusers." This report provides a guide for closing loopholes in State gun laws that allow domestic violence abusers to purchase or possess firearms and offers Congress some insight into how to help our States effectively enforce gun safety laws.

Under current Federal law, domestic violence abusers subject to restraining orders or convicted of domestic violence are prohibited from owning guns. Despite the law, some domestic violence offenders continue to gain access to firearms.

The Brady report proposes a number of ways to keep guns out of the hands of domestic violence offenders. Among the suggestions are ensuring that restraining orders clearly state that the possession of a firearm is prohibited and that restraining orders be entered into state and national databases used to conduct background checks on gun sales. Further, the report recommends that law enforcement remove firearms from the scene of domestic violence incidents. Finally, stopping domestic abusers from buying additional guns requires background checks on the sale of all firearm transfers, including those that take place at gun shows.

The deadly combination of domestic violence and guns put many women and families at great risk. While Federal laws provide a general framework to prevent abusers from purchasing or possessing firearms, the Federal laws will not be effective in protecting women from armed abusers until every State enacts complementary laws. I urge my colleagues to read the Brady Campaign's report and to support Federal efforts that assist States with enforcing our Nation's gun safety laws.

#### NANOTECHNOLOGY

Mr. WARNER. Mr. President, recently I hosted a luncheon of the American Chemical Society on nanotechnology. It was a pleasure to be in the company of so many brilliant minds, and those concerned with the technological and economic future of our Nation.

Of all the areas of scientific innovation being developed today, none is more profound than nanotechnology. The ability to manipulate individual atoms is unprecedented in human history and could lead to the redesign of



most products we know of today. Some have even said it could lead to the "Second Industrial Revolution." Its scope is nothing other than breathtaking.

In the area of national security, nanotechnology has been identified as one of the most important strategic research areas. Revolutionary applications could include: very lightweight but extremely strong armor, vastly smaller and more powerful computers, microscopic sensor systems, and tiny unmanned vehicles. These could provide vastly increased capabilities for our armed forces. Conversely, to fall behind in these new areas will present us with a critical security risk.

Unfortunately, the United States is no longer the only world leader in many areas of nanoscience, as many countries have recognized its importance and are greatly increasing their funding. With stakes this high, we must pay close attention to the choices we make.

I understand the stakes and stand four-square behind public-private efforts to keep America in the lead in nanotechnology. Just as we led the industrial revolution, America will lead this new scientific revolution for the benefit of generations to come.

#### RETIREMENT OF MG ARNOLD PUNARO

Mr. WARNER. Mr. President, I was privileged to attend the retirement ceremony of MG Arnold Punaro from the U.S. Marine Corps on September 19, 2003 at the Marine Barracks here in Washington, DC. General Punaro is known to many here in the Senate from his outstanding service of many years as staff director of the Senate Armed Services Committee and on the personal staff of Senator Sam Nunn. I ask unanimous consent that there be printed in the RECORD, at this point, portions of the remarks made at the ceremony by Gen. James L. Jones, Supreme Allied Commander, Europe and Commander, U.S. European Command.

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

REMARKS OF GENERAL JAMES L. JONES, SUPREME ALLIED COMMANDER, EUROPE AND COMMANDER, U.S. EUROPEAN COMMAND

The real reason we are all here is to pay honor to a true patriot who has given so much of his time and talent to our Nation, and to each of us . . . Major General Arnold Punaro, United States Marine.

We also honor an exceptional family, which has supported him through his life in the "public sector" of Capitol Hill and in his career in the U.S. Marine Corps. Jan Punaro stands in no shadow among spouses who deserve our eternal gratitude. Her support to Arnold, through his "many" simultaneous careers, has been remarkable.

Arnold has been a marine since 1968, a personal staff member for Senator Sam Nunn for 24 years, a minority and majority staff director of the Senate Armed Services Committee for a total of 15 years, a member of Georgetown University's adjunct faculty for ten years, and a most valuable "utility in-

fielder" of the Department of Defense on a wide range of issues all having to do with transformation, long before the term itself became popular.

As a marine, Arnold Punaro has literally "done it all" . . . Republic of Vietnam combat leader, wounded and decorated, the Marine Corps basic school "staff protocol officer." Upon leaving active duty, he went into the reserves where he saw active duty in Desert Shield/Desert Storm, and in the Balkans where he battled the largest snow storm ever to hit Zagreb. He has participated in the Marine Corps transformation starting back in 1995 until today. In 1997 he chaired the "Defense Reform Task Force" for Secretary Cohen and produced a document that remains very current. He also participated in the Hart-Rudman Commission, and currently serves on the Secretary of Defense's newly formed Defense Business Board.

In the public sector, Arnold Punaro started his post-active duty life working for Senator Sam Nunn, rapidly rising from press secretary to foreign policy/national security legislative assistant on the Senator's personal staff, before moving to the Senate Armed Services Committee and its leadership positions as Director for both the Minority and the Majority. The legislation produced during his time on the committee was both historic and transformational. Let's be clear . . . where we are today in our military has a lot to do with the fact that Arnold Punaro was where he was in a very important time for each of our services, starting with the all-volunteer force and Goldwater-Nickles legislation.

Arnold Punaro is currently serving as the Director of Reserve Affairs at Headquarters Marine Corps. He has been instrumental in bringing the "Marine for Life Program" to fruition in these past few years, for which I am sincerely grateful. Marines now can have a lifelong association with the Corps regardless of their career pursuits. Always a passionate advocate, Arnold Punaro's well known compassion for the lives of soldiers, sailors, airmen, and marines and their families defines him in all that he is and cared about.

As an adjunct professor (with one bachelor of science and two masters of arts) at my alma mater, Georgetown University, for over ten years he helped mold and shape the minds of our future leaders on national security issues.

For all he has done in his short life, Arnold Punaro has always found time for his family . . . the son of Angelo and Anina Punaro, first generation Italian-Americans from southern Italy, who watched with great admiration as young Arnold grew into manhood and became a United States Marine, going off to war in 1967.

His company commander in Vietnam, COL Jim Van Riper, and his wife Connie, are here today to pay tribute to this great American, and we welcome them back to this post where they served with distinction in the early 70's. We're all proud of Arnold and Jan and their children, especially as we celebrate the safe return of 1LT Joe Punaro, USMC from Operation Iraqi Freedom where he served at the front of Marine lines in the capture of Baghdad. Joe . . . welcome home, we're all very proud of you and your Marines.

Arnold, it is a special honor for me to be able to be here today. We've known each other for 24 years, and for 24 years I've been privileged to have a front row seat which has allowed me to witness your very significant contributions to our Nation, both in and out of uniform. Very simply, you have been and remain today a special asset, and people who make the big decisions, who need the really good advice, the thoughtful consideration on

difficult issues, turn to you knowing that you will always give straightforward, thoughtful, and forthright advice. In this respect, you are in a class by yourself.

You stand here today, in our eyes, as a great Marine. The Corps has benefitted from your wise advice for many years, through both good times and bad times, and we are all the better for all you have contributed. You represent the finest example of the concept of the citizen-soldier by your selflessness and your dedication to, simply, but relentlessly, trying to do the right thing . . . regardless of the difficulty or the popularity (or lack thereof) of a given position.

All of us known full well why we are here today, and it is simply for this reason, to honor you, Jan, and your family; to say thank you for all you have done for all of us; and to wish you well in all you will do from here on out. There is still much more to be done.

Ladies and gentlemen, as you know, "semper fidelis" means "always faithful." Those words seem awfully appropriate today as we honor Major General Arnold Punaro.

Well done, my friend, well done!

#### ARABIA MOUNTAIN

Mr. CHAMBLISS. Mr. President, a mere 20 minutes from the steel and concrete economic dynamo that is modern Atlanta, you can find a quiet refuge where history and natural beauty still exist side by side.

I speak of the area around Arabia Mountain which contains ecosystems home to endangered species, historic structures and archaeological sites. Its proximity to Atlanta makes it accessible to millions of Americans, but also puts it in danger of urban sprawl.

No strip mall should obliterate the ancient soapstone quarry which attracted Native Americans over 5,000 years ago. Nor should overdevelopment mar Arabia Mountain, the granite outcropping at the center of the area. This region contains much pristine land, farmland, and the charming town of Lithonia. Lithonia, home to many fine buildings made of locally quarried granite, has a name which means "stone city." The Arabia Mountain area still has a few farms from the days when it was the heart of Georgia's dairy industry, and has remnants of the 1820s Georgia Gold Rush which predated the more famous California Gold Rush by two decades.

If we are serious about preserving this irreplaceable history and environment, we must act to designate Arabia Mountain in DeKalb County as a National Heritage Area. This designation will help preserve the endangered and rare species which live nearby and save historic buildings from the wrecking ball. It will also allow the kind of smart development which preserves our heritage while allowing the kind of development which will provide jobs and growth for this beautiful region.

Arabia Mountain and its surrounding area are the result of over 400 million slow years of geological changes. Men have made an impact for the last 7,000 years. All this could be changed forever in another decade or so of uncontrolled growth.

The need for this action has generated support from both sides of the aisle, in Georgia, and both houses of Congress. I thank Kelly Jordan, chair of the Arabia Mountain Heritage Area Alliance, Mayor Marcia Glenn, of Lithonia, Vernon Jones, CEO of DeKalb County, Mark Towe and Glen Culpepper who all have provided strong support to this effort. I also extend my thanks to Congresswomen DENISE MAJETTE, for working so hard for this designation, as well as my friend and senior Senator from Georgia, ZELL MILLER, for supporting this designation.

Vernon Jones, CEO of DeKalb County says:

Nowhere in this great nation is a project more deserving of a National Heritage Area designation than this one. This began as a concept between conservationists, neighborhood activists, landowners and concerned citizens, and over the years has grown in scope to encompass some of the richest landscape Georgia has to offer. DeKalb County citizens voted to tax themselves to support this project. This local funding mechanism was absolutely critical to move this project forward. One visit to Arabia Mountain is all the proof anyone needs to demonstrate the great impact that may be achieved by diverse groups working together to preserve a truly significant natural heritage for future generations.

He is right. Let us act now to preserve this spot for succeeded generations and designate Arabia Mountain as a National Heritage Area.

#### ADDITIONAL STATEMENTS

##### A TRIBUTE TO LIL GREENWOOD

• Mr. SESSIONS. Mr. President, today I recognize the life and career of one of Alabama's musical legends, the great jazz singer Lil Greenwood.

Lil Greenwood is a living legend. She was born on November 18, 1923, as the youngest daughter of the late Maggie and Reverend Sylvester George, Sr. It was at her father's side, at the age of 3, that she began to sing in the church that he served.

A native of Prichard, AL she grew up in Mobile County and graduated from Alabama State College. Her talents were evident to all those who knew her. In fact, it was the encouragement and support she received from the Mobile County Schools Music Supervisor that fanned the flame of ambition within her, and it was a generous gift of bus fare from a former principal that allowed her to head to Oakland, CA to follow her dream.

It was in California that Lil Greenwood was to be "discovered." During a performance at the famed Purple Onion in San Francisco, she was heard by no less than the legendary Duke Ellington. Needless to say, the Duke was suitably impressed. After hearing her sing, he commented that "the girl has a voice that's a mixture of Marian Anderson, Ella Fitzgerald, Dinah Washington, and Mahalia Jackson." These

women were the embodiments of jazz and blues singing, and it is inconceivable that a greater compliment could have been paid.

Recently, my home State of Alabama passed a proclamation honoring Ms. Greenwood for her personal and professional accomplishments. In honor of her upcoming 80th birthday, I would like to take this opportunity to read that proclamation into the CONGRESSIONAL RECORD.

The Proclamation reads as follows:

Whereas, born Lillian George on November 18, 1923, a native of Prichard, Alabama in Mobile county and affectionately and professionally known as Lil Greenwood; and

Whereas, Lil received her grade-school education in Mobile County and graduated from Alabama state college; and

Whereas, she made her master-level vocal recording as early as 1950 and on such recording labels as Modern, Federal, Tangerine, and Columbia Records and also backed Ray Charles on Paramount Records; and

Whereas, Lil Greenwood was the featured vocalist with The Duke Ellington Orchestra and co-authored with Duke Ellington and Billy Strayhorn. She has performed in many places around the world, including the Far East and Europe. She has also performed at many famous spots statewide including, The Blue Note in Chicago, the Apollo in New York and in the San Francisco Bay-Area and Oakland; and

Whereas, she has appeared on numerous television shows including "The Tonight Show", with Johnny Carson, "Good Times," "The Jeffersons," "The Flip Wilson Show," and "Grady" and on stage she has portrayed major characters in such musicals as "Hello Dolly," "My People," "Buffalo Chips," "Wedding Band," "Back Alley Tales" and "Dark Symphony"; and

Whereas, Lil Greenwood returned home and remains an active and revered jazz singer in Alabama and has been inducted into the Gulf Coast Ethnic and Heritage Jazz Festival Hall of Fame;

Now, therefore, I, Bob Riley, Governor of the State of Alabama, do hereby proclaim July 28, 2003, as Lil Greenwood Day in the State of Alabama and encourage the citizens of Alabama to show their support.

As is obvious by the proclamation issued by the Governor of Alabama, Lil Greenwood has lived a life where her gifts have brought and still continue to bring joy to a great many people. It is only appropriate that we take the occasion of her upcoming birthday to recognize her for her contributions.●

##### IN HONOR OF DENNIS MAXWELL'S 75TH BIRTHDAY

• Mr. LIEBERMAN. Mr. President, today, a constituent of mine, Dennis Maxwell, will turn 75, and I would like to take this occasion to wish him a happy birthday. Dennis was born in New York City, but moved to Connecticut when he was six and grew up in Fairfield County. Dennis's mother, Marguerite Maxwell, was an accomplished classical pianist who founded the Westport School of Music, which thrives to this day. Dennis attended Yale University and received a bachelor's degree in Business Administration in 1950.

Dennis married his childhood sweetheart, Robin Tucker, and the two of

them headed to Texas, where he served in the Army as an intelligence officer during the Korean War. He and his wife contributed four children to the baby boom generation and lived for a time in Michigan. The Maxwells moved (back) to Connecticut in 1966.

Dennis has had a successful business career, working for companies like Scovill Manufacturing, which was founded in Waterbury in 1802, and N.L. Industries. For the past several years, he has run his own water conditioning business.

Andre Maurois wrote, "Growing old is no more than a bad habit which a busy man has no time to form." If that's true, Dennis may be turning 75, but he's not growing old. In addition to running a company, he is an avid golfer and more important active in his community. At Christ & Holy Trinity Episcopal Church in Westport, Dennis has been a vestry member, chaired the church's capital campaign, and served on several committees. When his beloved wife Robin became wheelchair-bound from emphysema, he raised the funds to put an elevator in the church. Sadly, she succumbed to the disease in 1997, after 46 years of marriage. In addition to his church-related duties, Dennis has served as president of the local Alcohol and Drug Dependency Council, and he has been on the board of Interfaith Housing, a not-for-profit ecumenical group that provides clothing and shelter for area homeless people.

Thoreau admonishes us to "Aim above morality. Be not simply good; be good for something." Over the course of his life, Dennis has been devoted to his family, his community, and his country. I think that counts as being "good for something," and I would like to join his children—Anne, Linda, Lisa, and Gray (who has worked here in the Senate for 19 years and is currently Senator LAUTENBERG's legislative director)—and their families and Dennis' many friends in wishing him a very happy 75th birthday.●

##### TRIBUTE TO JEAN SUTTON

• Mr. SHELBY. Mr. President, I rise today to pay tribute to a dear friend, Jean Elizabeth Rodgers Sutton, of Linden, AL. Jean Sutton died on Tuesday, September 16, at the age of 62.

Jean was born in Jackson, MS, and attended Hinds Junior College in Raymond, MS. She received a Junior College Press Association Scholarship to continue her education at the University of Southern Mississippi.

It was at the University of Southern Mississippi that she met her husband, Goodloe Sutton, and they were married in 1964 after Jean had graduated and worked for a year as editor of the Tylertown Times in Tylertown, MS.

After moving to Linden, Jean worked as a reporter for the award-winning Democrat Reporter, the weekly newspaper owned by her husband. She also taught girls physical education and journalism at Linden High School.

After teaching at Linden High School for two years, she began working full time for the Democrat Reporter where she served as managing editor.

Together, Jean and Goodloe worked as a husband-and-wife reporting team. In the 1990s, they successfully exposed corruption and a drug ring involving the Marengo County Sheriff's office, amid death threats and intense pressure throughout their community. Their investigative reporting led to an FBI investigation and the conviction of the county's sheriff in 1997.

Jean also found time to raise a family. She and Goodloe raised two exceptional sons. Their son, Howard Goodloe, is a graduate of Auburn University and I am pleased to have him as a member of my staff. He has served as my State Director since 2000. And, William Robert Sutton attends Southern Union Community College.

Jean Sutton was a good friend, a leader in the Linden community, and a role model for investigative journalists. Her tremendous courage, her hard work and sacrifices on behalf of her readers, and her dedication to her family serve as an example of excellence for every reporter, parent and citizen. She will be greatly missed by many.●

#### PRESIDENT OF THE ARIZONA FARM BUREAU RETIRES

● Mr. KYL. Mr. President, I would like to say a few words to my colleagues about a respected Arizonan, Ken Evans, who is stepping down as president of the Arizona Farm Bureau on November 1.

Ken has been a community leader, farmer, rancher, businessman, and agriculturist in my state of Arizona for many decades. As president of the Farm Bureau for the last 11 years, he has been an outstanding spokesman for the agricultural community. He has helped both the agricultural producers and the consumers of Arizona with his energetic leadership. His aid and advice were invaluable to me and other policymakers, both in the state and here in Washington.

I express my thanks for his service and wish him success in all of his future endeavors.●

#### TRIBUTE TO CHARLEEN COMBS AND BOB HARRIS

● Mr. BUNNING. Mr. President, I rise today in the Senate to honor and pay tribute to Charleen Combs and Bob Harris for each being named the Kentucky Small Business Person of the Year.

Almost 20 years ago, Charleen Combs and Bob Harris found themselves in a quandary. Their employer had been sold and was downsizing, but Charleen and Bob used this setback as a catalyst to strike out independently and started planning the formation for their own software development company. In Harlan, KY in 1983, Charleen and Bob established Data Futures Inc. Today, it

has carved its own sizable niche, producing and providing administrative software to K-12 school districts and health care facilities throughout Kentucky and other states.

Data Futures is an outstanding example of how two Kentuckians used their entrepreneurial talent, drive and vision to create opportunities not just for themselves, but for others. What began as a humble home-based computer services business almost 20 years ago is now a leading developer of management systems software for school districts in at least seven States.

Eastern Kentucky is fortunate to have Data Future as a home-based business. But more importantly, it is fortunate to have Charleen and Bob call Eastern Kentucky home. I appreciate their loyalty to Kentucky and their community. They have been a shining example of leadership, hard work, and compassion. They are an inspiration to all throughout the Commonwealth. Congratulations, Charleen and Bob. You are Kentucky at its finest.●

#### 100TH ANNIVERSARY OF THE FEDERATION OF INDEPENDENT ILLINOIS COLLEGES AND UNIVERSITIES

● Mr. DURBIN. Mr. President, I recognize and honor the Federation of Independent Illinois Colleges and Universities as it celebrates its 100th anniversary.

Founded in Chicago, the oldest private college association in the Nation has evolved from a social organization for college presidents to a dynamic advocacy organization representing 55 Illinois private colleges and universities, enrolling over 160,000 students and employing over 60,000 professional and support staff.

Headquartered in Springfield, IL, the mission of the Federation is to safeguard the interests of the member institutions and their students and to promote standards for excellence in higher education. The Federation will formally celebrate the 100th anniversary of its founding on November 11, 2003.

Under the leadership of Chairman Curtis L. McCray and President Donald E. Fouts, the Federation has taken a leading role in working to address higher education issues throughout Illinois.

I ask my colleagues to join me in congratulating the Federation of Independent Illinois Colleges and Universities on their 100th anniversary. It is my hope and expectation that in the next 100 years the Federation will continue to create and expand college opportunities for students from Illinois and across the country.●

#### 100TH ANNIVERSARY OF THE ARIZONA BANKERS ASSOCIATION

● Mr. KYL. Mr. President, I rise today to note that the Arizona Bankers Association

will commemorate its 100th anniversary next month—on November 13.

The Arizona Bankers Association was founded in 1903 by bankers from across what was still known as the Arizona Territory. The association was established to represent Arizona's diverse banking industry as it developed and grew to meet the financial needs of the early settlers. While at first its members served a sparsely populated territory, they now serve on the fastest growing States in the Nation. today, the Arizona Bankers Association represents banks of all sizes from every corner of our great State, employing over 10,500 people.

The Arizona Bankers Association's success and longevity are testament to the commitment and dedication of the banks and bankers who comprise its membership. The tremendous economic growth that draws so many people from other parts of the country to Arizona is due, in no small part, to the financial services and capital that are provided through the association's member banks. These institutions have nearly \$3 billion outstanding in loans to small business and some \$42 billion in total loans and leases.

To the member institutions of the Arizona Bankers Association, I offer my best wishes on achieving this impressive milestone and on beginning their second century of advocacy, service, and leadership. I look forward to continuing to work with them to provide Arizonans and Arizona's businesses with the financial services and credit that will lead the state to even greater prosperity in the years ahead.●

#### MESSAGE FROM THE HOUSE

##### ENROLLED BILLS SIGNED

At 11:12 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1474. An act to facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes.

H.R. 3229. An act to amend title 44, United States Code, to transfer to the Public Printer the authority over the individuals responsible for preparing indexes of the Congressional Record, and for other purposes.

The enrolled bills previously signed by the Speaker of the House, were signed on today, by the President pro tempore (Mr. STEVENS).

At 3:07 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3289. An act making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan

for the fiscal year ending September 30, 2004, and for other purposes.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-295. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to low-interest loans for military personnel called to active duty; to the Committee on Armed Services.

#### HOUSE RESOLUTION NO. 283

Whereas, The recent events in our country have served to remind us of the degree to which our nation relies upon the sacrifices of our men and women in the military. With the call to active duty of thousands of members of National Guard and reserve units for overseas deployment and an increasing range of domestic security assignments, it is clear that our military strength is rooted in both the professional ranks and those working in civilian life while serving as ready reserves; and

Whereas, The men and women called to active duty to help the country respond to a crisis such as we have faced since September 11, 2001, do so at great cost to their families and, often, their careers. The uncertain length of the activation in the current situation can make the return to active duty a devastating blow to the finances of a family or a small business. When the person called to duty is the primary breadwinner in a family, for example, as is often the case, the family can face many difficulties. The mortgage payments, food and utility bills, and costs of raising children do not go away when the regular paycheck is replaced by a military paycheck that is usually far less; and

Whereas, While it would be impossible to cover the entire burden facing many families, it would be helpful for the federal government to do all it can to address this issue. A low-interest loan program for those whose active duty pay is less than civilian levels can provide short-term help with the monthly bills. For families who have sent someone to fight terrorism, whether overseas or on assignments at airports or border crossings, this would be an appropriate step to take: Now, therefore, be it

*Resolved by the house of representatives,* That we memorialize the Congress of the United States to provide a program of low-interest loans for military personnel called to active duty; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-296. A resolution adopted by the Senate of the Legislature of the State of Vermont relative to the Vermont National Guard; to the Committee on Armed Services.

#### SENATE RESOLUTION 19

Whereas, within days of the September 11, 2001, terrorist attacks in New York City and Washington, DC, the nation's governors activated National Guard soldiers and airmen to augment security at 422 of the nation's international airports; and

Whereas, in true state-federal partnership, National Guard forces are providing aerial port security under the command and control of the sovereign states, territories, and the District of Columbia and the federal gov-

ernment is funding such duties "in the service of the United States" under title 32 of the United States Code, section 502(f), hereinafter referred to as "title 32 duty"; and

Whereas, title 32 duty has been used, inter alia, for more than twenty years for National Guard full-time staffing; for National Guard support for local, state, and federal law enforcement agencies under governors' counter-drug plans for more than twelve years; for National Guard civil support team technical assistance for local first responders for more than two years; and for aerial port security following the attacks of September 11; and of particular note, the National Guard counter-drug program has long included title 32 support for United States Customs, Border Patrol, and Immigration and Naturalization Service activities at United States ports of entry; and

Whereas, in the aftermath of the September 11 attacks, increased security and inadequate federal staffing have limited the flow of persons, goods, and services across our nation's borders, and these factors have contributed to a serious weakening of the American and Canadian economies, especially in states such as Vermont; and

Whereas, the governors of northern tier border states wrote President Bush in November 2001 offering to provide title 32 National Guard augmentation for United States Customs, Border Patrol, and Immigration and Naturalization Service operations at United States ports of entry, and such relief could have been, and still can be, effected within days of acceptance by the federal government; and

Whereas, there is still no relief at our borders due to inaction on the governors' offer of title 32 National Guard assistance and conflicting Department of Defense proposals to federalize the National Guard or otherwise enhance border security with active duty military personnel instead of title 32 National Guard members; and

Whereas, federalizing the National Guard under title 10 U.S.C. would degrade the combat readiness of units from which guardsmen would be mobilized, interfere with effective state force management, and prevent personal accommodations for soldiers and their civilian employers; and

Whereas, stationing federal military forces at the United States-Canada border would be an unprecedented unilateral action by the United States; and

Whereas, the nation's border states need prompt relief which can best be provided by title 32 National Guard forces being deployed to assist lead federal agencies at the borders "in the service of the United States", but under continued state command and control; and

Whereas, the Vermont State Senate opposes federalization of the National Guard or assignment of federal military forces for United States border security: Now, therefore, be it

*Resolved by the Senate,* That the Senate of the State of Vermont respectfully requests that Congress assure prompt augmentation of lead federal agencies at the borders by accepting the governors' offer of National Guard forces under state command and control pursuant to 32 U.S.C. sec. 502(f), and be it further

*Resolved,* That the Secretary of the Senate be directed to send copies of this resolution to the Honorable George W. Bush, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Vermont.

POM-297. A resolution adopted by the City Council of the City of Friendswood of the State of Texas relative to the Corps of Engi-

neers General Reevaluation Report on Clear Creek; to the Committee on Armed Services.

POM-298. A resolution adopted by the California State Lands Commission opposing inclusion in any energy bill of a requirement that the Department of the Interior prepare a comprehensive inventory of oil and gas resources in the outer continental shelf and use harmful seismic testing; to the Committee on Energy and Natural Resources.

POM-299. A joint resolution adopted by the Legislature of the State of Washington relative to cleanup of the Hanford Reservation; to the Committee on Environment and Public Works.

#### ENGROSSED SENATE JOINT MEMORIAL 8023

Whereas, The Hanford Reservation in Southeast Washington state presents an unprecedented environmental cleanup challenge resulting from decades of defense production that served to bring an early end to World War II and to keep our nation safe during the Cold War years; and

Whereas, The Hanford Reservation is located near the Columbia River, which irrigates our farmland and is the lifeblood of Washington state; and

Whereas, It is imperative that cleanup of the Hanford Reservation be sustained and completed as expeditiously as possible to preserve the integrity of the environment and the safety of generations to come; and

Whereas, Significant cleanup progress is being made at Hanford, including decommissioning and deactivating more than 35 buildings; resolving safety issues associated with Hanford's 177 underground waste storage tanks; stabilizing plutonium in the Plutonium Finishing Plant; moving spent nuclear fuel out of the K-Basins and away from the river to safer storage in the central plateau; shipping transuranic waste to New Mexico for permanent storage; and moving 600,000 tons of contaminated soil away from the river; and

Whereas, The President's proposed fiscal year 2003 budget threatens the cleanup effort and jeopardizes the Department of Energy's ability to comply with federal and state laws and meet the compliance commitments set forth in the Tri-Party Agreement between the State of Washington, The United States Environmental Protection Agency, and the United States Department of Energy; and

Whereas, Budget-driven delays in Hanford cleanup activities will compromise the success of the project resulting in greater costs to taxpayers, another in a string of broken promises, and public outrage at this continuing, unaddressed threat to public health and the environment; Now, therefore

Your Memorialists respectfully pray that you fully fund the needs of a sustained environmental cleanup in keeping with federal and state laws and the Tri-Party Agreement, and providing for the protection of the great Columbia River and the citizens of the state of Washington, be it

*Resolved,* That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the Secretary of the United States Department of Energy, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-300. A joint resolution adopted by the Legislature of the State of Washington relative to support for an oil spill prevention tugboat in the Strait of Juan de Fuca; to the Committee on Environment and Public Works.

#### SENATE JOINT MEMORIAL 8004

Whereas, The marine waters located in the Strait of Juan de Fuca between the State of Washington and Canada are some of the

most pristine and diverse marine waters in the United States and include irreplaceable natural resources; and

Whereas, The area includes such national treasures as the Olympic Coast National Marine Sanctuary and the Olympic National Park, for which the Federal government acts as the trustee thereof; and

Whereas, The area is home to five federally recognized Indian reservations for which the Federal government has the responsibility of protecting treaty rights over tribal fishing; and

Whereas, The area is the habitat for several threatened and endangered species as designated by the Federal government; and

Whereas, The marine waters are used by a large portion of the Federal government's strategic naval fleet, which poses a risk of oil spills; and

Whereas, The marine waters are used for transportation of petroleum products that are used to meet the energy needs in the Western United States; and

Whereas, These marine waters are of great environmental and economic importance to not only the State of Washington, but also to the people of Canada and the United States; and

Whereas, The marine vessel traffic on these waters presents risks of accidents and oil spills that would be devastating to the environment and to the economy; and

Whereas, The safety of these waters is currently substantially improved on a temporary basis by an oil spill prevention tugboat stationed at the westward end of the Strait, the cost of which is currently borne solely by the State of Washington: Now, therefore

Your memorialists respectfully pray that Congress appropriate sufficient budgetary support to permanently station an oil spill prevention tugboat, of adequate size, and with rescue, fire fighting, spill response, and lifesaving capabilities, at the westward end of the Strait of Juan de Fuca, be it

*Resolved*, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-301. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to the Great Lakes, Great Lakes States; to the Committee on Environment and Public Works.

#### HOUSE RESOLUTION NO. 265

Whereas, the Great Lakes states have taken many steps to protect the lakes. Most recently, Annex 2001 to the Great Lakes Charter has demonstrated the concern of the people of this region that the stewardship for this fresh water resource must remain where it belongs—with the people of the Great Lakes; and

Whereas, the Great Lakes governors work closely with one another and their Canadian provincial counterparts on protecting the Great Lakes on a wide range of issues related to water management and a host of economic matters that strongly influence the lakes. This cooperation mirrors the shared stake in the quality of the lakes and reflects the appropriateness of policies that clearly affirm the authority of the Great Lakes Governors pursuant to the Great Lakes Charter; and

Whereas, Federal law states: It is hereby determined and declared to be in the public interest that (1) title to and ownership of the lands beneath navigable waters within the boundaries of their respective states and the

natural resources with such lands and water and (2) the right and power to manage, administer, lease, develop, and use the said lands and natural resources all in accordance with applicable state law be, and they are hereby, subject to the provisions hereof, recognized, confirmed, established, and vested in and assigned to the respective states or the persons who were on June 5, 1950, entitled thereto under the law of the respective states in which the land is located, and the respective granters, lessees, or successors in interest thereof; and

Whereas, the Great Lakes states have demonstrated that we are an effective and efficient manager of Great Lakes water resources. We implore the federal government to continue to allow the Great Lakes states the ability to control the Great Lakes: Now, therefore, be it

*Resolved by the house of representatives*, That we memorialize the Congress of the United States to increase protections for the Great Lakes and to affirm the authority of the Great Lakes governors on matters or the usage of Great Lakes waters; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Adopted by the House of Representatives, January 24, 2002

POM-302. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to restoration and protection of the Great Lakes; to the Committee on Environment and Public Works.

#### HOUSE RESOLUTION NO. 187

Whereas, The waters of the Great Lakes constitute a resource of the utmost importance of the future of our nation, as they interact with the international community. The quality and quantity of this fresh water treasure are vital to the health and commercial well-being of millions of Americans; and

Whereas, Congress over the years has provided support for numerous projects and conserve our natural resources, with the most recent being legislation to fund the restoration of the Everglades and the South Florida ecosystem. This legislation includes several billion dollars in funding to the state of Florida. While the Everglades and the South Florida ecosystem are clearly a unique resource, the Great Lakes ecosystem has a prevailing international and national economic significance due to the shipping of raw materials, industrial products, and food, not to mention being the home of 20 percent of the world's fresh surface water, and 95 percent of the United States' fresh surface water; and

Whereas, With the Great Lakes at the heart of American industrial and agricultural production, and the source of recreation for millions, the United States of America must do all it can to assure the viability of the health of the lakes: Now, therefore, be it

*Resolved by the house of representatives*, That we call upon the Congress of the United States to fund the Great Lakes Basin with similar appropriations that have been afforded the Florida Everglades and the South Florida ecosystem; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representative, the members of the Michigan congressional delegation, and the United States Secretary of the Interior.

POM-303. A notification from the Lieutenant Governor of the State of Alaska of the State's gratitude and support for the war on terrorism and for efforts to support democracies and promote peace worldwide; to the Committee on Foreign Relations.

#### REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY DECLARED IN EXECUTIVE ORDER 12978 WITH RESPECT TO SIGNIFICANT NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—PM 52

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

#### *To the Congress of the United States:*

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to significant narcotics traffickers centered in Colombia is to continue in effect beyond October 21, 2003, to the Federal Register for publication. The most recent notice continuing this emergency was published in the Federal Register on October 18, 2002.

The circumstances that led to the declaration on October 21, 1995, of a national emergency have not been resolved. The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad. For these reasons, I have determined that it is necessary to maintain economic pressure on significant narcotics traffickers centered in Colombia by blocking their property or interests in property that are in the United States or within the possession or control of United States persons and by depriving them of access to the United States market and financial system.

GEORGE W. BUSH.

THE WHITE HOUSE, October 16, 2003.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1753. An original bill to amend the Fair Credit Reporting Act in order to prevent identity theft, to improve the use of and consumer access to consumer reports, to enhance the accuracy of consumer reports, to

limit the sharing of certain consumer information, to improve financial education and literacy, and for other purposes (Rept. No. 108-166).

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 1210. A bill to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries (Rept. No. 108-167).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment:

H.R. 1320. A bill to amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users (Rept. No. 108-168).

## 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 Mr. CHAMBLISS (for himself and Mr. MILLER):

S. 1752. A bill to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SHELBY:

S. 1753. An original bill to amend the Fair Credit Reporting Act in order to prevent identity theft, to improve the use of and consumer access to consumer reports, to enhance the accuracy of consumer reports, to limit the sharing of certain consumer information, to improve financial education and literacy, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, and Ms. CANTWELL):

S. 1754. A bill to enhance national security by improving the reliability of the U.S. electricity transmission grid, to ensure efficient, reliable and affordable energy to American consumers, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 1755. A bill to amend the Richard B. Russell National School Lunch Act to provide grants to support farm-to-cafeteria projects; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CONRAD (for himself, Mr. SMITH, Mr. BREAUX, Mr. COCHRAN, Ms. LANDRIEU, and Mr. CRAIG):

S. 1756. A bill to amend the Internal Revenue Code of 1986 to protect the health benefits of retired miners and to restore stability and equity to the financing of the United Mine Workers of America Combined Benefit Fund by providing additional sources of revenue to the Fund, and for other purposes; to the Committee on Finance.

By Mr. INHOFE (for himself and Mr. JEFFORDS):

S. 1757. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts; to the Committee on Environment and Public Works.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SMITH (for himself and Mr. WYDEN):

S. Res. 246. A resolution expressing the sense of the Senate that November 22, 1983, the date of the restoration by the Federal Government of Federal recognition to the Confederated Tribes of the Grand Ronde Community of Oregon, should be memorialized; to the Committee on Indian Affairs.

By Mr. LAUTENBERG (for himself,

Mr. SMITH, Mrs. FEINSTEIN, Mrs. CLINTON, Mr. CORZINE, Mrs. BOXER, Mr. DASCHLE, Mr. DODD, Mr. SCHUMER, Mr. HATCH, Mrs. MURRAY, Mr. COLEMAN, Mr. WYDEN, Mr. BROWNBAC, Mr. REID, Mr. BAYH, Mr. CHAMBLISS, Mr. LEAHY, and Mr. GRAHAM of Florida):

S. Res. 247. A resolution calling on the President to condemn the anti-Semitic sentiments expressed by Dr. Mahathir Mohamad, the outgoing prime minister of Malaysia; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 451

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 451, a bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, to provide for a one-year open season under that plan, and for other purposes.

S. 491

At the request of Mr. REID, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 491, a bill to expand research regarding inflammatory bowel disease, and for other purposes.

S. 517

At the request of Mr. PRYOR, his name was added as a cosponsor of S. 517, a bill to amend title 38, United States Code, to provide improved benefits for veterans who are former prisoners of war.

S. 596

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 596, a bill to amend the Internal Revenue Code of 1986 to encourage the investment of foreign earnings within the United States for productive business investments and job creation.

S. 611

At the request of Mr. REID, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 611, a bill to amend the Internal Revenue Code of 1986 to treat gold, silver, and platinum, in either coin or bar form, in the same manner as stocks and bonds for purposes of the maximum capital gains rate for individuals.

S. 853

At the request of Ms. SNOWE, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 853, a bill to amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the medicare program.

S. 1180

At the request of Mr. SANTORUM, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1180, a bill to amend the Internal Revenue Code of 1986 to modify the work opportunity credit and the welfare-to-work credit.

S. 1246

At the request of Mr. ROBERTS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1246, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1298

At the request of Mr. AKAKA, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1298, a bill to amend the Farm Security and Rural Investment Act of 2002 to ensure the humane slaughter of non-amulatory livestock, and for other purposes.

S. 1353

At the request of Mr. BROWNBAC, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1353, a bill to establish new special immigrant categories.

S. 1531

At the request of Mr. HATCH, the names of the Senator from Illinois (Mr. FITZGERALD), the Senator from Nevada (Mr. ENSIGN), the Senator from Minnesota (Mr. COLEMAN), the Senator from Colorado (Mr. ALLARD), the Senator from Oregon (Mr. WYDEN), the Senator from California (Mrs. BOXER) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 1531, a bill to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall.

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 1531, *supra*.

S. 1557

At the request of Mr. MCCONNELL, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1557, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Armenia.

S. 1562

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 1562, a bill to amend selected statutes to clarify existing Federal law as to the treatment of students privately educated at home under state law.

S. 1612

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1612, a bill to establish a technology, equipment, and information transfer within the Department of Homeland Security.

S. 1613

At the request of Mrs. LINCOLN, the name of the Senator from New York

(Mrs. CLINTON) was added as a cosponsor of S. 1613, a bill to amend the Internal Revenue Code of 1986 to allow a United States independent film and wage production credit.

S. 1693

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1693, a bill to amend section 35 of the Internal Revenue Code of 1986 to allow individuals receiving unemployment compensation to be eligible for a refundable, advanceable credit for health insurance costs.

S. 1700

At the request of Mr. HATCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1700, a bill to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 1707

At the request of Ms. STABENOW, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1707, a bill to amend title 39, United States Code, to provide for free mailing privileges for personal correspondence and certain parcels sent from within the United States to members of the Armed Forces serving on active duty abroad who are engaged in military operations involving armed conflict against a hostile foreign force, and for other purposes.

S. 1730

At the request of Ms. SNOWE, the names of the Senator from Georgia (Mr. MILLER) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. 1730, a bill to require the health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 1734

At the request of Mrs. LINCOLN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1734, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option to expand or add coverage of pregnant women under the medicaid and State children's health insurance programs, and for other purposes.

S. 1735

At the request of Mr. HATCH, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1735, a bill to increase and enhance law enforcement resources committed to

investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 1736

At the request of Mr. ENZI, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 1736, a bill to promote simplification and fairness in the administration and collection of sales and use taxes.

S. 1741

At the request of Ms. COLLINS, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 1741, a bill to provide a site for the National Women's History Museum in the District of Columbia.

S. 1744

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1744, a bill to prevent abuse of Government credit cards.

S. RES. 210

At the request of Mr. KENNEDY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. Res. 210, a resolution expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October of 2003 as "National Work and Family Month".

S. RES. 240

At the request of Mr. CAMPBELL, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. Res. 240, a resolution designating November 2003 as "National American Indian Heritage Month".

AMENDMENT NO. 1825

At the request of Mr. BOND, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of amendment No. 1825 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

At the request of Mr. DASCHLE, his name was added as a cosponsor of amendment No. 1825 proposed to S. 1689, *supra*.

AMENDMENT NO. 1837

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of amendment No. 1837 proposed to S. 1689, an original bill making emer-

gency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1843

At the request of Mr. COLEMAN, his name was added as a cosponsor of amendment No. 1843 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 1843 proposed to S. 1689, *supra*.

AMENDMENT NO. 1857

At the request of Mr. STEVENS, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of amendment No. 1857 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1858

At the request of Mr. NELSON of Florida, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 1858 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1864

At the request of Mr. DOMENICI, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 1864 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1882

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of amendment No. 1882 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JEFFORDS (for himself, Mr. KENNEDY, and Ms. CANTWELL):

S. 1754. A bill to enhance national security by improving the reliability of the U.S. electricity transmission grid, to ensure efficient, reliable and affordable energy to American consumers, and for other purposes; to the Committee on Energy and Natural Resources.



Mr. JEFFORDS. Mr. President, today I am introducing comprehensive legislation to ensure the reliable delivery of electric power in the United States. I am pleased have the Senior Senator from Massachusetts and the Senator from Washington join me as original cosponsors of this bill.

This past August, nearly 50 million people in the Northeast and Midwest were affected by a massive power outage. Hurricane Isabel and other weather systems left millions more without power. These events emphasize the vulnerability of the U.S. electricity grid to human error, mechanical failure, and weather-related outages.

Unfortunately, the electricity provisions now being considered in the ongoing energy bill conference were written well before these recent events. The pending energy bill fails to do all that is necessary to protect the grid from devastating interruptions in the future. That is why I am introducing this bill today to ensure greater reliability in our electricity delivery system.

My bill, the Electric Reliability Security Act of 2003, will help achieve reliability and security of the electricity grid in an efficient, cost-effective, and environmentally sound manner. It does so by creating mandatory, nationwide electric reliability standards.

The bill also mandates regional coordination in the siting of transmission facilities, and provides \$10 billion in loan guarantees to finance "smart grid" technologies that improve the way the grid transmits power.

While a \$10 billion investment may seem to be a large investment, it is significantly less than the transmission cost estimates that have circulated following the Northeast blackout. In response to the events this past August, industry experts estimated that it would cost consumers as much as \$100 billion to upgrade transmission systems and site new lines to meet future reliability needs.

However, even this hefty price tag does not factor in the costs of additional generation, does not consider the rising cost of natural gas due to increasing electricity consumption, and does not include the environmental and other social costs of continued expansion of our presently centralized power system. Power lines are expensive and are rarely welcomed by the nearby public. The loan guarantees in the bill will help balance the need for new transmission lines by providing Federal resources to help improve existing ones.

In addition to addressing system operation and transmission needs, the bill also promotes sound system management. It establishes a Federal system benefits fund as a match for State programs.

Historically, regulated electric utility companies have provided a number of energy-related public services beyond simply supplying electricity that benefit the system as a whole. Such services have included bill payment as-

sistance and energy conservation measures for low-income households, energy efficiency programs for residential and business customers, and pilot programs to promote renewable energy resources. More than 20 States, including my home State of Vermont, have public benefits programs. This bill will provide needed Federal matching money to States for these programs.

The Alliance to Save Energy estimates that a Federal program to match existing State public benefits programs would save 1.24 trillion kilowatt-hours of electricity over 20 years, and cut consumer energy bills by about \$100 billion. My bill, which has the potential to save consumers \$100 billion is far preferable to raising consumer electricity bills by the \$100 billion to raise money for grid expansion.

The bill also establishes energy efficiency performance standards for utilities. The United States has experienced tremendous growth in electricity consumption over the past decade. Current estimates are that electricity consumption is increasing at roughly two percent per year.

Between 1993 and 1999, U.S. summer peak electricity use alone increased by 95,000 megawatts. This is the equivalent of adding a new, six-State New England to the Nation's electricity demand every fourteen months.

Energy experts estimate that as much as 50 percent of expected new demand over the next 20 years can be met through consumer efficiency and load management programs. Over the past two decades, utility demand-side efficiency programs have avoided the need for more than 100 300-megawatt power plants. However, with the advent of electricity deregulation, utility spending on these efficiency programs has dropped by almost half.

The Federal Government should seek to correct this trend, and this bill takes a strong first step in that direction by phasing in a requirement that utilities reduce their peak demand for power and their customers' power use between 2004 and 2013.

Finally, the bill enacts standards that enable increased on-site, or distributed, generation to reduce pressure on the grid and lessen the impact of a blackout should one occur. We have an obligation to ensure that the electricity grid is secure. We currently have a giant system consisting of almost 200,000 miles of interconnecting lines that constantly shift huge amounts of electricity throughout the country.

Such a giant and complex system, traversing miles of city and countryside, is inevitably subject to unforeseen problems. Simply making it bigger will never take away all uncertainty, nor can it eliminate the vulnerability of the grid to sabotage or terrorist attack. We should do all we can to make certain such vulnerabilities are reduced.

In summary, I am introducing this legislation because I feel that we

should be cautious in our assumptions that the answer to our nation's reliability woes lies primarily in building a bigger, more expansive grid. Simply building more transmission lines is not the answer.

Investments in energy efficiency and on-site generation can significantly improve the reliability of the nation's electricity grid and in most cases will be cheaper, faster to implement and more environmentally friendly than large-scale grid expansion. We also must fill the regulatory gaps in the system, which my bill does. Congress should establish mandatory reliability standards and close other regulatory gaps left by state deregulation of the electricity sector. In addition, no national reliability program will be effective or complete without strong incentives for demand-side management programs, for efficiency and for on-site generation.

We cannot solve today's energy problems with yesterday's solutions. My bill is an innovative approach to ensuring electric reliability by maximizing energy efficiency, regulatory efficiency, and efficient investment. Given the high costs of power outages to our country, we cannot afford to do otherwise.

I invite my colleagues to join me in my efforts to advance energy security and reliability in the United States.

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:

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

#### **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the "Electric Reliability Security Act of 2003".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### **TITLE I—RELIABILITY**

Sec. 101. Electric reliability standards.

Sec. 102. Model electric utility workers code.

Sec. 103. Interstate compacts on regional transmission planning.

Sec. 104. Electricity outage investigation.

Sec. 105. Study on reliability of United States energy grid.

#### **TITLE II—EFFICIENCY**

Sec. 201. System benefits fund.

Sec. 202. Electricity efficiency performance standard.

Sec. 203. Appliance efficiency.

Sec. 204. Loan guarantees.

#### **TITLE III—ON-SITE GENERATION**

Sec. 301. Net metering.

Sec. 302. Interconnection.

Sec. 303. On-site generation for emergency facilities.

#### **TITLE I—RELIABILITY**

##### **SEC. 101. ELECTRIC RELIABILITY STANDARDS.**

Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding at the end the following:

##### **"SEC. 215. ELECTRIC RELIABILITY.**

"(a) DEFINITIONS.—In this section—

"(1) 'bulk power system' means the network of interconnected transmission facilities and generating facilities;

“(2) ‘electric reliability organization’ means a self-regulating organization certified by the Commission under subsection (c) whose purpose is to promote the reliability of the bulk power system; and

“(3) ‘reliability standard’ means a requirement to provide for reliable operation of the bulk power system approved by the Commission under this section.

“(b) JURISDICTION AND APPLICABILITY.—The Commission shall have jurisdiction, within the United States, over an electric reliability organization, any regional entities, and all users, owners and operators of the bulk power system, including but not limited to the entities described in section 201(f), for purposes of approving reliability standards and enforcing compliance with this section. All users, owners and operators of the bulk power system shall comply with reliability standards that take effect under this section.

“(c) CERTIFICATION.—(1) The Commission shall issue a final rule to implement the requirements of this section not later than 180 days after the date of enactment of this section.

“(2) Following the issuance of a Commission rule under paragraph (1), any person may submit an application to the Commission for certification as an electric reliability organization. The Commission may certify an applicant if the Commission determines that the applicant—

“(A) has the ability to develop, and enforce reliability standards that provide for an adequate level of reliability of the bulk power system;

“(B) has established rules that—

“(i) assure the independence of the applicant from the users and owners and operators of the bulk power system while assuring fair stakeholder representation in the selection of its directors and balanced decision making in any committee or subordinate organizational structure;

“(ii) allocate equitably dues, fees, and other charges among users for all activities under this section;

“(iii) provide fair and impartial procedures for enforcement of reliability standards through imposition of penalties (including limitations on activities, functions, or operations, or other appropriate sanctions) and

“(iv) provide for reasonable notice and opportunity for public comment, due process, openness, and balance of interests in developing reliability standards and otherwise exercising its duties.

“(3) If the Commission receives 2 or more timely applications that satisfy the requirements of this subsection, the Commission shall approve only the application the Commission concludes will best implement the provisions of this section.

“(d) RELIABILITY STANDARDS.—(1) An electric reliability organization shall file a proposed reliability standard or modification to a reliability standard with the Commission.

“(2) The Commission may approve a proposed reliability standard or modification to a reliability standard if it determines that the standard is just, reasonable, not unduly discriminatory or preferential, and in the public interest. The Commission shall give due weight to the technical expertise of the electric reliability organization with respect to the content of a proposed standard or modification to a reliability standard, but shall not defer with respect to its effect on competition.

“(3) The electric reliability organization and the Commission shall rebuttably presume that a proposal from a regional entity organized on an interconnection-wide basis for a reliability standard or modification to a reliability standard to be applicable on an interconnection-wide basis is just, reasonable, and not unduly discriminatory or preferential, and in the public interest.

“(4) The Commission shall remand to the electric reliability organization for further consideration a proposed reliability standard or a modification to a reliability standard that the Commission disapproves in whole or in part.

“(5) The Commission, upon its own motion or upon complaint, may order an electric reliability organization to submit to the Commission a proposed reliability standard or a modification to a reliability standard that addresses a specific matter if the Commission considers such a new or modified reliability standard appropriate to carry out this section.

“(e) ENFORCEMENT.—(1) An electric reliability organization may impose a penalty on a user or owner or operator of the bulk power system if the electric reliability organization, after notice and an opportunity for a hearing—

“(A) finds that the user or owner or operator of the bulk power system has violated a reliability standard approved by the Commission under subsection (d); and

“(B) files notice with the Commission, which shall affirm, set aside, or modify the action.

“(2) On its own motion or upon complaint, the Commission may order compliance with a reliability standard and may impose a penalty against a user or owner or operator of the bulk power system if the Commission finds, after notice and opportunity for a hearing, that the user or owner or operator of the bulk power system has violated or threatens to violate a reliability standard.

“(3) The Commission shall establish regulations authorizing the electric reliability organization to enter into an agreement to delegate authority to a regional entity for the purpose of proposing and enforcing reliability standards (including related activities) if the regional entity satisfies the provisions of subparagraphs (A) and (B) of subsection (c)(2) and the agreement promotes effective and efficient administration of bulk power system reliability. The Commission may modify such delegation. The electric reliability organization and the Commission shall rebuttably presume that a proposal for delegation to a regional entity organized on an interconnection-wide basis promotes effective and efficient administration of bulk power system reliability and should be approved. Such regulation may provide that the Commission may assign the electric reliability organization's authority to enforce reliability standards directly to a regional entity consistent with the requirements of this paragraph.

“(4) The Commission may take such action as is necessary or appropriate against the electric reliability organization or a regional entity to ensure compliance with a reliability standard or any Commission order affecting the electric reliability organization or a regional entity.

“(f) CHANGES IN ELECTRICITY RELIABILITY ORGANIZATION RULES.—An electric reliability organization shall file with the Commission for approval any proposed rule or proposed rule change, accompanied by an explanation of its basis and purpose. The Commission, upon its own motion or complaint, may propose a change to the rules of the electric reliability organization. A proposed rule or proposed rule change shall take effect upon a finding by the Commission, after notice and opportunity for comment, that the change is just, reasonable, not unduly discriminatory or preferential, is in the public interest, and satisfies the requirements of subsection (c)(2).

“(g) COORDINATION WITH CANADA AND MEXICO.—(1) The electric reliability organization shall take all appropriate steps to gain recognition in Canada and Mexico.

“(2) The President shall use his best efforts to enter into international agreements with the governments of Canada and Mexico to provide for effective compliance with reliability standards and the effectiveness of the electric reliability organization in the United States and Canada or Mexico.

“(h) RELIABILITY REPORTS.—The electric reliability organization shall conduct periodic assessments of the reliability and adequacy of the interconnected bulk power system in North America.

“(i) SAVINGS PROVISIONS.—(1) The electric reliability organization shall have authority to develop and enforce compliance with standards for the reliable operation of only the bulk power system.

“(2) This section does not provide the electric reliability organization or the Commission with authority to order the construction of additional generation or transmission capacity or to set and enforce compliance with standards for adequacy or safety of electric facilities or services.

“(3) Nothing in this section shall be construed to preempt any authority of any State to take action to ensure the safety, adequacy, and reliability of electric service within that State, as long as such action is not inconsistent with any reliability standard established under this section.

“(4) Not later than 90 days after the date of the application of the electric reliability organization or other affected party, and after notice and opportunity for comment, the Commission shall issue a final order determining whether a State action is inconsistent with a reliability standard, taking into consideration any recommendation of the electric reliability organization.

“(5) The Commission, after consultation with the electric reliability organization, may stay the effectiveness of any State action, pending the Commission's issuance of a final order.

“(j) APPLICATION OF ANTITRUST LAWS.—(1) To the extent undertaken to develop, implement, or enforce a reliability standard, each of the following activities shall not, in any action under the antitrust laws, be deemed illegal per se—

“(A) activities undertaken by an electric reliability organization under this section;

“(B) activities of a user or owner or operator of the bulk power system undertaken in good faith under the rules of an electric reliability organization.

“(2) In any action under the antitrust laws, an activity described in paragraph (1) shall be judged on the basis of its reasonableness, taking into account all relevant factors affecting competition and reliability.

“(3) For purposes of this subsection, the term ‘antitrust laws’ has the meaning given the term in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), except that it includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that section 5 applies to unfair methods of competition.

“(k) REGIONAL ADVISORY BODIES.—The Commission shall establish a regional advisory body on the petition of at least  $\frac{2}{3}$  of the States within a region that have more than  $\frac{1}{2}$  of their electric load served within the region. A regional advisory body shall be composed of one member from each participating State in the region, appointed by the Governor of each state, and may include representatives of agencies, States, and provinces outside the United States. A regional advisory body may provide advice to the electric reliability organization, a regional reliability entity, or the Commission regarding the governance of an existing or proposed regional reliability entity within the same region, whether a standard proposed to apply within the region is just, reasonable, not unduly discriminatory or preferential, and in

the public interest, whether fees proposed to be assessed within the region are just, reasonable, not unduly discriminatory or preferential, and in the public interest and any other responsibilities requested by the Commission. The Commission may give deference to the advice of any such regional advisory body if that body is organized on an inter-connection-wide basis.

“(I) APPLICATION TO ALASKA AND HAWAII.—The provisions of this section apply only to the contiguous 48 states.”

#### SEC. 102. MODEL ELECTRIC UTILITY WORKERS CODE.

Subtitle B of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621 et seq.) is amended by adding at the end the following:

#### “SEC. 118. MODEL CODE FOR ELECTRIC UTILITY WORKERS.

“(a) IN GENERAL.—The Secretary shall develop by rule and circulate among the States for their consideration a model code containing standards for electric facility workers to ensure electric facility safety and reliability.

“(b) CONSULTATION.—In developing these standards, the Secretary shall consult with all interested parties, including representatives of electric facility workers.

“(c) NOT AFFECTING OCCUPATIONAL SAFETY AND HEALTH.—In issuing a model code under this section, the Secretary shall not, for purposes of section 4 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653) be deemed to be exercising statutory authority to prescribe or enforce standards or regulations affecting occupational safety and health.”

#### SEC. 103. INTERSTATE COMPACTS ON REGIONAL TRANSMISSION PLANNING.

Part II of the Federal Power Act (16 U.S.C. 824 et seq.) (as amended by section 101) is amended by adding at the end the following:

#### “SEC. 216. INTERSTATE COMPACTS ON REGIONAL TRANSMISSION PLANNING.

“(a) CONSENT OF CONGRESS.—The consent of Congress is given for an agreement to establish a regional transmission planning agency if the Commission determines that the agreement would—

“(1) facilitate coordination among the States within a particular region with regard to the planning of future transmission, generation, and distribution facilities;

“(2) carry out State electric facility siting responsibilities more effectively;

“(3) meet the other requirements of this section and rules prescribed by the Commission under this section; and

“(4) otherwise be consistent with the public interest.

“(b) AUTHORITY TO CARRY OUT AGREEMENT.—(1) If the Commission determines that an agreement meets the requirements of subsection (a), the agency established under the agreement has the authority necessary or appropriate to carry out the agreement. This includes authority with respect to matters otherwise within the jurisdiction of the Commission, if expressly provided for in the agreement and approved by the Commission.

“(2) The Commission's determination under this section may be subject to any terms or conditions the Commission determines are necessary to ensure that the agreement is in the public interest.

“(c) CRITERIA.—(1) The Commission shall prescribe—

“(A) criteria for determining whether a regional transmission planning agreement meets subsection (a); and

“(B) standards for the administration of a regional transmission planning agency established under the agreement.

“(2) The criteria shall provide that, in order to meet subsection (a)—

“(A) a regional transmission planning agency must operate within a region that includes all tribal governments and all States and that are a party to the agreement;

“(B) a regional transmission planning agency must be composed of one or more members from each State and tribal government that is a party to the agreement;

“(C) each participating State and tribal government must vest in the regional transmission planning agency the authority necessary to carry out the agreement and this section; and

“(D) the agency must follow workable and fair procedures in making its respect to matters covered by this agreement, including a requirement that all decisions of the agency be made by majority vote (or majority weighted votes) of the members present and voting.

“(3) The criteria may include any other requirement for meeting subsection (a) that the Commission determines is necessary to ensure that the regional transmission planning agency's organization, practices, and procedures are sufficient to carry out this section and the rules issued under it.

“(d) TERMINATION OF APPROVAL.—The Commission, after notice and opportunity for comment, may terminate the approval of an agreement under this section at any time if it determines that the regional transmission planning agency fails to comply with this section or Commission prescriptions under subsection (c) or that the agreement is contrary to the public interest.

“(e) REVIEW.—Section 313 applies to a rehearing before a regional transmission planning agency and judicial review of any action of a regional transmission planning agency. For this purpose, when section 313 refers to ‘Commission’ substitute ‘regional transmission planning agency’ and when section 313(b) refers to ‘licensee or public utility’ substitute ‘entity’.”

#### SEC. 104. ELECTRICITY OUTAGE INVESTIGATION.

Part III of the Federal Power Act (16 U.S.C. 824) is amended—

(1) by redesignating sections 320 and 321 (16 U.S.C. 825r, 791a) as 321 and 322 respectively; and

(2) by inserting after section 319 (16 U.S.C. 825q) the following:

#### “SEC. 320. ELECTRICITY OUTAGE INVESTIGATION BOARD.”

“(a) ESTABLISHMENT.—There is established an Electricity Outage Investigation Board that shall be an independent establishment within the Executive Branch

“(b) MEMBERSHIP.—The Board shall consist of 7 members and shall include—

(1) the Secretary of Energy or his or her designee;

(2) the Chairman of the Federal Regulatory Commission or his or her designee;

(3) a representative of the National Academy of Sciences appointed by the President; a representative appointed by the Majority leader of the Senate; a representative appointed by the Minority leader of the Senate; a representative appointed by the Majority Leader of the House of Representatives; and a representative appointed by the Minority Leader of the House of Representatives. Each such appointee shall demonstrate relevant expertise in the field of electricity generation, transmission and distribution, and such other expertise as will best assist in carrying out the duties of the Board.

“(c) TERMS.—The Secretary of Energy and the Chairman of the Federal Regulatory Commission shall be permanent members. The remaining members shall each serve for a term of three years.

“(d) DUTIES.—The Board shall—

“(1) upon request by Congress or by the President investigate a major bulk-power

system failure in the United States to determine the causes of the failure;

“(2) report expeditiously to the Congress and to the President the results of the investigation; and 14

“(3) recommend to the Congress and the President actions to minimize the possibility of future bulk-power system failure.

“(e) COMPENSATION.—Each member of the Board shall be paid at the rate payable for level III of the Executive Schedule for each day (including travel time) such member is engaged in the work of the Board. Each member of the Board may receive travel expenses, including per diem in lieu of subsistence, in the same manner as is permitted under section 5702 and 5703 of title 5, United States Code.”

#### SEC. 105. STUDY ON RELIABILITY OF U.S. ELECTRICITY GRID.

(a) STUDY ON RELIABILITY.—Within 45 days after enactment of this Act, the Secretary of Energy shall contract with the National Academy of Sciences to conduct a study on the reliability of the U.S. electricity grid. The study shall examine the effectiveness of the current U.S. electricity transmission and distribution system at providing efficient, secure and affordable power to U.S. consumers.

(b) CONTENTS.—The study shall include an analysis of—

(1) vulnerability of the transmission and distribution system to disruption by natural, mechanical or human causes including sabotage;

(2) the most efficient and cost-effective solutions for dealing with vulnerabilities or other problems of the U.S. electricity transmission and distribution system, including a comparison of investments in:

“(A) efficiency;

“(B) distributed generation;

“(C) technical advances in software and other devices to improve the efficiency and reliability of the grid;

“(D) new power line construction; and “(E) any other relevant matters.

(c) REPORT.—The contract shall provide that within six months of entering into the contract, the National Academy of Sciences shall submit a report to the President and Congress detailing findings and recommendations of the study.

#### TITLE II—EFFICIENCY

#### SEC. 201. SYSTEM BENEFITS FUND.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) BOARD.—The term “Board” means the Board established under subsection (b).

(3) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

(4) FUND.—The terms “Fund” means the System Benefits Trust Fund established by under subsection (c).

(5) RENEWABLE ENERGY.—The term “renewable energy” means electricity generated from wind, ocean energy, organic waste (excluding incinerated municipal solid waste), or biomass (including anaerobic digestion from farm systems and landfill gas recovery) or a geothermal, solar thermal, or photovoltaic source. For purposes of this paragraph, a farm system is an electric generating facility that generates electric energy from the anaerobic digestion of agricultural waste produced by farming that is located on the farm where substantially all of the waste used is produced.

(6) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(b) BOARD.—

(1) ESTABLISHMENT.—The Secretary shall establish a System Benefits Trust Fund

Board to carry out the functions and responsibilities described in this section.

(2) MEMBERSHIP.—The Board shall be composed of—

(A) 1 representative of the Federal Energy Regulatory Commission appointed by the Federal Energy Regulatory Commission;

(B) 2 representatives of the Secretary of Energy appointed by the Secretary;

(C) 2 persons nominated by the National Association of Regulatory Utility Commissioners and appointed by the Secretary;

(D) 1 person nominated by the National Association of State Utility Consumer Advocates and appointed by the Secretary;

(E) 1 person nominated by the National Association of State Energy Officials and appointed by the Secretary;

(F) 1 person nominated by the National Energy Assistance Directors' Association and appointed by the Secretary; and

(G) 1 representative of the Environmental Protection Agency appointed by the Administrator of the Environmental Protection Agency.

(3) CHAIRPERSON.—The Secretary shall select a member of the Board to serve as Chairperson of the Board.

(c) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—The Board shall establish an account or accounts at one or more financial institutions, which account or accounts shall be known as the System Benefits Trust Fund consisting of amounts deposited in the fund under subsection (e).

(2) STATUS OF FUND.—The wires charges collected under subsection (e) and deposited in the Fund—

(A) shall not constitute funds of the United States;

(B) shall be held in trust by the Board solely for the purposes stated in subsection (d); and

(C) shall not be available to meet any obligations of the United States.

(d) USE OF FUND.—

(1) FUNDING OF STATE PROGRAMS.—Amounts in the Fund shall be used by the Board to provide matching funds to States and Indian tribes for the support of State or tribal public benefits programs relating to—

(A) energy conservation and efficiency;

(B) renewable energy sources;

(C) assisting low-income households in meeting their home energy needs; or

(D) research and development in areas described in subparagraphs (A) through (C).

(2) DISTRIBUTION.—

(A) IN GENERAL.—Except for amounts needed to pay costs of the Board in carrying out its duties under this section, the Board shall distribute all amounts in the Fund to States or Indian tribes to fund public benefits programs under paragraph (1).

(B) FUND SHARE.—

(i) IN GENERAL.—Subject to clause (iii), the Fund share of a public benefits program funded under paragraph (1) shall be 50 percent.

(ii) PROPORTIONATE REDUCTION.—To the extent that the amount of matching funds requested by States and Indian tribes exceeds the maximum projected revenues of the Fund, the matching funds distributed to the States and Indian tribes shall be reduced by an amount that is proportionate to each State's annual consumption of electricity compared to the Nation's aggregate annual consumption of electricity.

(iii) ADDITIONAL STATE OR INDIAN TRIBE FUNDING.—A State or Indian tribe may apply funds to public benefits programs in addition to the amount of funds applied for the purpose of matching the Fund share.

(3) PROGRAM CRITERIA.—The Board shall recommend eligibility criteria for public benefits programs funded under this section for approval by the Secretary.

(4) APPLICATION.—Not later than August 1 of each year beginning in 2004, a State or Indian tribe seeking matching funds for the following fiscal year shall file with the Board, in such form as the Board may require, an application—

(A) certifying that the funds will be used for an eligible public benefits program;

(B) stating the amount of State or Indian tribe funds earmarked for the program; and

(C) summarizing how System Benefit Trust Fund funds from the previous calendar year (if any) were spent by the State and what the State accomplished as a result of these expenditures.

(e) WIRES CHARGE.—

(1) DETERMINATION OF NEEDED FUNDING.—Not later than September 1 of each year, the Board shall determine and inform the Commission of the aggregate amount of wires charges that will be necessary to be paid into the Fund to pay matching funds to States and Indian tribes and pay the operating costs of the Board in the following fiscal year.

(2) IMPOSITION OF WIRES CHARGE.—

(A) IN GENERAL.—Not later than December 15 of each year, the Commission shall impose a nonbypassable, competitively neutral wires charge, to be paid directly into the Fund by the operator of the wire, on electricity carried through the wire (measured as the electricity exits at the busbar at a generation facility, or, for electricity generated outside the United States, at the point of delivery to the wire operator's system) in interstate commerce.

(B) AMOUNT.—The wires charge shall be set at a rate equal to the lesser of—

(i) 1.0 mills per kilowatt hour; or

(ii) a rate that is estimated to result in the collection of an amount of wires charges that is as nearly as possible equal to the amount of needed funding determined under paragraph (1).

(3) DEPOSIT IN THE FUND.—The wires charge shall be paid by the operator of the wire directly into the Fund at the end of each month during the calendar year for distribution by the Board under subsection (c).

(4) PENALTIES.—The Commission may assess against a wire operator that fails to pay a wires charge as required by this subsection a civil penalty in an amount equal to not more than the amount of the unpaid wires charge.

(F) AUDITING.—

(1) IN GENERAL.—The Fund shall be audited annually by a firm of independent certified public accountants in accordance with generally accepted auditing standards.

(2) ACCESS TO RECORDS.—Representatives of the Secretary and the Commission shall have access to all books, accounts, reports, files, and other records pertaining to the Fund as necessary to facilitate and verify the audit.

(3) REPORTS.—

(A) IN GENERAL.—A report on each audit shall be submitted to the Secretary, the Commission, and the Secretary of the Treasury, who shall submit the report to the President and Congress not later than 180 days after the close of the fiscal year.

(B) REQUIREMENTS.—An audit report shall—

(i) set forth the scope of the audit; and

(ii) include—

(I) a statement of assets and liabilities, capital, and surplus or deficit;

(II) a surplus or deficit analysis;

(III) a statement of income and expenses;

(IV) any other information that may be considered necessary to keep the President and Congress informed of the operations and financial condition of the Fund; and

(V) any recommendations with respect to the Fund that the Secretary or the Commission may have.

## SEC. 202. ELECTRICITY EFFICIENCY PERFORMANCE STANDARD.

Title VI of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621 note) is amended by adding at the end the following:

### “SEC. 609. FEDERAL ELECTRICITY EFFICIENCY PERFORMANCE STANDARD.

“(a) IN GENERAL.—Each electric retail supplier shall implement energy efficiency and load reduction programs and measures to achieve verified improvements in energy efficiency and peak load reduction in retail customer facilities and the distribution systems that serve them.

“(b) POWER SAVINGS.—Such programs shall produce savings in total peak power demand and total electricity use by retail customers by an amount that is equal to or greater than the following percentages relative to the peak demand and electricity used in that year by the retail electric supplier's customers:

	Reduction in Demand	Reductions in Use
In calendar year 2004 .....	1%	.75%
In calendar year 2005 .....	2%	1.5%
In calendar year 2007 .....	4%	3.0%
In calendar year 2009 .....	6%	4.5%
In calendar year 2011 .....	8%	6.0%
In calendar year 2013 .....	10%	7.5%

“(c) BEGINNING DATE.—For purposes of this section, savings shall be counted only for measures installed after January 1, 2003.

“(d) RULEMAKING.—The Secretary of Energy is directed to establish, by rule, procedures and standards for counting and independently verifying energy and demand savings for purposes of enforcing the energy efficiency performance standards imposed by this section. Such rule shall also include procedures and a schedule for reporting findings to the Department of Energy and for making such reports available to the public. The Secretary shall consult with the association representing the nation's public utility regulators, and with the association representing the nation's state energy officials in developing these procedures and standards. This rulemaking shall be completed no later than June 30, 2004.

“(e) REPORTING.—By June 30, 2006, and every two years thereafter, each retail electric supplier shall file with the state public utilities commission in each state in which it supplies service to retail customers, a report demonstrating that it has taken action to comply with the energy efficiency performance standards of this section. These reports shall include independent verification of the estimated savings pursuant to standards established by the Secretary. A state public utilities commission may accept such report as filed, or may review and investigate the accuracy of the report. Each state public utilities commission shall make findings on any deficiencies relative to the requirements in section 2, and shall create a remedial order for the correction of any deficiencies that are found.

“(f) UTILITIES OUTSIDE STATE JURISDICTION.—Electric retail suppliers not subject to the jurisdiction of state public utilities commissions shall report to their governing bodies. Such reports shall include independent verification of the estimated savings pursuant to standards established by the Secretary.

“(g) PROGRAM PARTICIPATION.—Electric retail suppliers may demonstrate satisfaction of this standard, in whole or part, by savings achieved through participation in statewide, regional, or national programs that can be demonstrated to significantly improve the efficiency of electric distribution and use. Verified efficiency savings resulting from such programs may be assigned to each participating retail supplier based upon their

degree of participation in such programs. Electric retail suppliers may also purchase rights to extra savings achieved by other electric retail suppliers, provided that the selling supplier or another electric retail supplier does not also take credit for those savings.

“(h) REMEDIES FOR FAILURE TO COMPLY.—In the event that any retail electric supplier fails to achieve its energy savings and/or load reduction target for a specific year, any aggrieved party may enter suit and seek prompt remedial action before a state public utilities commission or an appropriate governing body in the case of electric retail suppliers not subject to state public utility commission jurisdiction. The state public utilities commission or other appropriate governing body shall have a maximum of one year to craft a remedy. However, if a state public utilities commission or other governing body certifies that it has inadequate resources or authority to promptly resolve enforcement actions under this section, or fails to take action within the time period specified above, enforcement may be sought in Federal district court. If a commission or court determines that energy savings and/or load reduction targets for a specific year have not been achieved, the commission or court shall determine the amount of the deficit and shall fashion an equitable remedy to restore the lost savings as soon as practicable. Such remedies may include a refund to retail electric customers of an amount equal to the retail cost of the electricity consumed due to the failure to reach the target, and the appointment of a special master to administer a bidding system to procure the energy and demand savings equal to 125% of the deficit.

#### SEC. 203. APPLIANCE EFFICIENCY.

Section 325(d)(3) of the Energy Policy and Conservation Act (42 U.S.C. 6295(d)(3)) is amended by striking subparagraph (B) and inserting instead:

“(B) The Secretary shall publish a final rule no later than January 1, 2007, to determine whether the standards in effect for central air conditioners and central air conditioning heat pumps should be amended. Such rule shall address both system annual energy use and peak electric demand and may include more than one efficiency descriptor. Such rule shall apply to products manufactured on or after January 1, 2010.”.

#### SEC. 204. LOAN GUARANTEES.

(a) AUTHORITY.—The Secretary may guarantee not more than 50 percent of the principal of any loan made to a qualifying entity for eligible activities under this section.

(b) CONDITIONS.—(1) The Secretary shall not guarantee a loan under this section unless—

(A) the guarantee is a qualifying entity;

(B) the guarantee has filed an application with the Secretary;

(C) the project, activity, program or system for which the loan is made is an eligible activity; and

(D) the project, activity, program or system for which the loan is made will significantly enhance the reliability, security, efficiency and cost-effectiveness of electricity generation, transmission or distribution.

(2) The Secretary shall give priority to guaranteed loans under this section for eligible activities which accomplish the objectives of this section in the most environmentally beneficial manner.

(3) A loan guaranteed under this section shall be made by a financial institution subject to the examination of the Secretary.

(c) RULES.—Not later than 1 year after enactment of this section, the Secretary shall publish a final rule establishing guidelines for loan requirements under this section. The rules shall establish—

(1) criteria for determining which entities shall be considered qualifying entities eligible for loan guarantees under this section;

(2) criteria for determining which projects, activities, programs or systems shall be considered eligible activities eligible for loan guarantees in accordance with the purposes of this section;

(3) loan requirements including term, maximum size, collateral requirements; and

(4) any other relevant features.

(d) LIMITATION ON SIZE.—The Secretary may make commitments to guarantee loans only to the extent that the total principal, any part of which is guaranteed, will not exceed \$10,000,000,000.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to cover the cost of loan guarantees as defined by section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)).

(F) DEFINITIONS.—In this section:

(1) The term “eligible activity” means—

(A) advanced technologies for high-efficiency electricity transmission control and operation, including high-efficiency power electronics technologies (including software-controlled computer chips and sensors to diagnose trouble spots and re-route power into appropriate areas), high-efficiency electricity storage systems, and high-efficiency transmission wire or transmission cable system;

(B) distributed generation systems fueled solely by—

(i) solar, wind, biomass, geothermal, or ocean energy;

(ii) landfill gas;

(iii) natural gas systems utilizing best available control technology;

(iv) fuel cells; or

(v) any combination of the above.

(C) combined heat and power systems; and

(D) energy efficiency systems producing demonstrable electricity savings.

(2) The term “qualifying entity” means an individual, corporation, partnership, joint venture, trust or other entity identified by the Secretary of Energy under subsection (c)(1) as eligible for a guaranteed loan under this section.

(3) The term “Secretary” means the Secretary of Energy.

#### TITLE III—ON-SITE GENERATION

##### SEC. 301. NET METERING.

(a) ADOPTION OF STANDARD.—Section 111 (d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

“(13) NET METERING.—(A) Each electric utility shall make available upon request net metering service to any electric consumer that the electric utility serves.

“(B) For purposes of implementing this paragraph, any reference contained in this section to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of this paragraph.”.

(b) SPECIAL RULES FOR NET METERING.—Section 115 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2625) is amended by adding at the end the following:

“(i) NET METERING.—In undertaking the consideration and making the determination concerning net metering established by section 111(d)(13), the following shall apply—

“(1) RATES AND CHARGES.—An electric utility—

“(A) shall charge the owner or operator of an on-site generating facility rates and charges that are identical to those that would be charged other electric consumers of the electric utility in the same rate class; and

“(B) shall not charge the owner or operator of an on-site generating facility any addi-

tional standby, capacity, interconnection, or other rate or charge.

“(2) MEASUREMENT.—An electric utility that sells electric energy to the owner or operator of an on-site generating facility shall measure the quantity of electric energy produced by the on-site facility and the quantity of electricity consumed by the owner or operator of an on-site generating facility during a billing period in accordance with normal metering practices.

“(3) ELECTRIC ENERGY SUPPLIED EXCEEDING ELECTRIC ENERGY GENERATED.—If the quantity of electric energy sold by the electric utility to an on-site generating facility exceeds the quantity of electric energy supplied by the on-site generating facility to the electric utility during the billing period, the electric utility may bill the owner or operator for the net quantity of electric energy sold, in accordance with normal metering practices.

“(4) ELECTRIC ENERGY GENERATED EXCEEDING ELECTRIC ENERGY SUPPLIED.—If the quantity of electric energy supplied by the on-site generating facility to the electric utility exceeds the quantity of electric energy sold by the electric utility to the on-site generating facility during the billing period—

“(A) the electric utility may bill the owner or operator of the on-site generating facility for the appropriate charges for the billing period in accordance with paragraph (2); and

“(B) the owner or operator of the on-site generating facility shall be credited for the excess kilowatt-hours generated during the billing period, with the kilowatt-hour credit appearing on the bill for the following billing period.

“(5) SAFETY AND PERFORMANCE STANDARDS.—An eligible on-site generating facility and net metering system used by an electric consumer shall meet all applicable safety, performance, reliability and interconnection standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and Underwriters Laboratories.

“(6) ADDITIONAL CONTROL AND TESTING REQUIREMENTS.—The Commission, after consultation with State regulatory authorities and nonregulated electric utilities and after notice and opportunity for comment, may adopt, by rule, additional control and testing requirements for on-site generating facilities and net metering systems that the Commission determines are necessary to protect public safety and system reliability.

“(7) DEFINITIONS.—For purposes of this subsection:

“(A) the term ‘eligible on-site generating facility’ means—

“(i) a facility on the site of a residential electric consumer with a maximum generating capacity of 25 kilowatts or less; or

“(ii) a facility on the site of a commercial electric consumer with a maximum generating capacity of 1000 kilowatts or less

that is fueled solely by a renewable energy resource.

“(B) the term ‘renewable energy resource’ means solar, wind, biomass, geothermal or wave energy; landfill gas; fuel cells; or a combined heat and power system.

“(C) the term ‘net metering service’ means service to an electric consumer under which electric energy generated by that electric consumer from an eligible on-site generating facility and delivered to the local distribution facilities may be used to offset electric energy provided by the electric utility to the electric consumer during the applicable billing period.”.

“(8) STATE AUTHORITY.—An electric utility must provide net metering services to electric consumers until the cumulative generating capacity of net metering systems equals 1.0 percent of the utility’s peak demand during the most recent calendar year.

This subsection does not preclude a state from imposing additional requirements regarding the amount of net metering available within a state consistent with the requirements in this section.

#### SEC. 302. INTERCONNECTION.

(a) DEFINITIONS.—Section 3 of the Federal Power act (16 U.S.C. 796) is amended(1) by striking paragraph 23 and inserting the following:

“(23) TRANSMITTING UTILITY.—The term ‘transmitting utility’ means any entity (notwithstanding section 201(f)) that owns, controls or operates an electric power transmission facility that is used for the sale of electric energy.” and (2) by adding at the end the following:

“(26) APPROPRIATE REGULATORY AUTHORITY.—The term ‘appropriate regulatory authority’ means—

“(A) the Commission;

“(B) a State commission;

“(C) a municipality; or

“(D) a cooperative that is self-regulating under State law and is not a public utility.

“(27) GENERATING FACILITY.—The term ‘generating facility’ means a facility that generates electric energy.

“(28) LOCAL DISTRIBUTION UTILITY.—The term ‘local distribution facility’ means an entity that owns, controls or operates an electric power distribution facility that is used for the sale of electric energy.

“(29) NON-FEDERAL REGULATORY AUTHORITY.—The term ‘non-Federal regulatory authority’ means an appropriate regulatory authority other than the Commission.”.

(b) INTERCONNECTION TO DISTRIBUTION FACILITIES.—Section 210 of the Federal Power Act (16 U.S.C. 824i) is amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following:

“(e) INTERCONNECTION TO DISTRIBUTION FACILITIES.—

“(1) Interconnection.—(A) A local distribution utility shall interconnect a generating facility with the distribution facilities of the local distribution utility if the owner of the generating facility—

“(i) complies with the final rule promulgated under paragraph (2); and

“(ii) pays the costs of the interconnection.

“(B) The costs of the interconnection—

“(i) shall be just and reasonable, and not unduly discriminatory or preferential, as determined by the appropriate regulatory authority; and

“(ii) shall be comparable to the costs charged by the local distribution utility for interconnection by any similarly situated generating facility to the distribution facilities of the local distribution utility.

“(C) The right of a generating facility to interconnect under subparagraph (A) does not relieve the generating facility or the local distribution utility of other Federal, State or local requirements.

“(2) RULE.—Not later than six months after the date of enactment of this subparagraph, the Commission shall promulgate final rules establishing reasonable and appropriate technical standards for the interconnection of a generating facility with the distribution facilities of a local distribution utility.

“(3) RIGHT TO BACKUP POWER.—(A) In accordance with subparagraph (B) a local distribution utility shall offer to sell backup power to a generating facility that has interconnected with the local distribution utility to the extent that the local distribution utility—

“(i) is not subject to an order of a non-Federal regulatory authority to provide open access to the distribution facilities of the local distribution utility;

“(ii) has not offered to provide open access to the distribution facilities of the local distribution utility; or

“(iii) does not allow a generating facility to purchase backup power from another entity using the distribution facilities of the local distribution utility.

“(B) A sale of backup power under subparagraph (A) shall be at such a rate, and under such terms and conditions as are just and reasonable and not unduly discriminatory or preferential, taking into account the actual incremental cost, whenever incurred by the local distribution utility, to supply such backup power service during the period in which the backup power service is provided, as determined by the appropriate regulatory authority.

“(C) A local distribution utility shall not be required to offer backup power for resale to any entity other than the entity for which the backup power is purchased.

“(D) To the extent backup power is used to serve a new or expanded load on the distribution system, the generating facility shall pay any reasonable cost associated with any transmission, distribution or generation upgrade required to provide such service.

(c) INTERCONNECTION TO TRANSMISSION FACILITIES.—Section 210 of the Federal Power Act (16 U.S.C. 824i) (as amended by subsection (b)) is amended by inserting after subsection (e) the following:

“(f) INTERCONNECTION TO TRANSMISSION FACILITIES.—

“(1) INTERCONNECTION.—(A) Notwithstanding subsections (a) and (c), a transmitting utility shall interconnect a generating facility with the transmission facilities of the transmitting utility if the owner of the generating facility

“(i) complies with the final rules promulgated under paragraph (2); and

“(ii) pays the costs of interconnection.

“(B) Subject to subparagraph (C), the costs of interconnection—

“(i) shall be just and reasonable and not unduly discriminatory or preferential; and

“(ii) shall be comparable to the costs charged by the transmitting utility for interconnection by any similarly situated generating facility to the transmitting facilities of the transmitting utility.

“(C) A non-Federal regulatory authority that is authorized under Federal law to determine the rates for transmission service shall be authorized to determine the costs of any interconnection under this subparagraph.

“(D) The right of a generating facility to interconnect under subparagraph (A) does not relieve the generating facility or the transmitting utility of other Federal, State or local requirements.

“(2) RULE.—Not later than six months after the date of enactment of this subparagraph, the Commission shall promulgate rules establishing reasonable and appropriate technical standards for the interconnection of a generating facility with the transmission facilities of a transmitting utility.

“(3) RIGHT TO BACKUP POWER.—(A) In accordance with subparagraph (B), a transmitting utility shall offer to sell backup power to a generating facility that has interconnected with the transmitting utility unless

“(i) Federal or State law allows a generating facility to purchase backup power from an entity other than the transmitting utility; or

“(ii) a transmitting utility allows a generating facility to purchase backup power from an entity other than the transmitting utility using the transmission facilities of the transmitting utility and the transmission facilities of any other transmitting utility.

“(B) A sale of backup power under subparagraph (A) shall be at such a rate and under such terms and conditions as are just and reasonable and not unduly discriminatory or preferential, taking into account the actual incremental cost, whenever incurred by the local distribution utility, to supply such backup power service during the period in which the backup power service is provided, as determined by the appropriate regulatory authority.

“(C) A transmitting utility shall not be required to offer backup power for resale to any entity other than the entity for which the backup power is purchased.

“(D) To the extent backup power is used to serve a new or expanded load on the transmission system, the generating facility shall pay any reasonable costs associated with any transmission, distribution or generation upgrade required to provide such service.

(D) CONFORMING AMENDMENTS.—Section 210 of the Federal Power Act (16 U.S.C. 824i) is amended—

(1) in subsection (a)(1)—

(A) by inserting “transmitting utility, local distribution utility,” after “electric utility.”; and

(B) in subparagraph (A) by inserting “any transmitting utility,” after “small power production facility.”;

(2) in subsection (b)(2) by striking “an evidentiary hearing” and inserting “a hearing”;

(3) in subsection (c)(2)—

(A) in subparagraph (B) by striking “or” at the end;

(B) in subparagraph (C) by striking “and” at the end and inserting “or”; and

(C) by adding at the end the following:

“(D) promote competition in electricity markets, and”; and

(4) in subsection (d) by striking the last sentence.

#### SEC. 303. ON-SITE GENERATION FOR EMERGENCY FACILITIES.

(a) DEMONSTRATION AND TECHNOLOGY TRANSFER PROGRAM.—The Secretary shall establish a demonstration program for the implementation of innovative technologies for renewable uninterruptible power supply systems located in eligible buildings and for the dissemination of information on such systems to interested parties.

(b) LIMIT ON FEDERAL FUNDING.—The Secretary shall provide no more than 40 percent of the costs of projects funded under this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated \$30,000,000 for each of the fiscal years 2004 through 2007 to carry out this section.

(d) DEFINITIONS.—For purposes of this section:

(1) The term “eligible facility” means a building owned or operated by a State or local government that is used for critical governmental dispatch and communication; police, fire or emergency services; traffic control systems; or public water or sewer systems.

(2) The term “Secretary” means the Secretary of Energy;

(3) The term “renewable uninterruptible power supply system” means a system designed to maintain electrical power to critical loads in a public facility in the event of a loss or disruption in conventional grid electricity, where such system derives its energy production or storage capacity solely from solar, wind, biomass, geothermal or ocean energy, natural gas; landfill gas; a fuel cell device; or from a combination of the above.

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

S. 1755. A bill to amend the Richard B. Russell National School Lunch Act

to provide grants to support farm-to-cafeteria projects; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LEAHY. Mr. President, I am pleased to introduce today, with my respected colleague from Pennsylvania, Senator SPECTER, the Farm-to-Cafeteria Projects Act of 2003. This important bipartisan proposal will support grassroots efforts all across our Nation to bring school cafeterias and local farms together.

It is amazing how many kids do not know where the food that they eat comes from. It is also amazing how far some farm products travel to get to the cafeteria table. The Farm-to-Cafeteria Projects Act of 2003 will establish a U.S. Department of Agriculture, USDA, grant program to help schools connect children with local farms by bringing fresh local foods to their cafeterias and by implementing hands-on nutrition education programs.

Communities all across our Nation are beginning to explore the concept of linking farms and cafeterias. In my home State of Vermont, from rural towns like Jay and Westfield to the city of Burlington, schools have experimented with how they can integrate the daily service of school meals with classroom learning and local agriculture. And as more schools create these connections, more and more want to learn how they too can start a program. Oftentimes these are very small schools, which do not have the staff or money to kick off a project on their own. With just a little money and some technical assistance, these schools can create a program that teaches kids about good nutrition, shows them the importance of agriculture, and supports local farms by keeping food dollars within the community. In introducing The Farm-to-Cafeteria Projects Act of 2003, Senator SPECTER and I seek to provide these communities with the assistance they need to get such school and farm partnerships off the ground. I urge my colleagues to join us in support of this exciting initiative, and I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1756

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Farm-to-Cafeteria Projects Act of 2003".

#### SEC. 2. GRANTS TO SUPPORT FARM-TO-CAFETERIA PROJECTS.

Section 12 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760) is amended by adding at the end the following:

"(q) GRANTS TO SUPPORT FARM-TO-CAFETERIA PROJECTS.—

"(i) IN GENERAL.—To improve access to local foods in schools and institutions receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) (other than section 17 of that Act (42 U.S.C. 1786)), the Secretary shall provide competitive grants to nonprofit entities and educational institutions to establish and carry

out farm-to-cafeteria projects that may include the purchase of equipment, the procurement of foods, and the provision of training and education activities.

"(2) PREFERENCE FOR CERTAIN PROJECTS.—In selecting farm-to-cafeteria projects to receive assistance under this subsection, the Secretary shall give preference to projects designed to—

"(A) procure local foods from small- and medium-sized farms for the provision of foods for school meals;

"(B) support nutrition education activities or curriculum planning that incorporates the participation of school children in farm and agriculture education projects; and

"(C) develop a sustained commitment to farm-to-cafeteria projects in the community by linking schools, agricultural producers, parents, and other community stakeholders.

"(3) TECHNICAL ASSISTANCE AND RELATED INFORMATION.—

"(A) TECHNICAL ASSISTANCE.—In carrying out this subsection, the Secretary may provide technical assistance regarding farm-to-cafeteria projects, processes, and development to an entity seeking the assistance.

"(B) SHARING OF INFORMATION.—The Secretary may provide for the sharing of information concerning farm-to-cafeteria projects and issues among and between government, private for-profit and nonprofit groups, and the public through publications, conferences, and other appropriate means.

"(4) GRANTS.—

"(A) IN GENERAL.—From amounts made available to carry out this subsection, the Secretary shall make grants to assist private nonprofit entities and educational institutions to establish and carry out farm-to-cafeteria projects.

"(B) MAXIMUM AMOUNT.—The maximum amount of a grant provided to an entity under this subsection shall be \$100,000.

"(C) MATCHING FUNDS REQUIREMENTS.—

"(i) IN GENERAL.—The Federal share of the cost of establishing or carrying out a farm-to-cafeteria project that receives assistance under this subsection may not exceed 75 percent of the cost of the project during the term of the grant, as determined by the Secretary.

"(ii) FORM.—In providing the non-Federal share of the cost of carrying out a farm-to-cafeteria project, the grantee shall provide the share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services.

"(iii) SOURCE.—An entity may provide the non-Federal share through State government, local government, or private sources.

"(D) ADMINISTRATION.—

"(i) SINGLE GRANT.—A farm-to-cafeteria project may be supported by only a single grant under this subsection.

"(ii) TERM.—The term of a grant made under this subsection may not exceed 3 years.

"(5) EVALUATION.—Not later than January 30, 2008, the Secretary shall—

"(A) provide for the evaluation of the projects funded under this subsection; and

"(B) submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the results of the evaluation.

"(6) FUNDING.—

"(A) IN GENERAL.—On October 1, 2002, and on each October 1 thereafter through October 1, 2007, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this subsection \$10,000,000, to remain available until expended.

"(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall ac-

cept, and shall use to carry out this subsection the funds transferred under subparagraph (A), without further appropriation."

By Mr. CONRAD (for himself, Mr. SMITH, Mr. BREAUX, Mr. COCHRAN, Ms. LANDRIEU, and Mr. CRAIG):

S. 1756. A bill to amend the Internal Revenue Code of 1986 to protect the health benefits of retired miners and to restore stability and equity to the financing of the United Mine Workers of America Combined Benefit Fund by providing additional sources of revenue to the Fund, and for other purposes; to the Committee on Finance.

Mr. CONRAD. Mr. President, 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. 1756

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

#### SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Coal Industry Retiree Health Benefit Stability and Fairness Act".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title, etc.

#### TITLE I—FINANCING PROVISIONS

##### Subtitle A—Federal Funds

Sec. 101. Mandatory transfer of general funds to Combined Benefit Fund.

Sec. 102. Annual audit.

Sec. 103. Appointment of Government trustees.

##### Subtitle B—Premiums

Sec. 111. Modifications of premiums to reflect transfers from general fund.

Sec. 112. Refunds to certain operators.

Sec. 113. Reduction in annual premiums to Combined Benefit Fund if surplus exists.

Sec. 114. Refund of contributions paid by certain small entities to United Mine Workers Combined Benefit Fund.

Sec. 115. First year payments of 1988 operators.

Sec. 116. Liability in the event of prefunding.

Sec. 117. Definition of successor in interest.

#### TITLE II—RETROACTIVE PROVISIONS

Sec. 201. Reform of retroactive provisions of Coal Industry Health Benefit System.

#### TITLE I—FINANCING PROVISIONS

##### Subtitle A—Federal Funds

SEC. 101. MANDATORY TRANSFER OF GENERAL FUNDS TO COMBINED BENEFIT FUND.

(a) IN GENERAL.—Section 9705 (relating to transfers to the Combined Benefit Fund) is amended by adding at the end the following new subsection:

"(c) MANDATORY TRANSFERS FROM GENERAL FUND.—



“(1) IN GENERAL.—There are hereby authorized and appropriated, out of any amounts in the Treasury not otherwise appropriated, to the Combined Fund such sums as may be necessary to—

“(A) pay any benefit or administrative costs of unassigned beneficiaries of the Combined Fund remaining after the transfer under subsection (b), and

“(B) eliminate any annual deficit in any premium account of the Combined Fund as certified by the Trustees of the Combined Fund.

Deficits referred to in subparagraph (B) shall be certified by the trustees only after utilizing and taking into account all premiums and other government reimbursements to the Fund.

“(2) USE OF FUNDS.—Any amounts transferred under paragraph (1) shall be available without fiscal year limitation.

“(3) TRANSFER.—The Secretary of the Treasury shall transfer amounts appropriated under paragraph (1) on October 1 of each fiscal year.”

(b) TRANSFER FROM ABANDONED MINE RECLAMATION FUND.—Section 9705(b)(2) (relating to use of funds) is amended to read as follows:

“(2) USE OF FUNDS.—Any amount transferred under paragraph (1) for any fiscal year shall be used to pay any benefit or administrative costs of unassigned beneficiaries of the Combined Fund for the plan year in which transferred.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal years beginning after September 30, 2003.

#### SEC. 102. ANNUAL AUDIT.

(a) IN GENERAL.—Section 9702 (relating to establishment of the Combined Fund) is amended by adding at the end the following:

“(d) ANNUAL AUDIT.—

“(1) AUDIT.—The Comptroller General of the United States shall conduct an annual audit of the Combined Fund. Such audit shall include—

“(A) a review of the progress the Combined Fund is making toward a managed care system as required under this subchapter, and

“(B) a review of the use of, and necessity for, amounts transferred to the Combined Fund under section 9705(c).

“(2) REPORT.—The Comptroller General shall report the results of any audit under paragraph (1) to the Secretary of the Treasury and to the appropriate committees of Congress, including the Comptroller General's recommendations (if any) as to any administrative savings which may be achieved without reducing the effective level of benefits under section 9703.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years of the Combined Fund beginning after the date of the enactment of this Act.

#### SEC. 103. APPOINTMENT OF GOVERNMENT TRUSTEES.

(a) IN GENERAL.—Section 9702(b)(1) (relating to the Board of Trustees), as amended by section 201(c), is amended by striking “and” at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting “; or”, and by inserting after subparagraph (C) the following new subparagraph:

“(D) 2 persons designated by the Secretary of the Treasury.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

#### Subtitle B—Premiums

#### SEC. 111. MODIFICATIONS OF PREMIUMS TO REFLECT TRANSFERS FROM GENERAL FUND.

(a) ELIMINATION OF UNASSIGNED BENEFICIARIES PREMIUM.—Section 9704(d) (estab-

lishing unassigned beneficiaries premium) is amended to read as follows:

“(d) UNASSIGNED BENEFICIARIES PREMIUM.—

“(1) PLAN YEARS ENDING ON OR BEFORE SEPTEMBER 30, 2003.—For plan years ending on or before September 30, 2003, the unassigned beneficiaries premium for any assigned operator shall be equal to the applicable percentage of the product of the per beneficiary premium for the plan year multiplied by the number of eligible beneficiaries who are not assigned under section 9706 to any person for such plan year.

“(2) PLAN YEARS BEGINNING ON OR AFTER OCTOBER 1, 2003.—For plan years beginning on or after October 1, 2003, there shall be no unassigned beneficiaries premium.”

(b) PREMIUM ACCOUNTS.—

(1) CREDITING OF ACCOUNTS.—Section 9704(e)(1) (relating to premium accounts; adjustments) is amended by inserting “and amounts transferred under section 9705 (b) or (c)” after “premiums received”.

(2) SHORTFALLS.—Section 9704(e)(3) (relating to shortfalls and surpluses) is amended—

(A) by striking “shortfall or” each place it appears in subparagraph (A),

(B) by striking “reduced or increased, whichever is applicable,” in subparagraph (A) and inserting “reduced”,

(C) by striking “or the unassigned beneficiaries premium account” in subparagraph (B), and

(D) by striking “SHORTFALLS AND SURPLUSES” in the heading and inserting “SURPLUSES”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years of the Combined Fund beginning after September 30, 2003.

#### SEC. 112. REFUNDS TO CERTAIN OPERATORS.

(a) IN GENERAL.—Section 9704 (relating to the liability of assigned operators) is amended by adding at the end the following new subsection:

“(j) REFUNDS TO CERTAIN OPERATORS.—The Combined Fund shall, before December 31, 2003, refund to an assigned operator which was an assigned operator prior to the date of the enactment of this subsection (and any related person to such operator) an amount equal to the sum of—

“(1) any amount paid by such operator or person to the Combined Fund (and not previously refunded) by reason of the operator having been a signatory to a pre-1974 coal wage agreement, and

“(2) interest on the amount under paragraph (1) at the overpayment rate established under section 6621 for the period from the payment of such amount to the refund under this subsection.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

#### SEC. 113. REDUCTION IN ANNUAL PREMIUMS TO COMBINED BENEFIT FUND IF SURPLUS EXISTS.

(a) IN GENERAL.—Part II of subchapter B of chapter 99 (relating to financing of Combined Benefit Fund) is amended by inserting after section 9704 the following new section:

##### “SEC. 9704A. REDUCTIONS IN HEALTH BENEFIT PREMIUM IF SURPLUS EXISTS.

“(a) GENERAL RULE.—If this section applies to any plan year, the per beneficiary premium used for purposes of computing the health benefit premium under section 9704(b) for the plan year shall be the reduced per beneficiary premium determined under subsection (c).

“(b) YEARS TO WHICH SECTION APPLIES.—

“(1) IN GENERAL.—This section applies to any plan year beginning after September 30, 2003, if the trustees determine that the Combined Fund has an excess reserve for the plan year.

“(2) EXCESS RESERVE.—For purposes of this section—

“(A) IN GENERAL.—The term ‘excess reserve’ means, with respect to any plan year, the excess (if any) of—

“(i) the projected net assets as of the close of the test period for the plan year, over

“(ii) the projected 3-month asset reserve as of such time.

“(B) PROJECTED NET ASSETS.—For purposes of subparagraph (A)(i), the projected net assets shall be the amount of the net assets which the trustees determine will be available at the end of the test period for projected fund benefits. Such determination shall be made in the same manner used by the Combined Fund to calculate net assets available for projected fund benefits in the Statement of Net Assets (Deficits) Available for Fund Benefits for purposes of the monthly financial statements of the Combined Fund for the plan year beginning October 1, 2003.

“(C) PROJECTED 3-MONTH ASSET RESERVE.—For purposes of subparagraph (A)(ii), the projected 3-month asset reserve is an amount equal to 25 percent of the projected expenses (including administrative expenses) from the health benefit premium account and unassigned beneficiaries premium account for the plan year immediately following the test period. The determination of such amount shall be based on the 10-year forecast of the projected net assets and cash balance of the Combined Fund prepared annually by an actuary retained by the Combined Fund.

“(D) TEST PERIOD.—For purposes of this section, the term ‘test period’ means, with respect to any plan year, that plan year and the following plan year.

“(c) REDUCED PER BENEFICIARY PREMIUM.—For purposes of this section, the reduced per beneficiary premium for any plan year to which this section applies is the per beneficiary premium determined under section 9704(b)(2) without regard to this section, reduced (but not below zero) by—

“(1) the excess reserve for the plan year, divided by

“(2) the total number of eligible beneficiaries which are assigned to assigned operators under section 9706 as of the close of the preceding plan year.

“(d) TERMINATION OF PREMIUM REDUCTION.—If, on any day during a plan year to which this section applies, the Combined Fund has net assets available for projected fund benefits (determined in the same manner as projected net assets under subsection (b)(2)(B)) in an amount less than the projected 3-month asset reserve determined under subsection (b)(2)(C) for the plan year—

“(1) this section shall not apply to months in the plan year beginning after such day, and

“(2) the monthly installment under section 9704(g)(1) for such months shall be equal to the amount which would have been determined if the health benefits premium under section 9704(b) had not been reduced under this section for the plan year.”

(b) CONFORMING AMENDMENTS.—

(1) Section 9704(a) (relating to annual premiums) is amended by striking “Each” and inserting “Subject to section 9704A, each”.

(2) The table of sections for part II of subchapter B of chapter 99 is amended by inserting after the item relating to section 9704 the following new item:

“Sec. 9704A. Reductions in health benefit premium if surplus exists.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years of the Combined Fund beginning after September 30, 2003.

**SEC. 114. REFUND OF CONTRIBUTIONS PAID BY CERTAIN SMALL ENTITIES TO UNITED MINE WORKERS COMBINED BENEFIT FUND.**

(a) IN GENERAL.—Part II of subchapter B of chapter 99, as amended by section 113, is amended by inserting after section 9704A the following new section:

**“SEC. 9704B. REFUNDS OF ANNUAL PREMIUMS OF CERTAIN SMALL ENTITIES.**

“(a) GENERAL RULE.—The Combined Fund shall refund to each eligible small entity any premiums paid by the entity to the Combined Fund under section 9704 for any plan year of the Combined Fund which began before October 1, 2003. This section shall not apply to any premium which was previously refunded.

“(b) ELIGIBLE SMALL ENTITY.—For purposes of this section, the term ‘eligible small entity’ means an assigned operator, but only if, as determined under the records of the Combined Fund, such operator (or any related person of such operator)—

“(1) was not a signatory to the 1981 or later National Bituminous Coal Wage Agreement or any ‘me too’ agreement related to such Coal Wage Agreement;

“(2) reported credit hours to the UMWA 1974 Pension Plan on fewer than ten classified mine workers in every month during its last year of operations under the National Bituminous Coal Wage Agreement of 1978 or any ‘me too’ agreement related to such Coal Wage Agreement;

“(3) has had not more than 60 beneficiaries, including eligible dependents of retired miners, assigned to it under section 9706 (determined without regard to beneficiary assignments relieved by the Social Security Administration);

“(4) was assessed premiums by the Combined Fund, made payments pursuant to those assessments, and has no delinquency as of September 30, 2003; and

“(5) is not directly engaged in the production or sale of coal engaged in the production of coal as of September 30, 2003.”

(b) CONFORMING AMENDMENT.—The table of sections for part II of subchapter B of chapter 99 is amended by inserting after the item relating to section 9704A the following new item:

“Sec. 9704B. Refunds of annual premiums of certain small entities.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

**SEC. 115. FIRST YEAR PAYMENTS OF 1988 OPERATORS.**

(a) IN GENERAL.—So much of section 9704(i)(1)(D) as precedes clause (ii) is amended to read as follows:

“(D) PREMIUM REDUCTIONS AND REFUNDS.—

“(i) 1st YEAR PAYMENTS.—In the case of a 1988 agreement operator making payments under subparagraph (A)—

“(I) the premium of such operator under subsection (a) shall be reduced by the amount paid under subparagraph (A) by such operator for the plan year beginning February 1, 1993, and

“(II) if the amount so paid exceeds the operator's liability under subsection (a), the excess shall be refunded to the operator before December 31, 2003.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

**SEC. 116. LIABILITY IN THE EVENT OF PREFUNDING.**

(a) IN GENERAL.—Section 9704 is amended—

(1) by striking “Any” in the last sentence of subsection (a) and inserting “Except as provided in subsection (k), any”, and

(2) by adding at the end the following new subsection:

“(k) RELATED PERSONS RELIEVED OF LIABILITY FUNDED THROUGH VOLUNTARY EMPLOYEES’ BENEFICIARY ASSOCIATION.—

“(1) IN GENERAL.—If a qualified voluntary employees’ beneficiary association is established with respect to any signatory operator, then, as of the date determined under paragraph (2)—

“(A) the last sentence of subsection (a) shall not apply to any related person with respect to the operator (determined without regard to this subsection), and

“(B) all such persons shall permanently cease to be treated for purposes of this subchapter as related persons with respect to the signatory operator.

“(2) TIMING OF LIMITATION ON LIABILITY.—The date determined under this paragraph shall be the first date by which all of the following have occurred:

“(A) The qualified voluntary employees’ beneficiary association's enrolled actuary (as defined in section 7701(a)(35)), using actuarial methods and assumptions each of which is reasonable and which are reasonable in the aggregate (as determined by such enrolled actuary), determines the balance of funds held by the association, resulting from 1 or more contributions to the association and earnings thereon, equals or exceeds the sum of—

“(i) the present value of the total premium liability of the signatory operator for its assignees under section 9704 with respect to the Combined Fund, plus

“(ii) the amount necessary to pay administrative and other incidental expenses of such association.

“(B) The enrolled actuary files a signed actuarial report with the Secretary containing—

“(i) the date of the actuarial valuation applicable to the report,

“(ii) a description of the funding method and actuarial assumptions used to determine costs of the association,

“(iii) a statement by the enrolled actuary signing the report that to the best of the actuary's knowledge the report is complete and accurate and that in the actuary's opinion the actuarial assumptions used are in the aggregate—

“(I) reasonably related to the experience of the association and to reasonable expectations, and

“(II) represent the actuary's best estimate of anticipated experience of the association, and

“(iv) such other information as may be necessary to fully and fairly disclose the actuarial position of the association.

“(C) The signatory operator provides security (in the form of a bond, letter of credit, or cash escrow) to the trustees of the 1992 UMWA Benefit Plan which—

“(i) is solely for the purpose of paying premiums for beneficiaries described in section 9712(b)(2)(B),

“(ii) is in an amount equal to 1 year's liability of the signatory operator under section 9711, determined by using the average cost of such operator's liability during its prior 3 calendar years, and

“(iii) is to remain in place for a period of 5 years.

“(D) 30 calendar days have elapsed after the report required by subparagraph (B) is filed with the Secretary, along with a description of the security required by subparagraph (C), and the Secretary has not notified the association's enrolled actuary in writing that the requirements of this subparagraph have not been satisfied.

“(3) QUALIFIED VOLUNTARY EMPLOYEES’ BENEFICIARY ASSOCIATION.—For purposes of this subsection, the term ‘qualified voluntary employees’ beneficiary association’ means,

with respect to a signatory operator, an association described in section 501(c)(9)—

“(A) which is established by the operator, a related person to the operator (determined without regard to this subsection), or a member of a controlled group of corporations which includes the operator;

“(B) the purpose of which is exclusively—

“(i) to satisfy the premium liability of the signatory operator with respect to the Combined Fund,

“(ii) to fund health benefits provided pursuant to a collective bargaining agreement, including benefits for individuals covered by sections 9711 and 9712, or to fund premiums for insurance exclusively covering such benefits, and

“(iii) to pay administrative and other incidental expenses of such association;

“(C) no part of the assets of which may be used for, or diverted to, any purpose other than the purposes described in subparagraph (B); and

“(D) payments from which may be made for the purposes described in subparagraph (B)(ii) only to the extent that—

“(i) the signatory operator no longer has an obligation to make payments under subparagraph (B)(i); or

“(ii) during any annual accounting period of the association such payments do not exceed, in the aggregate, 90 percent of the excess of—

“(I) fair market value of the association's assets, over

“(II) the present value of the liability described in subparagraph (B)(i).

Amounts under subparagraph (D)(ii) shall be determined, as of the end of the association's prior year annual accounting period, by the association's enrolled actuary (as defined in section 7701(a)(35)) using actuarial methods and assumptions each of which is reasonable and which are reasonable in the aggregate (as determined by such enrolled actuary).

“(4) OTHER RULES RELATING TO ASSOCIATIONS.—For purposes of this subsection—

“(A) if a qualified voluntary employees’ beneficiary association makes a payment, the association's enrolled actuary shall, within 30 days after the end of the association's annual accounting period which includes the payment, file with the Secretary an actuarial report containing the information described in paragraph (2)(B) and a statement that the requirements of paragraph (3)(D) have been satisfied during the prior year; and

“(B) a signatory operator, or member of the controlled group of corporations which includes such signatory operator, which has previously established an association under section 501(c)(9) for purposes which include purposes described in paragraph (3) may use funds from such previously established association to fund all or a portion of the association established under this subsection.”

(b) CONFORMING AMENDMENT.—Section 419A(f)(5)(A) is amended by inserting “, including a qualified voluntary employees’ beneficiary association (as defined in section 9704(k))”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to associations established after the date of the enactment of this Act.

**SEC. 117. DEFINITION OF SUCCESSOR IN INTEREST.**

(a) IN GENERAL.—Subsection (c) of section 9701 is amended by adding at the end the following new paragraph:

“(8) SUCCESSOR IN INTEREST.—

“(A) SAFE HARBOR.—The term ‘successor in interest’ shall not include any person—

“(i) who is an unrelated person to a seller, and

“(ii) who purchases for fair market value assets, or all the stock of a related person, in

a bona fide, arm's-length sale which is subject to section 5 of the Securities Act of 1933 (15 U.S.C. 77f et seq.) or the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.).

"(B) UNRELATED PERSON.—The term 'unrelated person' means a purchaser who does not bear a relationship to the seller described in section 267(b).

"(C) CONTINGENT LIABILITY.—This paragraph shall only apply if the contract for sale provides that, if the seller fails to make a premium payment to the Combined Fund during the first 5 plan years beginning after the sale, then the purchaser shall be secondarily liable for any liability to the Combined Fund it would have had but for the provisions of this paragraph.

"(D) NO INFERENCE.—Nothing in this paragraph shall be construed to infer that a purchaser in a sale not described in this paragraph is a successor in interest."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to transactions after the date of the enactment of this Act.

## TITLE II—RETROACTIVE PROVISIONS

### SEC. 201. REFORM OF RETROACTIVE PROVISIONS OF COAL INDUSTRY HEALTH BENEFIT SYSTEM.

(a) AGREEMENTS COVERED BY HEALTH BENEFIT SYSTEM.—

(1) IN GENERAL.—Section 9701(b)(1) (defining coal wage agreement) is amended to read as follows:

"(1) COAL AGREEMENTS.—

"(A) 1988 AGREEMENT.—The term '1988 agreement' means the collective bargaining agreement between the settlers which became effective on February 1, 1988.

"(B) COAL WAGE AGREEMENT.—The term 'coal wage agreement' means the 1988 agreement and any predecessor to the 1988 agreement."

(2) CONFORMING AMENDMENT.—Section 9701(b) (relating to agreements) is amended by striking paragraph (3).

(b) DEFINITIONS APPLICABLE TO OPERATORS.—

(1) SIGNATORY OPERATOR.—Section 9701(c)(1) (defining signatory operator) is amended to read as follows:

"(1) SIGNATORY OPERATOR.—The term 'signatory operator' means a 1988 agreement operator."

(2) 1988 AGREEMENT OPERATOR.—Section 9701(c)(3) (defining 1988 agreement operator) is amended to read as follows:

"(3) 1988 AGREEMENT OPERATOR.—The term '1988 agreement operator' means—

"(A) an operator which was a signatory to the 1988 agreement, or

"(B) a person in business which, during the term of the 1988 agreement, was a signatory to an agreement (other than the National Coal Mine Construction Agreement or the Coal Haulers' Agreement) containing pension and health care contribution and benefit provisions which are the same as those contained in the 1988 agreement.

Such term shall not include any operator who was assessed, and paid the full amount of, contractual withdrawal liability to the 1950 UMWA Benefit Plan, the 1974 UMWA Benefit Plan, or the Combined Fund."

(3) CONFORMING AMENDMENTS.—

(A) Section 9711(a) is amended by striking "maintained pursuant to a 1978 or subsequent coal wage agreement".

(B) Section 9711(b)(1) is amended by striking "pursuant to a 1978 or subsequent coal wage agreement".

(C) MODIFICATIONS TO REFLECT REACHBACK REFORMS.—

(1) BOARD OF TRUSTEES OF COMBINED FUND.—

(A) IN GENERAL.—Section 9702(b)(1) is amended—

(i) by striking "one individual who represents" in subparagraph (A) and inserting "two individuals who represent";

(ii) by striking subparagraph (B) and redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively, and

(iii) by striking "(A), (B), and (C)" in subparagraph (C) (as so redesignated) and inserting "(A) and (B)".

(B) CONFORMING AMENDMENT.—Section 9702(b)(3) is amended to read as follows:

"(3) SPECIAL RULE.—If the BCOA ceases to exist, any trustee or successor under paragraph (1)(A) shall be designated by the 3 employers who were members of the BCOA on October 24, 1992, and who have been assigned the greatest number of eligible beneficiaries under section 9706."

(C) TRANSITION RULE.—Any trustee serving on the date of the enactment of this Act who was appointed to serve under section 9702(b)(1)(B) of the Internal Revenue Code of 1986 (as in effect before the amendments made by this paragraph) shall continue to serve until a successor is appointed under section 9702(b)(1)(A) of such Code (as in effect after such amendments).

(2) ASSIGNMENT OF BENEFICIARIES.—Section 9706 (relating to assignment of eligible beneficiaries) is amended by adding at the end the following:

"(h) ASSIGNMENT AS OF OCTOBER 1, 2003.—

"(1) IN GENERAL.—Effective October 1, 2003, the Commissioner of Social Security shall—

"(A) revoke all assignments to persons other than 1988 agreement operators for purposes of assessing premiums for periods after September 30, 2003,

"(B) make no further assignments to persons other than 1988 agreement operators, and

"(C) terminate all unpaid liabilities of persons other than 1988 agreement operators with respect to eligible beneficiaries whose assignment to such persons is pending on October 1, 2003.

"(2) REASSIGNMENT UPON PURCHASE.—This subsection shall not be construed to prohibit the reassignment under subsection (b)(2) of an eligible beneficiary."

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 246—EXPRESSING THE SENSE OF THE SENATE THAT NOVEMBER 22, 1983, THE DATE OF THE RESTORATION BY THE FEDERAL GOVERNMENT OF FEDERAL RECOGNITION TO THE CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON, SHOULD BE MEMORIALIZED

Mr. SMITH (for himself and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 246

Whereas the Grand Ronde Restoration Act (25 U.S.C. 713 et seq.), which was signed by the President on November 22, 1983, restored Federal recognition to the Confederated Tribes of the Grand Ronde Community of Oregon;

Whereas the Confederated Tribes of the Grand Ronde Community of Oregon historically inhabited land that extended from the summit of the Cascade Range, west along the shores of the Columbia River to the summit of the Coast Range, and south to the California border;

Whereas in addition to restoring Federal recognition, that Act and other Federal In-

dian statutes have provided the means for the Confederated Tribes to achieve the goals of cultural restoration, economic self-sufficiency, and the attainment of a standard of living equivalent to that enjoyed by other citizens of the United States;

Whereas by enacting the Grand Ronde Restoration Act (25 U.S.C. 713 et seq.), the Federal Government—

(1) declared that the Confederated Tribes of the Grand Ronde Community of Oregon were eligible for all Federal services and benefits provided to federally recognized tribes;

(2) established a tribal reservation; and

(3) granted the Confederated Tribes of the Grand Ronde Community of Oregon self-government for the betterment of tribal members, including the ability to set tribal rolls;

Whereas the Confederated Tribes of the Grand Ronde Community of Oregon have embraced Federal recognition and self-sufficiency statutes and are actively working to better the lives of tribal members; and

Whereas economic self-sufficiency, which was the goal of restoring Federal recognition for the Confederated Tribes of the Grand Ronde Community of Oregon, is being realized through many projects: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that November 22, 1983, should be memorialized as the date on which the Federal Government restored Federal recognition to the Confederated Tribes of the Grand Ronde Community of Oregon.

SENATE RESOLUTION 247—CALLING ON THE PRESIDENT TO CONDEMN THE ANTI-SEMITIC SENTIMENTS EXPRESSED BY DR. MAHATHIR MOHAMAD, THE OUTGOING PRIME MINISTER OF MALAYSIA

Mr. LAUTENBERG (for himself, Mr. SMITH, Mrs. FEINSTEIN, Mrs. CLINTON, Mr. CORZINE, Mrs. BOXER, Mr. DASCHLE, Mr. DODD, Mr. SCHUMER, Mr. HATCH, Mrs. MURRAY, Mr. COLEMAN, Mr. WYDEN, Mr. BROWNBACK, Mr. REID, Mr. BAYH, Mr. CHAMBLISS, Mr. LEAHY, and Mr. GRAHAM of Florida) submitted the following resolution; which was considered and agreed to:

Whereas the outgoing prime minister of Malaysia, Dr. Mahathir Mohamad, has become notorious over the years for his virulent opposition to Israel;

Whereas Dr. Mahathir opened the 57-nation, October 2003 summit of the Organization of the Islamic Conference in Malaysia by characterizing Israel and Jews around the world as "the enemy" who "rule the world by proxy";

Whereas Dr. Mahathir's anti-Semitic remarks are despicable and will serve to incite further sectarian violence; and

Whereas President George W. Bush will be traveling to Thailand to attend the October 20-21, 2003, meeting in Bangkok of the leaders of Asia-Pacific Economic Cooperation (APEC), which Dr. Mahathir will also be attending: Now, therefore, be it

*Resolved*, That the Senate—

(1) thoroughly repudiates the damaging rhetoric of the outgoing prime minister of Malaysia, Dr. Mahathir Mohamad, which makes peace in the Middle East and around the world more elusive; and

(2) calls upon President George W. Bush, on behalf of the United States, to condemn Dr. Mahathir's injurious sentiments when the President and the prime minister meet to attend the October 20-21, 2003, meeting in Bangkok of the leaders of Asia-Pacific Economic Cooperation (APEC).

Mr. SMITH. Mr. President, I rise today to join my colleague, Senator LAUTENBERG, in the introducing an important resolution. This resolution condemns the highly inflammatory and hate-ridden statements by the Malaysian Prime Minister Mahathir Mohamad at the opening of the Organization of the Islamic Conference this Thursday.

Prime Minister Mohamad expressed the most despicable of views toward people of the Jewish faith. The Malaysian Prime Minister did not confine himself merely to vitriolic anti-Semitic remarks, however. He moved to incite Muslims throughout the world to fight Jews. These remarks are not only hateful, but directly undermine the goals of tolerance and understanding that the U.S. hopes its allies will promote.

As you are aware, President Bush is currently in Asia and will attend the Asia-Pacific Economic Conference in Thailand, October 20. This resolution urges the President to condemn the Prime Minister's remarks when the two meet next week.

I urge my respected colleagues to join us in supporting this important legislation.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1883. Mr. DORGAN (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table.

SA 1884. Mr. BYRD (for himself, Mr. DURBIN, Mr. BIDEN, Mr. LEAHY, Mr. DORGAN, Ms. MIKULSKI, Ms. LANDRIEU, and Mrs. FEINSTEIN) proposed an amendment to amendment SA 1819 submitted by Mr. BYRD (for himself and Mr. DURBIN) to the bill S. 1689, *supra*.

SA 1885. Mr. BROWNBACK proposed an amendment to the bill S. 1689, *supra*.

SA 1886. Mr. BYRD proposed an amendment to the bill S. 1689, *supra*.

SA 1887. Mr. DORGAN (for himself, Mr. WYDEN, and Mr. HARKIN) proposed an amendment to the bill S. 1689, *supra*.

SA 1888. Mr. BYRD (for himself, Mr. LAUTENBERG, Mr. SARBANES, Mr. FEINGOLD, Mr. WYDEN, Mr. JEFFORDS, and Mr. DAYTON) proposed an amendment to the bill S. 1689, *supra*.

SA 1889. Mrs. LINCOLN (for herself and Mr. REID) submitted an amendment intended to be proposed by her to the bill S. 1689, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 1883. Mr. DORGAN (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 25, strike lines 7 through 18, and insert the following:

For necessary expenses for security, rehabilitation and reconstruction in Iraq, \$18,449,000,000, to remain available until expended, to be allocated as follows: \$3,243,000,000 for security and law enforcement; \$1,318,000,000 for justice, public safety infrastructure, and civil society; \$5,560,000,000 for the electric sector; \$1,900,000,000 for oil infrastructure; \$4,332,000,000 for water resources and sanitation; \$500,000,000 for transportation and telecommunications; \$370,000,000 for roads, bridges, and construction; \$793,000,000 for health care; \$153,000,000 for private sector development; and \$280,000,000 for education, refugees, human rights, democracy, and governance: *Provided*, That

SA 1884. Mr. BYRD (for himself, Mr. DURBIN, Mr. BIDEN, Mr. LEAHY, Mr. DORGAN, Ms. MIKULSKI, Ms. LANDRIEU, and Mrs. FEINSTEIN) proposed an amendment to amendment SA 1819 submitted by Mr. BYRD (for himself and Mr. DURBIN) to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

In the Amendment, strike all after (a) in line 1 and insert the following:

SEC. 3002. Notwithstanding section 3001 of this Act, all of the amounts provided in section 3003 of this Act, excluding amounts contained in subsections (j), (k), (l) and (m) of section 3003 of this Act, are designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress).

SEC. 3003.

(a) Notwithstanding any other provision of this Act, amounts appropriated under the heading "Iraq Relief and Reconstruction Fund" shall be reduced by \$1,655,000,000 and the total amount appropriated under this heading shall be allocated as follows:

(1) \$3,243,000,000 for security and law enforcement; (2) \$1,268,000,000 for justice, public safety infrastructure, and civil society, of which not less than \$107,000,000 shall be made available for the Iraqi Civil Defense Corps; (3) \$5,646,000,000 for the electric sector; (4) \$1,850,000,000 for oil infrastructure; (5) \$4,332,000,000 for water resources and sanitation; (6) \$500,000,000 for transportation and telecommunications; (7) \$240,000,000 for roads, bridges, and construction; (8) \$850,000,000 for health care; (9) \$155,000,000 for private sector development; and (10) \$245,000,000 for refugees, human rights, democracy, and governance: *Provided*, That none of the funds appropriated by this Act may be used to fund (1) traffic police buildings, fleet, and equipment; (2) parking lots and cosmetic improvements at airports; (3) electric sector institutional strengthening; (4) solid waste management; (5) an Iraqi-American Enterprise Fund; (6) wireless internet capabilities for the Iraqi Telephone Postal Company (ITPC); (7) technical and management training for ITPC; (8) postal information technology architecture and systems; (9) management for Iraqi television and radio; (10) a numbering schema and 911 initiative for ITPC; (11) new housing communities and new government buildings; (12) a national security communications network; (13) market-oriented specialized training; (14) municipal public information centers; and (15) catch-up business training: *Provided further*, That of the funds appropriated by this Act, not more than \$765,000,000 may be made available for petroleum product imports, and not more than \$100,000,000 may be made available for new prison construction.

(b) In addition to amounts made available elsewhere in this Act, there is hereby appropriated to the Department of Defense \$363,300,000, to be used only for recovery and repair of damage due to natural disasters including Hurricane Isabel, to be distributed as follows:

"Operation and Maintenance, Army", \$66,600,000

"Operation and Maintenance, Navy", \$118,400,000

"Operation and Maintenance, Marine Corps", \$9,200,000

"Operation and Maintenance, Air Force", \$166,900,000; and

"Other Procurement, Air Force", \$2,200,000.

(c) For an additional amount for "Military Construction, Army", \$65,200,000, to remain available until September 30, 2008, to be used only to repair facilities damaged by Hurricane Isabel at Fort Monroe, Virginia: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

(d) For an additional amount for "Military Construction, Navy", \$45,530,000, to remain available until September 30, 2008, to be used for facilities damaged beyond repair by Hurricane Isabel, including \$40,920,000 to replace the central chilled water plant at the United States Naval Academy, Maryland, and \$4,610,000 to replace Building 3104, Lucas Hall, at Quantico, Virginia: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

(e) For an additional amount for "Family Housing, Operation and Maintenance, Army", \$8,151,000 to repair family housing units damaged by Hurricane Isabel at Fort Monroe and Fort Lee, Virginia: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

(f) For an additional amount for "Family Housing, Operation and Maintenance, Navy and Marine Corps", \$6,280,000 to repair family housing units damaged by Hurricane Isabel at various locations in Virginia and North Carolina: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

(g) For an additional amount for "Family Housing, Operation and Maintenance, Air Force", \$6,981,000 to repair family housing units damaged by Hurricane Isabel at Langley Air Force Base, Virginia: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

(h) For an additional amount for "Operation and Maintenance, Navy", \$23,183,000, which may be transferred to the Department of Homeland Security for Coast Guard Operations.

(i) In addition to the amounts otherwise made available in this Act, \$600,000,000 shall be made available for "Operation and Maintenance, Army": *Provided*, That these funds are available only for the purpose of securing and destroying conventional munitions in Iraq, such as bombs, bomb materials, small arms, rocket propelled grenades, and shoulder-launched missiles.

(j) For an additional amount for "United States Emergency Fund for Complex Foreign Crises", \$150,000,000: *Provided*, That not less than \$200,000,000 of the funds made available under this heading shall be made available for humanitarian relief and reconstruction activities in Liberia: *Provided further*, That funds appropriated under this heading shall be made available for Sudan.

(k) Notwithstanding any other provision of this Act, amounts appropriated for accelerated assistance for Afghanistan under the heading "Economic Support Fund" shall be increased by \$261,000,000 and the total amount appropriated under this heading for Afghanistan shall be allocated as follows:

(1) not to exceed \$60,000,000 should be used for activities related to disarmament, demobilization, and reintegration of militia combatants, including registration of such combatants, notwithstanding section 531(e) of the Foreign Assistance Act of 1961; (2) not to exceed \$120,000,000 for major and provincial road construction and repair; (3) not to exceed \$95,000,000 for schools and education; (4) not to exceed \$55,000,000 for private sector development including to repair and procure electric power generation and distribution infrastructure; (5) not to exceed \$50,000,000 to support the Government of Afghanistan; (6) not to exceed \$2,000,000 for additional policy experts in Afghan ministries; (7) not to exceed \$65,000,000 for elections, governance, and human rights; (8) not to exceed \$50,000,000 for projects directly involving requirements identified by provincial reconstruction teams; (9) not to exceed \$66,000,000 for health services; (10) not to exceed \$25,000,000 for water projects; (11) not to exceed \$25,000,000 for environmental projects related to drought relief; (12) not to exceed \$25,000,000 for emergency food, fuel, clothing and shelter materials for Afghans who are internally displaced; and (13) not to exceed \$45,000,000 for additional activities that are specifically targeted to advancing the social, economic, and political rights and opportunities of women.

(l) Notwithstanding any other provision of this Act, amounts appropriated under the heading "International Narcotics Control and Law Enforcement" shall be increased by \$50,000,000.

(m) Notwithstanding any other provision of this Act, amounts appropriated under the heading "Foreign Military Financing Program" shall be increased by \$75,000,000.

(n) The entire amount in:

(i) subsection (b) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(ii) subsection (c) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(iii) subsection (d) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(iv) subsection (e) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(v) subsection (f) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget

for fiscal year 2004, is transmitted by the President to the Congress;

(vi) subsection (g) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress; and

(vii) subsection (h) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(viii) subsection (i) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

**SA 1885.** Mr. BROWNBACK proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 38, between lines 20 and 21, insert the following new sections:

SEC. 2313. (a) The total amount appropriated in chapter 2 of this title under the subheading "IRAQ RELIEF AND RECONSTRUCTION FUND" under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT", is hereby reduced by \$600,000,000.

(b) Of the total amount appropriated in chapter 2 of this title under the subheading referred to in subsection (a), \$5,186,000,000 shall be available for security, including public safety requirements, national security, and justice, of which not less than \$126,000,000, shall be available for the Iraqi Civil Defense Corps.

SEC. 2313. None of the funds appropriated by this Act may be used to fund the following:

- (1) Solid waste management in Iraq.
- (2) WiFi capabilities for IPTC in Iraq.
- (3) Housing in Iraq.
- (4) Market-oriented specialized training for Iraqis.
- (5) Catch-up business training for Iraqis.
- (6) Development or construction of the Abu Gharib Memorial, or any similar memorial.
- (7) The Athletes Committee in Iraq, including any conference or memorial that addresses atrocities committed against Iraqi athletes.

On page 28, beginning on line 18, strike "\$422,000,000" and all that follows through "Provided," on line 20 and insert "\$822,000,000, to remain available until September 30, 2005, for accelerated assistance for Afghanistan, of which not less than \$60,000,000 shall be available for disarmament, demobilization, and reintegration; \$50,000,000 shall be available for a venture capital fund to promote development of the private sector; \$155,000,000 shall be available for accelerated funding for the National Army of Afghanistan; \$60,000,000 shall be available for the Government of Afghanistan to provide security and minimal services, collect revenue, and pay salaries for military and civilian officials; \$15,000,000 shall be available for power generation projects; and \$5,000,000 shall be available for natural resources assessments: *Provided,*"

On page 29, line 17, strike "\$100,000,000" and all that follows through "Provided" begin-

ning on line 17, and insert "\$250,000,000, to remain available until expended, of which not less than \$200,000,000 shall be made available for humanitarian relief and reconstruction activities in Liberia: *Provided,* That funds appropriated under this heading shall be made available for Sudan: *Provided further,*"

**SA 1886.** Mr. BYRD proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title I, add the following:

SEC. 316. No funds appropriated or otherwise made available by this Act may be obligated or expended for the involuntary deployment overseas in support of Operation Iraqi Freedom of a member of the National Guard or Reserves if that member has been involuntarily deployed for any period of six months or more during the six-year period ending on the date the involuntary deployment overseas would otherwise commence.

**SA 1887.** Mr. DORGAN (for himself, Mr. WYDEN, and Mr. HARKIN) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 25, strike lines 7 through the colon on line 18, and insert the following:

For necessary expenses for security, rehabilitation and reconstruction in Iraq, \$18,449,000,000, to remain available until expended, to be allocated as follows: \$3,243,000,000 for security and law enforcement; \$1,318,000,000 for justice, public safety infrastructure, and civil society; \$5,560,000,000 for the electric sector; \$1,900,000,000 for oil infrastructure; \$4,332,000,000 for water resources and sanitation; \$500,000,000 for transportation and telecommunications; \$370,000,000 for roads, bridges, and construction; \$793,000,000 for health care; \$153,000,000 for private sector development; and \$280,000,000 for education, refugees, human rights, democracy, and governance:

**SA 1888.** Mr. BYRD (for himself, Mr. LAUTENBERG, Mr. SARBANES, Mr. FEINGOLD, Mr. WYDEN, Mr. JEFFORDS, and Mr. DAYTON) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 27, line 9, strike "Provided further, That the President may reallocate funds provided under this heading:"

On page 27, line 21, strike "used for such purposes" and insert "shall be available only to the extent that the funds are made available in a subsequent appropriations act".

On page 12, line 11, strike ", and in addition such funds as necessary, not to exceed \$5,000,000,000, as approved by the House and Senate Appropriations Committees, Subcommittees on Defense";

On page 15, strike Section 312;

**SA 1889.** Mrs. LINCOLN (for herself and Mr. REID) submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and

Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, between lines 2 and 3, insert the following:

SEC. 3002. (a) Notwithstanding any other provision of law, and subject to subsection (b), none of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2004 or any fiscal year thereafter may be expended by a United States Government agency or contractor to enter into or modify any contract or subcontract with the Government of Saudi Arabia or any company or other business entity incorporated or otherwise based in Saudi Arabia.

(b) The prohibition in subsection (a) shall be in effect until the Secretary of State has certified, in writing, to Congress that—

(1) the Government of Saudi Arabia has issued and made available valid exit visas to all United States citizens who are 18 years of age or older, and the minor children of such citizens, who the Secretary of State has reason to believe desire to leave Saudi Arabia but are currently prohibited from doing so;

(2) the Government of Saudi Arabia has surrendered custody of United States citizen minor children who the Secretary of State has reason to believe were taken or removed from the United States in violation of a custody order issued by a court in the United States or in violation of United States law, to the United States or the minor child's left behind parent or guardian; and

(3) the United States citizens referred to in paragraphs (1) and (2) were provided a safe and meaningful opportunity to exit Saudi Arabia and return to the United States or their place of residence.

#### PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that privilege of the floor be granted to two congressional fellows in the office of Senator MARK PRYOR, Gita Upple and John Pierson, during consideration of this legislation.

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

Mr. BENNETT. Mr. President, I ask unanimous consent that Denese Merritt, a congressional fellow in Senator GORDON SMITH's office, be granted floor privileges during the debate.

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

#### CONDEMNATION OF ANTI-SEMITIC STATEMENTS BY MAHATHIR MOHAMAD

Mr. LAUTENBERG. Mr. President, I rise this evening to call the Senate's attention to a despicable expression of hatred that occurred in Malaysia yesterday. In his address to the opening of the 57-nation summit of Islamic nations, Malaysia's Prime Minister, Dr. Mahathir Mohamad, urged Muslims around the world to unite against the Jews who he says rule the world by proxy.

Dr. Mahathir is a man known for his incendiary public condemnations of the United States, Israel, and the western world. Yesterday, his rhetoric esca-

lated, or should I say degenerated, to a new level of hate. Using the foul canards Hitler and other anti-Semites have repeated throughout history, he accused the Jewish people of gaining control of the most powerful countries.

He said "they, this tiny community, have become a world power," and he urged the 1.3 billion Muslims throughout the world to fight this "enemy." That is his definition. How was the speech received? According to today's New York Times, it got a standing ovation from the kings and presidents, sheiks and emirs, including key U.S. allies, gathered in Malaysia's capital, Putrajaya. I believe these comments are likely to encourage violence against Jewish people worldwide, and especially in Israel.

The Organization of the Islamic Conference (OIC) charter calls for creating a favorable atmosphere for the promotion of cooperation and understanding between member states and other countries. But how can it be so, if the Prime Minister's remarks aptly capture the views of the OIC members? After all, they gave him a standing ovation. One has to wonder if they really want to promote peace between their nations and western democracies.

The Prime Minister of Malaysia, a country with one of the world's biggest Muslim populations, essentially expressed an open invitation for hate crimes and terrorism. Therefore, I am introducing a resolution that puts the Senate on record as repudiating Dr. Mohamad's loathsome remarks to the OIC.

My resolution also asks President Bush, who will be traveling to Southeast Asia next week, to repudiate Dr. Mohamad's vile sentiments when the two participate in the Asia-Pacific Economic Cooperation meeting in Bangkok, Thailand, on October 20.

I am pleased that Senator SMITH, Senator FEINSTEIN, Senator CLINTON, Senator CORZINE, Senator BOXER, Senator DASCHLE, Senator DODD, Senator SCHUMER, Senator HATCH, Senator MURRAY, Senator COLEMAN, Senator WYDEN, Senator BROWNBACK, Senator REID, Senator LEAHY, Senator GRAHAM of Florida, Senator BAYH, and Senator CHAMBLISS are all cosponsors of my resolution.

I believe the leaders of the Muslim world should be encouraging mutual tolerance and understanding between people of different faiths. Instead, Dr. Mohamad's anti-Semitic remarks will only serve to undermine the peace and security people of all faiths seek so earnestly.

I send a resolution to the desk and ask for its immediate consideration. This resolution has been cleared, as I understand it, on both sides.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 247) calling on the President to condemn the anti-Semitic sentiments expressed by Dr. Mahathir

Mohamad, the outgoing prime minister of Malaysia.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LAUTENBERG. I ask unanimous consent the resolution and preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 247) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 247

Whereas the outgoing prime minister of Malaysia, Dr. Mahathir Mohamad, has become notorious over the years for his virulent opposition to Israel;

Whereas Dr. Mahathir opened the 57-nation, October 2003 summit of the Organization of the Islamic Conference in Malaysia by characterizing Israel and Jews around the world as "the enemy" who "rule the world by proxy";

Whereas Dr. Mahathir's anti-Semitic remarks are despicable and will serve to incite further sectarian violence; and

Whereas President George W. Bush will be traveling to Thailand to attend the October 20-21, 2003, meeting in Bangkok of the leaders of Asia-Pacific Economic Cooperation (APEC), which Dr. Mahathir will also be attending: Now, therefore, be it

*Resolved*, That the Senate—

(1) thoroughly repudiates the damaging rhetoric of the outgoing prime minister of Malaysia, Dr. Mahathir Mohamad, which makes peace in the Middle East and around the world more elusive; and

(2) calls upon President George W. Bush, on behalf of the United States, to condemn Dr. Mahathir's injurious sentiments when the President and the prime minister meet to attend the October 20-21, 2003, meeting in Bangkok of the leaders of Asia-Pacific Economic Cooperation (APEC).

The PRESIDING OFFICER. The Senator from New York.

Mrs. CLINTON. Mr. President, I thank my distinguished colleague, the Senator from New Jersey, for introducing this resolution in such a timely manner. I was proud to be an original cosponsor. I believe it is essential the Senate and our Congress be on record standing against hate and bias and discrimination, and particularly the kind of anti-Semitism that flowed at the meeting yesterday in Malaysia.

I join with Senator LAUTENBERG in urging the President to raise this directly with the Malaysian Government and with the other participants in the APEC meeting. I appreciate the quick action of Senator LAUTENBERG in ensuring our Senate could go on record while this meeting is still occurring.

#### MEASURE PLACED ON THE CALENDAR—S. 1751

Mr. FRIST. Mr. President, I understand that S. 1751 is at the desk and is due for a second reading.

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

The legislative clerk read as follows:



A bill (S. 1751) to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants and for other purposes.

Mr. FRIST. I object to further proceedings.

#### CLASS ACTION FAIRNESS ACT OF 2003—MOTION TO PROCEED

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 117, S. 274, the class action fairness legislation. I further ask unanimous consent that all after the enacting clause be stricken, and the text of S. 1751 be inserted in lieu thereof; further, that the language be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DAYTON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to S. 1751, Senator GRASSLEY's class action bill, which is now on the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. DAYTON. Mr. President, I object.

Mr. FRIST. I ask unanimous consent that it now be in order to make a motion to proceed to S. 1751.

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

Mr. FRIST. I now move to proceed to S. 1751, and I further ask unanimous consent that the motion be temporarily set aside and that the Senate resume consideration of the motion on Monday, October 20, at 2 p.m.

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

#### NATIONAL CEMETERY EXPANSION ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 307, H.R. 1516.

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

The legislative clerk read as follows:

A bill (H.R. 1516) to provide for the establishment by the Secretary of Veterans Affairs of five additional cemeteries in the National Cemetery System.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Veterans' Affairs, with amendments, as follows:

[Strike the parts shown in black brackets and insert the parts shown in italic.]

H.R. 1516

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Cemetery Expansion Act of 2003".

#### SEC. 2. ESTABLISHMENT OF NEW NATIONAL CEMETERIES.

(a) ESTABLISHMENT.—Not later than four years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in accordance with chapter 24 of title 38, United States Code, shall establish ~~[five]~~ *six* new national cemeteries. The new cemeteries shall be located in the following locations (those locations having been determined by the Secretary of Veterans Affairs to be the most appropriate locations for new national cemeteries):

- (1) Southeastern Pennsylvania.
- (2) The Birmingham, Alabama, area.
- (3) The Jacksonville, Florida, area.
- (4) The Bakersfield, California, area.
- (5) The Greenville/Columbia, South Carolina, area.

(6) *The Sarasota County, Florida, area.*

(b) FUNDS.—Amounts appropriated for the Department of Veterans Affairs for any fiscal year after fiscal year 2003 for Advance Planning shall be available for the purposes of subsection (a).

(c) SITE SELECTION PROCESS.—In determining the specific sites for the new cemeteries required by subsection (a) within the locations specified in that subsection, the Secretary shall solicit the advice and views of representatives of State and local veterans organizations and other individuals as the Secretary considers appropriate.

(d) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemeteries required by subsection (a). The report shall—

(1) set forth a schedule for the establishment of each such cemetery and an estimate of the costs associated with the establishment of each such cemetery; and

(2) identify the amount of Advance Planning Funds obligated for purposes of this section as of the submission of the report.

(e) ANNUAL REPORTS.—The Secretary shall submit to Congress an annual report on the implementation of this section until the establishment of all ~~[five]~~ *six* cemeteries is completed and each such cemetery has opened. The Secretary shall include in each such annual report an update of the information provided under paragraphs (1) and (2) of subsection (d).

(f) DEFINITION OF SOUTHEASTERN PENNSYLVANIA.—In this section, the term "southeastern Pennsylvania" means the city of Philadelphia and Berks County, Bucks County, Chester County, Delaware County, Philadelphia County, and Montgomery County in the State of Pennsylvania.

Amend the title to read: "An Act to provide for the establishment by the Secretary of Veterans Affairs of additional cemeteries in the National Cemetery Administration."

Mr. FRIST. I ask unanimous consent that the committee amendments be agreed to, that the bill, as amended, be read a third time and passed, the amendment to the title be agreed to, 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. Without objection, it is so ordered.

The committee amendments were agreed to.

The title amendment was agreed to.

The bill (H.R. 1516), as amended, was read the third time and passed, as follows:

*Resolved*, That the bill from the House of Representatives (H.R. 1516) entitled "An Act

to provide for the establishment by the Secretary of Veterans Affairs of five additional cemeteries in the National Cemetery System," do pass with the following amendments:

(1) Page 2, line 8, strike out ~~[five]~~ and insert: *six*

(2) Page 2, after line 18, insert:

(6) *The Sarasota County, Florida, area.*

(3) Page 3, line 17, strike out ~~[five]~~ and insert: *six*

Amend the title so as to read: "An Act to provide for the establishment by the Secretary of Veterans Affairs of additional cemeteries in the National Cemetery Administration."

#### CONGRESSIONAL GOLD MEDAL TO JACKIE ROBINSON

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1900.

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

The legislative clerk read as follows:

A bill (H.R. 1900) to award a congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation, and to express the sense of the Congress that there should be a national day in recognition of Jackie Robinson.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent 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. Without objection, it is so ordered.

The bill (H.R. 1900) was read the third time and passed.

#### CONGRESSIONAL GOLD MEDAL TO JACKIE ROBINSON

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 311, S. 300.

The PRESIDING OFFICER. The clerk will report the title of the bill.

The legislative clerk read as follows:

A bill (S. 300) to award a congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation, and to express the sense of the Congress that there should be a national day in recognition of Jackie Robinson.

There being no objection, the Senate proceeded to consider the bill.

Mr. KERRY. Mr. President, I come to the floor today to pay tribute to Jackie Robinson—a great ballplayer, great leader and a great American.

Most Americans know of Jackie Robinson's baseball greatness. He was the 1947 Rookie of the Year; the National League Most Valuable Player in 1949; he lead the Dodgers to six pennants and one World Series; he batted over 300 for his career; and he was elected to the Hall of Fame in 1962.

But there is, of course, far more to the story of Jackie Robinson than talent and success on the baseball diamond.



Jackie Robinson was born in 1919 in Cairo, GA. He was the grandson of a slave and son of a sharecropper. As a boy, he moved with his family to Pasadena, CA. Jackie was born a competitor and excelled at sports from a young age. His talents earned him a scholarship to UCLA, where he lettered in football, basketball, baseball, and track—and he was heralded as one of the best-all-around athletes in the country.

After college, Robinson was drafted into the Army. He rose to the rank of second lieutenant, and along the way he fought for equality and against injustice. Robinson and his good friend, the boxer Joe Louis, opened an Officer Candidate School to black soldiers. When Robinson was ordered to sit in the back of a bus at Fort Hood, TX, he refused and was court-martialed. Robinson stood his ground at the court martial, and for his bravery he was exonerated when the order was ruled a violation of Army regulations.

After the Army, Robinson signed to play for 2 years in the Negro Baseball League for the Kansas City Monarchs. Then in 1947, Robinson signed with the Brooklyn Dodgers to become the first African-American to play in the major leagues. It's hard to imagine the personal courage this demanded of Robinson. Branch Rickey, the president of the Dodgers, said that, "Robinson was the target of racial epithets and flying cleats, of hate letters and death threats, of pitchers throwing at his head and legs, and catchers spitting on his shoes."

But for all the hatred and ignorance Robinson faced, he responded with strength. Roger Kahn captured that strength in *Boys of Summer* when he wrote that Robinson "bore the burden of a pioneer and the weight made him stronger. If one can be certain of anything in baseball, it is that we shall not look upon his like again."

Today, it is hard to understand the significance of Robinson signing in the majors. It happened before our military was desegregated, before the civil rights marches in the South, and before the historic ruling in *Brown v. the Board of Education*. Robinson engaged America in a constructive conversation about race even before other great leaders like Martin Luther King. Indeed, King once said that his great crusade for racial justice would not have been possible if not for Jackie Robinson.

Robinson's skill, demeanor and fortitude made him one of the most popular people in America, and he used his fame to encourage the fair treatment of all people. His ideas and principles influenced John F. Kennedy and Dwight Eisenhower. After retiring from professional baseball in 1957, he dedicated himself to fighting for equality and justice. He was a leader with the NAACP, chairing its Freedom Fund Drive in 1957, and was awarded its highest achievement award. Jackie and his wife, Rachel, began annual concerts to

benefit civil rights and voter registration drives in the South. In 1964, Jackie helped create a minority-owned commercial bank based in Harlem, New York, called the Freedom National Bank. He also started the Jackie Robinson Construction Company to build low-income housing.

On October 15, 1972, Jackie Robinson attended a World Series Game that commemorated the 25th anniversary of the breaking of the color line in baseball. At the game, as he had done in the past, Jackie called for more opportunities for black Americans. Unfortunately, Jackie passed away only 9 days—later and today—56 years after Jackie signed with the Brooklyn Dodgers—we have yet to achieve the opportunity for all he so desired.

Jackie Robinson once said that, "a life is not important, except in the impact it has on other lives." Jackie Robinson not only impacted lives, he impacted the very spirit of our country. He was more than a sports hero—he was an American hero.

And it is time for Congress to recognize his heroic contributions to the Nation by awarding him the Congressional Gold Medal. The Congressional Gold Medal is the highest expression of congressional appreciation and has been bestowed on great leaders like George Washington, Winston Churchill and Rosa Parks. I cannot think of a more deserving person to join this distinguished group than Jackie Robinson.

As I close my remarks, I thank the Boston Red Sox and Larry Luchino and George Mitrovich for helping with this legislation. I also thank Senator MCCAIN for joining as our lead cosponsor and Representative RICHARD NEAL for passing this legislation through the House of Representatives.

Mr. FRIST. I ask unanimous consent 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. Without objection, it is so ordered.

The bill (S. 300) was read the third time and passed, as follows:

S. 300

*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) Jackie Roosevelt Robinson was born on January 31, 1919, in Cairo, Georgia, and was the youngest of 5 children.

(2) Jackie Robinson attended the University of California Los Angeles where he starred in football, basketball, baseball, and track. His remarkable skills earned him a reputation as the best athlete in America.

(3) In 1947, Jackie Robinson was signed by the Brooklyn Dodgers and became the first black player to play in Major League Baseball. His signing is considered one of the most significant moments in the history of professional sports in America. For his remarkable performance on the field in his first season, he won the National League's Rookie of the Year Award.

(4) In 1949, Jackie Robinson was voted the National League's Most Valuable Player by the Baseball Writers Association of America.

(5) In 1962, Jackie Robinson was elected to the Baseball Hall of Fame.

(6) Although the achievements of Jackie Robinson began with athletics, they widened to have a profound influence on civil and human rights in America.

(7) The signing of Jackie Robinson as the first black player in Major League Baseball occurred before the United States military was desegregated by President Harry Truman, before the civil rights marches took place in the South, and before the Supreme Court issued its historic ruling in *Brown v. Board of Education*, 347 U.S. 483 (1954).

(8) The American public came to regard Jackie Robinson as a person of exceptional fortitude, integrity, and athletic ability so rapidly that, by the end of 1947, he finished ahead of President Harry Truman, General Dwight Eisenhower, General Douglas MacArthur, and Bob Hope in a national poll for the most popular person in America, finishing only behind Bing Crosby.

(9) Jackie Robinson was named vice president of Chock Full O' Nuts in 1957 and later co-founded the Freedom National Bank of Harlem.

(10) Leading by example, Jackie Robinson influenced many of the greatest political leaders in America.

(11) Jackie Robinson worked tirelessly with a number of religious and civic organizations to better the lives of all Americans.

(12) The life and principles of Jackie Robinson are the basis of the Jackie Robinson Foundation, which keeps his memory alive by providing children of low-income families with leadership and educational opportunities.

(13) The legacy and personal achievements of Jackie Robinson, as an athlete, a business leader, and a citizen, have had a lasting and positive influence on the advancement of civil rights in the United States.

#### SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of Congress, to the family of Jackie Robinson, a gold medal of appropriate design in recognition of the many contributions of Jackie Robinson to the Nation.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (in this Act referred to as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

#### SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2 at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

#### SEC. 4. STATUS AS NATIONAL MEDALS.

The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed \$30,000 to pay for the cost of the medal authorized under section 2.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

#### SEC. 6. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) there should be designated a national day for the purpose of recognizing the accomplishments of Jackie Robinson; and

(2) the President should issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. FRIST. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 406, 407, 408, and 409. I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

#### DEPARTMENT OF COMMERCE

Peter Lichtenbaum, of Virginia, to be an Assistant Secretary of Commerce.

#### EXECUTIVE OFFICE OF THE PRESIDENT

Harvey S. Rosen, of New Jersey, to be a Member of the Council of Economic Advisers.

Kristin J. Forbes, of Massachusetts, to be a Member of the Council of Economic Advisers.

#### DEPARTMENT OF COMMERCE

Julie L. Myers, of Kansas, to be an Assistant Secretary of Commerce.

### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that at 5:15 p.m. on Monday, October 20, the Senate proceed to executive session to consider the following nomination on today's Executive Calendar: Calendar No. 401, the nomination of Margaret Catharine Rodgers to be U.S. District Judge for the Northern District of Florida. I further ask unanimous consent that the Senate then immediately proceed to a vote on the confirmation of the nomination; further, that following the vote, the President be immediately notified of the Senate's action and the Senate then return to legislative session.

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

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

### ORDERS FOR MONDAY, OCTOBER 20, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn

until 1:30 p.m., Monday, October 20. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period for morning business until 2 p.m., with the time equally divided between the two leaders or their designees, provided that at 2 p.m. we resume the debate on the motion to proceed to the consideration of S. 1751.

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

Mr. FRIST. I further ask unanimous consent that at 5:15 p.m., the Senate proceed to executive session as provided under the previous order.

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

## PROGRAM

Mr. FRIST. For the information of all Senators, as I mentioned earlier today, it had been my hope that we could work out an agreement to consider the healthy forest issue during Monday's session. Chairman COCHRAN has been working diligently toward an agreement to consider amendments on both sides of the aisle on that legislation. Unfortunately, there is an objection to proceeding to the measure from the other side. We will continue our discussions on that important legislation. I hope we may still reach a consent for its consideration as soon as possible.

On Monday, under the previous order, we will resume debate on the motion to proceed to the class action bill. Again, this is a critically important bill that we hope to consider and complete next week, but there is an objection from the Democratic side. We do have a number of Senators who are very interested in this bill and will be here on Monday prepared to speak on its behalf.

Under the earlier consent, we will proceed to a vote on a judicial nomination at 5:15 p.m. and that will be the first vote of Monday's session.

Again, I do want to thank all Members for their tremendous efforts over the course of this week. It took many busy days, and many long hours, well into the night, but we did accomplish what we set out to do, and that was to complete the Iraq supplemental.

Today, we had 11 rollcall votes culminating with a vote on passage, 87 to 12, a strong bipartisan vote. I, once again, thank Chairman STEVENS for his tireless efforts in helping shepherd this bill through the Senate.

### CONGRATULATING SENATOR SUNUNU

Mr. FRIST. Last, Mr. President, I congratulate the current occupant of the chair, the junior Senator from New Hampshire. Just a short time ago, about an hour and a half ago, at approximately 6 p.m., he reached his

100th hour of presiding time. That wasn't all just tonight, but I know he may feel like it at this time, 7:30 in the evening—100 hours during this first session of the 108th Congress. Everybody in this body owes him a debt of gratitude for his service to this institution as he presides over us just about every Friday, I believe, with a firm but a very fair gavel.

## ORDER FOR ADJOURNMENT

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order, following the remarks of Senator DAYTON.

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

The Senator from Minnesota is recognized.

### SENATOR SUNUNU'S GOLDEN GAVEL

Mr. DAYTON. Mr. President, I join the distinguished majority leader in expressing my appreciation for your presence here this evening. I assure the Chair I will not take him too far down the path to his next 100 hours—not tonight, anyway.

I was in the dubious position of being 100th in seniority for the previous 2 years. I did not achieve my golden gavel status as swiftly as the Senator from New Hampshire, but I did. I suffered through many hours when I would rather have been elsewhere in order to achieve that. I again thank the distinguished Chair and also commend him for the dignity and the stature with which he presides over what are, as we both know, occasionally unruly adults.

## IRAQ

Mr. DAYTON. A year ago this month, Congress cast a fateful vote. The majority decided to give the President blanket authority to declare war against Iraq. On several occasions during our deliberations over that resolution, I had the good fortune to be on the Senate floor when the great Senator from West Virginia, the senior Senator, spoke. Both Senators from West Virginia are truly outstanding Senators and men. One is extraordinary in his seniority in this body and also the wisdom he has acquired through his experience and service and his search for the history of this country and the history of other countries throughout the world and across the spans of time.

It was my great opportunity, sitting in that chair where the Presiding Officer now sits, to be instructed about this country, especially the Constitution which all of us take our oath of office to uphold, that extraordinary document which has shown, over the span of more than two centuries, a foresight, a vision, an understanding of

human nature and an appreciation for the potential we bring and the pitfalls we must avoid. It has been unprecedented in the history of the world and has produced, along with the quality of our citizenry, the most successful form of self-governance that has ever been devised or practiced on this planet.

As a result of much of what I learned from Senator BYRD, I voted against the resolution which passed the Senate last October. I did that because those tutorials convinced me that by acting at that point, before the President himself had decided whether to recommend or undertake an invasion of Iraq, the commencing of a war against another country, for Congress then to pass not a declaration of war, which the Constitution prescribes, but rather a resolution authorizing, with its usual euphemism, something like "whatever force necessary in order to accomplish the objectives," Congress was abdicating to the President that constitutional responsibility which it had no right or authority to pass on.

The Constitution says clearly that the Congress shall declare war, that Congress and only Congress shall make that final decision whether or not to declare war and to commit this country to that course of action against another nation, at which point the President is the Commander in Chief and undertakes the prosecution of the war. It is exactly that balance of power the Constitution wanted to achieve.

I also said last October that I was not persuaded at that time by the intelligence and other information that I received to that point that Saddam Hussein's estimated military arsenal constituted an imminent and urgent threat to the national security of the United States of America. I may not have been privy to every piece of information that a few of the more senior colleagues in this body had at the time, particularly members of the Senate's Select Committee on Intelligence, but as a member myself of the Senate Armed Services Committee, I did have much of the information acquired from participating in a score of briefings, many of them classified top secret.

In my best judgment, from all the intelligence that was presented to me over a 5-year period of time, the case against Iraq was inconclusive and unconvincing. Furthermore, it was presented to us by our top intelligence officials as incomplete and inconclusive. Those officials, in my judgment and my experience, were very candid about the information they were providing us. They were candid about its uncertainty. They were candid about its reliability. They were candid about the difficulty to obtain reliable, accurate, and timely information in a country as closed as Iraq, where the penalty for any transgression could be torture and death.

It was reasonable to assume back then that Saddam Hussein possessed biological and chemical weapons of mass destruction, or materials with

which to make them, using the supplies that presumably were not less than what were known to exist when the United Nations weapons inspectors were evicted in December of 1998. But our intelligence officials, in the meetings and briefings which I attended, never asserted more than that, nor did they assert a 100-percent certainty that those amounts of products still did remain in Iraq, nor did they ever state that Iraq was known to be close to developing nuclear weapons. They said they didn't know.

My own experience over the last year is that the discrepancies between our intelligence information and what we now know with 20/20 hindsight are far less, than the differences which on several occasions I witnessed between what the intelligence briefers were telling us and what the high level administration officials, especially the President and the Vice President, were telling us and were telling the American people and the people of the world.

Every time that occurred, administration officials portrayed the threat from Iraq's likely weapons of mass destruction as more certain, more urgent, and more dangerous than it turned out to be. The most glaring gaps, therefore, between fears and fiction and facts occurred when the intelligence information exaggerated the threat, and then the Bush administration exaggerated that threat.

When 138,000 or more U.S. troops and a reported 1,400 weapons of mass destruction hunters and investigators in the course of 6 months can find nothing, virtually none of the primary reasons we went to war in that country, that is about as glaring a gap as it gets. But blaming the intelligence gatherers missed the real culprits. The information users are the ones who should be investigated, not the providers. That is the investigation which should be conducted. That is the investigation which the White House is doing everything possible to prevent.

The investigation the administration cares about wants the answers, at least the answers that they want there to be, concerning the search for Iraq's weapons of mass destruction. That appeared to be their No. 1 priority, their No. 2 priority, and perhaps their whole top 10. Several of my colleagues on the Senate Armed Services Committee and the chairman and ranking members of the Senate Intelligence Committee and I traveled to Iraq in July and saw firsthand and were briefed about the priority operations beginning or underway there. The one that was far ahead of the rest in development, in deployment, and in resources committed to it was the search for Iraq's weapons of mass destruction.

Again, it has been reported publicly that some 1,400 professional intelligence gatherers, processors, and prosecutors have been scouring that country, investigating, incarcerating, interrogating. During that time, and the time we were there, many of the other

important efforts were barely underway and were badly behind already—like finding and eliminating Saddam Hussein himself; like restoring basic services, electricity and running water; like connecting, communicating, and cooperating with the Iraqi citizenry. Those delays, and the lack of tangible progress made in those areas and others, have been costly.

The price is paid, tragically, by our own service men and women—those patriotic, courageous, and extraordinary Americans who won the military victory in Iraq just 3 weeks from the first day of the invasion to the triumphant takeover of Baghdad, the toppling of Saddam Hussein himself, and the statue coming down, symbolically, as the regime was overthrown. As other colleagues have noted here tonight, that was a great boon to the Iraqi people and to the world.

At the same time, American forces and British forces—primarily the coalition, being essentially those two nations—took over occupancy of most of Hussein's former presidential palaces. When I was there, the estimate was there were 120 of them throughout the country—the most incredible waste of resources one could imagine contrasted to the squalor in which most Iraqis were living their lives.

At that time also, American forces had accomplished dispersal of Saddam Hussein's army, of his political party, top government officials, and the henchmen who spread that tyranny, and even Saddam Hussein himself. American Armed Forces won. The mission was accomplished. Their objectives had been achieved. The job had been exceptionally well done. All of that training, all of that traveling and preparing, and all their upbringing, bravery, devotion to their country, their service, faith, and hard work, all came together effectively and successfully and they achieved what they needed to do, overwhelmingly.

That should have been the end, or very close to it. Their victory was decisive, their victory was complete, and they should have been going home. Most of them should be home today. Most of them were expected to be home today. One hundred and thirty-eight thousand American troops remain in Iraq today—more duration than what was planned for at this stage in the operation. Instead, for the present time and for the foreseeable future, 138,000, or close to that number, will have to remain in Iraq. Many of them are Minnesotans. Others have had their tours of duty extended 6 months.

Most of my colleagues and I went home to our respective States and visited with families and spouses who are getting desperate about the absence of their husbands, their wives, their sons, and their daughters with extensions of duty, not knowing when the end point will be. Many of them still do not have a definite return date.

It is a terrible way for the military and the administration to be mistreating those who are making these

heroic sacrifices on behalf of their country, and who are doing so at great personal risk. Often during the course of their responsibilities, they are exposed to the rest of their surroundings, standing at station, and are targets as they guard public and private property and other locations and highways throughout that country.

Since the takeover of the country militarily by U.S. forces, they have had to become more stationary. The point which should have been the end, or close to it, but which is really barely the beginning, American soldiers every single day are being attacked, wounded, maimed, and murdered. It has occurred while they are waiting for the rest of these other operations to get started and start getting the necessary results. Every day that those other operations aren't accomplishing what they must, aren't getting the resources they need, aren't being given the priorities they should be given, for every one of those additional days American troops must remain in Iraq. American troops are likely to die in Iraq.

It is our responsibility to get the rest of that job done—to get their government elected and in charge of the country, restore domestic law and order, train the Iraqi police force so they can maintain that, get the society functioning—once again, a lot of which has been accomplished. And much has been accomplished. It is important to acknowledge that. Hospitals have reopened. They now need to be supplied with the tools and be rehabilitated. An economy that is producing again—producing jobs, producing wealth, producing resources—can bring Iraq back into the civilized world.

A genuine international sharing must be achieved. The ongoing costs of responsibilities and risks are still going to be required during this transition until Iraq can take care of itself.

For those things to occur with other nations of the world, the United States must offer to provide a genuine sharing of control of postwar Iraq. It means the Bush administration doesn't make all of the decisions. It means their corporate cronies don't get all of the contracts and the profits. It means their colleagues in the majority caucus in the Senate should not get the only military transport escort to tour that country to assess the situation and to support our troops.

In fact, I would respectfully urge the President and the Vice President especially to use the passage of this impor-

tant supplemental today by both the House and the Senate to mark the beginning of a new chapter in undertaking to restore our conduct before the world, the dignity, the civility, and integrity which our great Nation deserves and upon which it has built its reputation and its leadership position in the world.

I urge especially the Vice President to stop attacking the United Nations which was founded over half a century ago by American leaders of both political parties. It has been nurtured, guided, supported, and strengthened during that time as the best hope of the human race, to keep all nations of the world striving together for the peaceful resolution of our differences and the prevention of the next world war, which most believe will be the last world war. Through that diplomatic effort, working through the differences and the difficulties and all the barriers and obstacles that remain among the human race, it has succeeded in preventing that kind of holocaust for the last half century. It has prevented the scourge. It has been successful in discouraging other nations from launching preemptive military strikes against other countries and provoking additional conflict and conflagration that always threaten and risk escalation and annihilation.

Other nations of the world have been harangued and denounced for not agreeing with the decisions that were made by this Nation's Government. I urge a new spirit of genuine cooperation, partnership, recognition of their legal and moral autonomy as they also decide whether to commit their own resources, their own citizens, the lives of their young men and women to the undertakings which we believe are important but we have no right to compel other nations to adopt.

Whether we felt one way or the other, viewed the situation one way or the other a year ago, the facts are, clearly, today we are committed to a country with 138,000 of our men and women who are risking their lives and demonstrating courage and patriotism to sustain that operation. We owe it to them. We owe it to the world and to ourselves and to future generations to now complete this undertaking in the ways that bring out the best of America, that showcase the best of America for the world. That is where our ultimate national security is going to derive, from continued military preeminence, absolutely. That in and of

itself is not enough, as we learned on September 11. We need allies, friends, eyes, ears, intelligence all over the world. We need to establish in the eyes of nations that now misunderstand us and our way of life; we need to showcase as we have been doing the last 2 years in Afghanistan and as we must do now over the next 2 years in Iraq and Afghanistan, what it is about our way of life, our economy, our technological know-how, our compassion, our generosity, what it is about all Americans that makes us a people who have so much to offer the rest of our fellow citizens throughout this planet.

I urge the President and the Vice President and the administration to demonstrate the best qualities of America. If they do so, I believe what comes out of this undertaking will be one that we will all be able to live with, better off than we were for many decades to come. Conversely, a failure to do so will have catastrophic consequences for decades to come.

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ADJOURNMENT UNTIL MONDAY,  
OCTOBER 20, 2003, AT 1:30 P.M.

The PRESIDING OFFICER. Under a previous order, the Senate stands in adjournment until 1:30 p.m., Monday, October 20, 2003.

Thereupon, the Senate, at 7:52 p.m.; adjourned until Monday, October 20, 2003, at 1:30 p.m.

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#### NOMINATIONS

Executive nomination received by the Senate October 17, 2003:

DEPARTMENT OF JUSTICE

JAMES B. COMEY, OF NEW YORK, TO BE DEPUTY ATTORNEY GENERAL, VICE LARRY D. THOMPSON, RESIGNED.

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#### CONFIRMATIONS

Executive nominations confirmed by the Senate October 17, 2003:

DEPARTMENT OF COMMERCE

PETER LICHTENBAUM, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

EXECUTIVE OFFICE OF THE PRESIDENT

HARVEY S. ROSEN, OF NEW JERSEY, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

KRISTIN J. FORBES, OF MASSACHUSETTS, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

DEPARTMENT OF COMMERCE

JULIE L. MYERS, OF KANSAS, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.