

magistrate judge in Yakima, WA, since 1995. And before that he was a part-time magistrate judge from 1971 until 1991. With 28 years of experience on the Federal bench, elevating him to be a Federal district court judge is a natural step.

Lonny Suko's nomination is the result of the hard work of an eastern Washington-based judicial selection committee. The selection committee process was negotiated between the White House, Senator MURRAY, and myself. Six qualified members of the legal community in Eastern Washington selected by our local Members of Congress and by Senator MURRAY and myself put in long hours interviewing and selecting three qualified candidates to send to the President. The White House agreed with my judgment that Lonny Suko was the most qualified candidate for this position.

Prior to his full-time work as a U.S. magistrate judge, Lonny Suko was also a partner in the firm of Lyon, Weigand & Suko, where his career in private practice involved extensive representation of plaintiffs and defendants in civil litigation as well as extensive mediation experience. Though he has lived in Yakima for the past 30 years, Mr. Suko has connections throughout eastern Washington. He is originally from Spokane, graduated Phi Beta Kappa from Washington State University in Pullman, and started his legal career as a clerk to Judge Charles L. Powell, who was then the Chief Judge of the Eastern District of Washington in Spokane.

We wish Judge Suko well in his new position and have confidence that he will be an excellent addition to our distinguished Federal bench.

Mr. HATCH. Mr. President, I rise today in support of the nomination of Magistrate Judge Lonny R. Suko to be a U.S. District Court Judge for the Eastern District of Washington.

Judge Suko has been part of the Washington legal community for over three decades. After graduating from law school in 1968, Judge Suko clerked for the Honorable Charles L. Powell in the Eastern District of Washington. In 1969, he joined the Lyon Law Offices, where he served as associate, partner, and shareholder. As an attorney, Judge Suko litigated primarily civil matters.

In 1971, Judge Suko was appointed part-time United States magistrate judge, a position he held while practicing law full time until 1991 when the position was discontinued. In 1995, Judge Suko ascended to the bench once again when he was appointed as a full-time Federal Magistrate Judge for the United States District Court Eastern District of Washington. As a magistrate judge, Judge Suko presides over both criminal and civil matters.

Judge Suko has been rated unanimously well qualified by the American Bar Association, and enjoys bipartisan support. I am confident Judge Suko will make an excellent Federal judge. I commend President Bush for nomi-

nating him and urge my colleagues to join me in supporting this nomination.

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

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

Mr. LOTT. Mr. President, have the yeas and nays been ordered on this judicial nomination?

The PRESIDING OFFICER. They have not.

Mr. LOTT. I suggest that we move to the vote. Is there a prearranged time?

The PRESIDING OFFICER. The vote is to occur at 12:15.

Mr. LOTT. 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, Will the Senate advise and consent to the nomination of Lonny R. Suko to be a United States District Judge for the Eastern District of Washington?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from New Hampshire (Mr. SUNUNU) is necessarily absent.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "aye".

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 276 Ex.]

YEAS—94

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

Smith	Stevens	Warner
Snowe	Talent	Wyden
Specter	Thomas	
Stabenow	Voinovich	

NOT VOTING—6

Edwards	Kerry	Miller
Graham (FL)	Lieberman	Sununu

The nomination was confirmed.

Mrs. MURRAY. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative action.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. ALLARD).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2004—Continued

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, Senator BYRD is still occupied in the caucus. It has not terminated yet. I don't think this will in any way offend the two managers of the bill. I ask unanimous consent that the Senator from South Dakota be recognized for 20 minutes and following that Senator BYRD will be recognized. The order now in effect would have Senator BYRD recognized at 2:15. He will be recognized at 2:35; Senator JOHNSON will speak now for 20 minutes. I ask unanimous consent that that be the case.

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

The Senator from South Dakota.

Mr. JOHNSON. Mr. President, I approach the current Department of Defense appropriations bill and our current status in Iraq and the Middle East from somewhat of a unique circumstance: as a Senator but also the father of a soldier who has served in Iraq. My oldest son Brooks, a staff sergeant with the 101st Airborne Infantry over the past roughly 5 years, has now served in four wars—in Bosnia, Kosovo, Afghanistan, and most recently Iraq. I appreciate profoundly how much our Nation owes to our military. These young men and women are professional. They are skilled. They are courageous. They are taking on a job few other Americans would want to do for any amount of compensation. We can take great pride in America that our military is the finest in the world.

In that context, no one is more supportive of our military personnel and their families than I am. The deployment tempo has been enormous. Many families have seen the absence of their husbands and wives, brothers and sisters, sons and daughters for a great amount of time, and the tension and stress of the families has been great. We owe gratitude to the families of our military as well.

I voted for a resolution authorizing force. I think the world is a better place without Saddam Hussein. But that resolution was based on two major pillars. One was that there was an imminent threat to the security of the region and to America because of the presence of weaponized weapons of mass destruction and, secondly, that the President was to go to the United Nations and our allies and try to internationalize a strategy relative to Iraq to the best degree possible.

Now we find ourselves in a circumstance where there is great doubt about the quality, the credibility of the intelligence the President shared with the American public. He was quoted in the paper this morning saying, our intelligence is "darn good."

What is at stake is not just the presence of weapons of mass destruction. It is possible that perhaps some will ultimately be found. But what is at stake is the credibility of America in the world community. It turns out that the statements about nuclear weapons were simply false. The CIA knew that. It turns out that ties between Saddam Hussein and al-Qaida at 9/11 were nonexistent. Yet over half of America to this day thinks there is some connection between Saddam Hussein and 9/11, when there was none—zero.

Well, this is particularly troubling at a time when this administration has enunciated a radically new approach to military affairs abroad, saying that we will from now on be willing to take on preemptive war—preemptive war, of course, is based on the quality of intelligence—and that we will do it unilaterally if need be; the rest of the world community doesn't count.

Thirdly, that if we so choose, we will use nuclear weapons in a first-strike capacity. This new Bush doctrine is intended, apparently, to make the United States sound like the toughest country on the block. To the contrary, it should not be a surprise to anyone that this kind of strategy, coupled with faulty intelligence and perhaps a manipulation of what intelligence was there in a false, misleading way, has in fact lost the support of our allies around the world when, after 9/11, the United States had the near unanimous support of the world community. Now that has been largely lost, and even our allies express contempt for the American policy abroad and our role in the world.

It should come as no surprise to anybody that this unilateralist, first-strike capability, all premised on faulty and shaky intelligence and ma-

nipulation of intelligence, actually puts America at greater risk than before. It leads to—and it should come as no surprise—an arms race greater than before, where other countries may believe that the only way to defend themselves against a unilateral, preemptive nuclear attack from the United States is to arm themselves to the hilt, perhaps with their own nuclear weapons—certainly weapons of mass destruction. Now we find that this strategy will lead to a less secure, more troubled world. It is something this Congress and this Senate need to rethink.

With the contempt toward the United States this spurs, like internationalism, greater terrorism, more people willing to join terrorist groups, I think it is fair to say there is a greater threat of terror applied to the United States and our allies today than there was before.

Secondly, the lack of international concern, the lack of diplomacy, and the failure of American diplomacy to pull together a greater alliance and cohesion—certainly in the Western World, but in the world in general—have led to America being even more targeted than before by the powers of hate around the world.

We were told at the time that there was great urgency for this conflict and that we would be in and we would be out and we would restore democracy. How foolish and naive that looks today. Now we are being told that this conflict and our presence in Iraq could easily last 4 years, perhaps 10 years, at a cost of \$100 billion, conceivably, over the coming year, while our men and women in uniform, who are doing courageous work, find themselves in a near shooting gallery environment in Iraq, with very little contribution from our allies. Some of those contributions are even discouraged by the United States.

To put some context on this—because our troops are on the ground and our troops are being killed daily, because our taxpayers are paying virtually 100 percent of the cost of this—we now find ourselves with an administration telling us we cannot afford full funding for VA health care so our veterans can get the medical services they need because we don't have the \$2 billion extra. We are spending \$4 billion a month in Iraq, and we are going to do that for years, perhaps for a decade. We are being told we don't have enough money for Amtrak because it costs a half billion dollars more. We are going to spend \$100 billion in the coming year in this far-away place, but we don't have the funding for education or health care. And the reason the prescription drug plan is so faulty and viewed with dissatisfaction by American seniors is that the funds are not there to fund a decent plan. Yet all of those costs are a tiny fraction of what we are committed to send into the far distant future in the Middle East.

We have 200,000 troops abroad total, with some 140,000 to 150,000 in the Mid-

dle East; we have 1,000 in Saudi Arabia; we have 1,300 in Bahrain; we have 4,000 in Qatar; we have 145,000 in Iraq; we have 11,000 in Pakistan; we have 14,000 in Turkey; we have 1,000 in Egypt; and we have over 1,000 in Djibouti.

We have troops scattered all over the world. Their families want to know when they are coming home. Employers want to know when they are coming home. Nobody can say. Nobody has a timeframe, other than to know that our military is going to be under tremendous stress for a long, unforeseeable time.

At the same time, we have budding conflicts in North Korea, Liberia, Iran, and the existing conflict in Afghanistan. It doesn't take a genius to figure out that this is going to lead to enormously difficult problems in terms of recruiting and retaining military active-duty Guard and Reserve. My son confides in me, after 4 wars in 5 years, in talking to his colleagues in the U.S. Army, there are more and more of them saying: I thought this would be a career, but frankly this is destroying my family, my future. We cannot be deployed at this kind of tempo forever.

It appears that that will be the case because the United States has taken such a unilateral approach—to become the policeman for the entire world without the participation of our allies, without the U.N., without the regional groups. When will this President learn that we are the world's major military power but we cannot be the policeman for the world, we cannot be doing all this ourselves? We need to bring together our allies, and we need the diplomacy to make that happen.

So while we are asking our military to be deployed at an enormous tempo, while we are losing men and women daily in Afghanistan and Iraq—and we have another conflict on the near horizon in Liberia—the President says we cannot afford the full combat pay increase that the Senate requested. How many of you would go live in a hole in the wall in Iraq and be fired at from every angle as you walk down the street, and your President says we won't give you that extra \$100 a month. One hundred dollars a month? How many in this Chamber would encourage their children to serve in that environment?

We are being told by the White House we cannot afford the full funding for health care. Our vets are going to have to wait in line for another year to get the access to health care that they deserve and that they are owed because we don't have the funding. The President says he will veto any legislation we pass in the Senate to expand access to health care for our National Guard and our Reserve troops. He will veto it. There is plenty of money to go around for an enormous tax cut to enrich the wealthiest families in this Nation, but when it comes time to do modest things for our own soldiers, the President is not there. We need to hold him accountable for this irresponsibility.

There is enormous damage being done to the credibility of our Nation by what has transpired over these past months. We can be proud of our military, proud of our troops. We know Saddam Hussein was a thug and the world is better without him. But when we see what has happened due to the lack of an international alliance, due to our unilateralism, due to faulty intelligence, or the manipulation of our intelligence, when we see what happened to world opinion relative to the United States, and now the unwillingness of the rest of the world to work with us to stabilize the world military situation, we find ourselves in a terrible hole and how a \$450 billion deficit reported just today—a record deficit, where we are going to borrow from the Social Security trust fund for the remainder of the decade in order to pay for all of this—we need to regroup.

Our U.S. troops, our men and women in uniform, deserve better. We American citizens deserve better as well. I simply have to share my frustration and, yes, my anger, at the circumstances we find ourselves in today due to profound failings of this administration in the conduct of our military strategy in the Middle East and all that portends for the future of this country and our role in the world, all that means for the taxpayers of this country, all that means in the inability to fund our schools, our health care, our environment, and all the needs of infrastructure we need to get our economy going again. Our country deserves better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, before the Senator from South Dakota leaves the floor, I wish to say that many of us speak about the conflict in Iraq and Afghanistan from a distance. The Senator from South Dakota does not speak from a distance. His son has been involved in both conflicts, carrying a rifle for the U.S. Army and being shot at.

I was with, as many of us were, Senator JOHNSON during the height of the military conflict in Iraq when every day he was happy the day ended without getting a message that his son had been injured or killed in Iraq. I was here when Senator JOHNSON received a letter from his son written on a K-ration wrapper from a foxhole in Iraq. So Senator JOHNSON has a right to be upset, to speak with indignation because he looks at it differently than all the rest of us because he was the only Senator with a son in combat in Iraq.

His son has come home. He is one of the lucky ones. As we see on the front of the Washington Post today, large contingencies which were expecting to come home next month have been ordered to stay in Iraq. They do not know when they will be home.

I extend my appreciation to Senator and Mrs. JOHNSON for being the parents of a stalwart American hero, someone

who has fought over the last 5 years in four American wars.

Mr. JOHNSON. Mr. President, may I respond to my colleague and my friend from Nevada. There are hundreds of thousands of parents all across America who do daily, as my wife Barbara and I have done, and that is to watch the news, follow the news as closely as possible with both pride in our sons and daughters, husbands and wives, but dread as well.

As we did, there are hundreds of thousands of parents and loved ones across this country who follow with great intensity the daily reports about deaths and injuries. There are families all across our country as we speak who know that at any moment there could be a catastrophic, life-shattering report of the loss or injury of their loved ones.

When people talk about acceptable levels of casualties, I hope more and more Americans understand there are real families, real faces involved, and that we owe an enormous debt of gratitude to our military. They are the greatest in the world. They do as they are ordered to serve, and I hope we stand not only with these men and women in uniform but with their families who have no idea, in most cases, when they are coming back, many suffering great financial hardship but also emotional hardship, the loss of parenting, the loss of key employers as a great consequence.

While we follow this war and the aftermath of the war with great concern, we also should remember this is not just numbers. This is not a game. This is a very real situation that is going on in the lives of very real American families, and all of these issues need to be approached with that kind of somber awareness and commitment that we do the best we can for our troops and their families.

I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I wish to join with my colleague from Nevada in commending the distinguished Senator from South Dakota for his powerful statement, for the eloquence and the passion he has demonstrated in expressing himself this afternoon.

I have said on countless occasions that no one could be more proud to call him a colleague than I. We have heard yet another demonstration of the reason I am so confident in my ability to say that as we heard him this afternoon.

I will never forget my colleague sharing with me a postcard his son sent while he was in Iraq. It was on the back of an MRE, one of these meals the military eats every day. He had carved it out, writing on the back, put the address on the front, and sent it to his father and mother to report that he was well, to report that he believed in what he was doing.

It has to be an emotional moment to receive that from your son. He invoked

that emotion again today in speaking for all families who have members of the military in Iraq; that it is wrong to minimize these losses; that it is wrong to, in some way, depersonalize the extraordinary impact it has when one of these sons or daughters is lost.

Hans Gukeisen was one of those who did lose his life. He was from Lead, SD. He was a helicopter pilot. He lost his life rescuing an Iraqi child. He is now buried in the Black Hills National Cemetery. I just received a message from his father a couple of days ago lamenting, expressing the sense of loss that only a father can.

As we face these questions, as we struggle to ensure we have the information this Congress deserves, let us also be appreciative of the extraordinary sacrifice made by those who are there; those who are no longer living as a result of having been there; and those, hopefully, who will never have to go but are prepared to do so today.

I was disappointed to learn just within the last week that the Secretary of Defense indicated that he could not support an amendment we adopted 82 to 10, I believe, which would have provided health insurance to National Guard personnel once they come home. They are eligible for it now. They are not when they come home. That is a disparity, an inequity, a problem I cannot fully appreciate, but they can, and it is yet another indication of the sacrifice they made to be there for their country.

As others have noted, they have been there for months and months. We owe it to them to give them some better understanding of the length of time they will stay. We owe it to them to send as clear a message as we can that we have a plan and that they can put their lives on a similar plan once they know what the plan for the country will be. But it appears there is no plan today. We do not know how long we will stay, and I think it is imperative that we find out.

These and other questions, as I said earlier today, Mr. President, are ones that have to be addressed during this debate and consideration of this bill. I am hopeful we can put in place legislatively the assurances that we will require before we vote on this bill later on, whenever that may be.

So again, let me thank the distinguished Senator from South Dakota for his eloquence, for his passion, and for his partnership.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is to be recognized for the purposes of an amendment.

AMENDMENT NO. 1244

(Purpose: To prohibit excessive deployments overseas of members of the Guard and Reserves)

Mr. BYRD. Mr. President, I thank the Chair for his consideration and courtesy.

Our National Guard and the Reserves of each of our military services have

become more than a source of manpower during times of national crisis. Members of the Reserve components have become an indispensable tool to carry out military operations and homeland security missions.

As of last week, there were 204,100 Guard and Reserve personnel on active duty. Some are stationed within the United States, performing homeland security missions. Many are deployed overseas, in foreign lands, thousands of miles from home, to places such as Iraq and Afghanistan.

Since September 11, 2001, we have activated more Guard and Reserve personnel than at any time since the Korean war but countless reservists, especially those who are now serving in Iraq, have not even been told when their deployment will end. Nobody knows when they will return home to their families, their friends, and their home communities.

Adding to the uncertainty, some Reserve units that are now being activated are simply being told to prepare to deploy for 1 to 2 years. This is no way to treat our National Guard and Reserve forces. How would Senators like to be treated like that? Are we keeping our citizen soldiers away from their jobs and their homes for too long? Are we? There are a growing number of West Virginians who say yes.

My office has received an increasing number of letters, phone calls, and e-mails from West Virginians asking when their loved ones who serve in the Reserve components will be coming home. How long? How long will that vacant chair be at the dinner table? How long will that husband, that father, be away from home, unable to carry that child to bed and tuck it under the cover at night? How long, Mr. Rumsfeld, I ask?

Some of the reports in these communications are very alarming. Senators read their mail as I read mine. Other Senators, I am sure, are getting the same question from those who are living there in the face of danger every second of every minute of every hour of every day, in the hot sands, 130 degrees, 120 degrees, 110 degrees. There they are. All of these letters express a deep frustration with the length of deployment of National Guard men and women and other Reserve units.

A number of troops and their families have expressed desperation at trying to get any sort of information about when their units will be returning to the United States, and it is about the same frustration that we as their elected representatives are getting when we ask questions of this administration to appear before our committee.

After reviewing what some of these units have gone through, I can see why people are frustrated. Let us take the case of one engineering unit from West Virginia. After shipping out in January 2003, this unit advanced deep into Iraq, along with front-line fighting forces. During the war, they bridged a river under heavy Iraqi fire. I have several

reports that members of this unit are able to call home only once every several weeks, and that now they are only helping to haul Iraqi ammunition. This unit has not been given a date to return to the United States, and rumors are now circling that they will remain in Iraq until January 2004, until the snow falls in West Virginia.

Another National Guard unit has struggled through back-to-back-to-back deployments. This unit was mobilized for State duty in response to flooding in West Virginia in the summer of 2001. After September 11, this unit spent 1 year in Federal duty performing homeland security missions. After 3 months' rest, the unit was again called to duty and this time sent to the Persian Gulf region in February 2003, where they remain to this day. There has been no word, none, on when this unit will return home. Hear me, Senators.

One of my constituents wrote about her husband who was deployed to the Persian Gulf in December 2002, told he would return as soon as the war was over. After the President made his visit to the aircraft carrier *Abraham Lincoln* and gave his speech under the giant banner which read "Mission Accomplished," this reservist still has not been sent home. In fact, he was given five different dates to return to West Virginia and then sent to another country in the region with the possibility of extending his deployment to September. To add insult to injury, this reservist had to pay for his own food and lodging while he was awaiting new orders after the war.

Hear me. Hear me, Mr. President. These stories should not come as a complete surprise to my colleagues. I am confident every Senator has been receiving mail with similar reports of deployments with no end, unclear missions, shortages in supplies, and countless other problems.

I have read similar problems in the newspaper about members of the Active-Duty Forces. This morning, there is an article in the Los Angeles Times about another delay in the homecoming of the war-weary 3rd Infantry Division. Less than a week after Secretary Rumsfeld announced to the Armed Services Committee that this division would be home by September, 10,000 of these soldiers have now been told to prepare to stay in Iraq indefinitely, an equal number of that army of Greeks which was led by Xenophon back home after the war, after the Battle of Cunaxa. Ten thousand have now been told to prepare to stay in Iraq indefinitely. These troops ought to have the chance to come home, too.

There are two reasons why I am particularly concerned about the long deployments of the Guard and Reserve. First, the National Guard has important responsibilities to their own States. Right now, this very minute, West Virginia has all of its Guard and Reserve engineer units deployed overseas, along with all of their

earthmovers, their dump trucks, their equipment. If the summer storms cause more flooding and mudslides in the West Virginia hills, who is Governor Wise going to go to for help?

We have watched those storms sweep over the mountains of West Virginia and come down those rugged, ragged, steep slopes into the valleys and cause terrible floods to come rushing down, wiping out lives and property. Who is Governor Wise going to go to for help? The engineers of the West Virginia National Guard cannot answer the call from the hot sands of Iraq. My State would either have to rely on expensive contractors to recover from the storms or wait 2 or 3 days for National Guard units from neighboring States to respond. West Virginians need our National Guard in West Virginia.

Second, members of the Guard and Reserve are part-time soldiers. They are proud to serve their country but they did not sign up to serve full-time duty. We must exercise greater discretion when mobilizing the reserves just as we did decades ago.

According to the Congressional Research Service, from 1945 to 1989, there were only four involuntary callups of Reserve Forces. In 1945, I was in Florida, welding in the shipyard to the end of World War II. According to the Congressional Research Service, from that date 1945 to 1989, there were only four involuntary callups of reservists. Since then, there have been six involuntary deployments. It is unreasonable to dip into the Guard and Reserve so frequently, to pull those men and women away from their civilian careers and away from their families and expect them to serve overseas with no indication of when their mission will end.

There are serious defects from protracted deployments of the National Guard and the Reserve. There is growing frustration, I am telling you. It is growing. The frustration is there and it is growing.

Hear me, Mr. President, down at the other end of the avenue. Hear me, Mr. Rumsfeld. Hear me, Senators. That frustration is growing. Growing frustration among members of the Guard and Reserves mean that many troops may finally elect to take their hard-earned retirement. Many junior personnel are likely to decide they do not want to put their families through months or even years of hardship again and they will choose not to reenlist once their duty has been completed.

As we speak, unit commanders are bracing for a heavy loss of personnel once the deployed units are rotated home. The time has come for Congress to say: Enough is enough. Let us put an end to open-ended and back-to-back deployments of the National Guard and Reserve. Our part-time troops need to get back to their homes. They need to get back to their families.

They need to get back to their full-time jobs.

That is why I offer an amendment to limit the involuntary deployment of

National Guard and Reserve personnel to 6 months for any single overseas deployment and not more than 1 deployment in any 12-month period.

When we send the National Guard to peacekeeping missions in the Balkans, they are overseas for 6 months. Why should we ask our reservists to serve longer in Iraq or Afghanistan? Why should we ask our reservists to put up with back-to-back deployment?

Secretary Rumsfeld announced this week that he is seeking long-term changes to reduce dependence on the involuntary mobilization of National Guard and Reserves for not more than 1 year out of every 6 years. This is a commendable action, and we need to take a look at the long-term structure of our Armed Forces. But Secretary Rumsfeld's proposed changes do nothing to address the problems our reservists and their families are facing today.

My amendment will make an immediate impact on the problem of open-ended deployments for the National Guard and the Reserves. My amendment will make the Defense Department tell our reservists when they will be coming home because no funds in this bill may be spent to keep a Guard or Reserve unit overseas for more than 6 months.

We need to start rotating our Reserve Forces back home. Right now, there are 204,100 Reserve personnel who are not at their civilian jobs. These absences are leaving huge gaps in private businesses and essential government services.

In West Virginia, 10 percent of the State police have been called to active duty. Countless employers across the country are working shorthanded, waiting for the day that one of their employees will return home from their service to our country. Families are struggling to make up the income lost by having a provider receive modest paychecks from the Pentagon as opposed to the good pay of civilian careers, such as doctors, lawyers, coal miners, teachers, or even plumbers.

One can only wonder how much the endless cycle of deployments has affected our economy over the last 2 years. But it is clear that we need these part-time members of the military back in our communities.

My amendment would allow us to tell the members of the National Guard and the Reserve that they will return home within 6 months of being sent overseas. Congress should act in order to provide a measure of stability to the deployment our reservists are facing. We should give the same measure of stability to their families and their employers.

I urge my colleagues to support the amendment. I send it to the desk.

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 1244:

Insert after section 8123 the following:

SEC. 8124. Notwithstanding any other provision of law, no funds appropriated or otherwise made available for the Department of Defense, including funds appropriated for the Department before the date of the enactment of this Act that remain available for obligation as of that date, may be available for the involuntary call or order to active duty of any member of the National Guard or other Reserve component for purposes of the deployment of the member overseas as follows:

(1) A single deployment overseas of 180 days or more.

(2) More than one deployment overseas in any 360-day period.

Mr. STEVENS. Mr. President, the Senator from West Virginia has touched on a subject that many of us believe should be explored. I think in order to look at it, we have to look at a little bit of history. That history, as far as the Department of Defense is concerned, is not too pleasant.

In the Clinton administration, I remember distinctly being down at the White House when the President showed us his plan for defense expenditures. He showed us a chart that showed a constant decline in defense expenditures. At the end of 6 or 7 years, it started to go back up. He was going to use that money to reorder priorities of the country. That was his plan, and that is what he executed.

As a consequence, the military people of this country had to figure out how to defend the country. Many of us who worked in matters relating to defense here in the Congress worked with them. The concept that was developed by the Defense Department and approved by Congress was the total force concept. The total force is those who are regularly in the Army, Navy, Air Force, and Marines. And it was augmented by the National Guard and by the Reserve.

When we deploy forces now overseas, almost every unit of the regular military has, along with it, portions of its personnel who come from the Guard or Reserve. They are already identified before deployments take place. This is the total force going out into these operations. This happened during the Clinton administration in Bosnia, and it happened in Kosovo. There were National Guard as well as Reserves deployed with the regular units. The concept of deployment is one that people in the services understand.

The problem the Senator from West Virginia has correctly identified is the repeated deployments that have taken place. When we think about it, starting in Haiti, starting in Bosnia and in Kosovo, we had a series of deployments, and then in this administration in Afghanistan and Iraq.

Those have all taken place in a continuum of a lifetime of the current force. It is an evolving force. People enter and others leave. But we are still dealing with a total force. You are not dealing with the kind of forces that were in place when I first came to the Senate or when we served in World War II. There were massive divisions called up. They had a cadre of perma-

nent people in the U.S. Army. Back then, we were in the Army of the United States. That was the draftee portion that was added to the Army. Each section of the military had that in days gone by. But they were temporary people. They were drafted. They were not involved in a citizen-soldier-citizen military concept.

When we evolved into this picture that we are in right now, we developed recruiting techniques to recruit people.

The Senator from West Virginia mentions the police of West Virginia. I am sure the same thing happens in almost every State in the Union. The police are encouraged to join the National Guard and the Reserve so they can be part of the military police forces as they are deployed. They may even have expertise that they got in the military services before they became policemen. And they agreed to come back and fulfill that same expertise as a member of the service when their unit was deployed. The Reserve and Guard units are called up because they have expertise in particular areas. They are part of a function that is included in the total force.

The problem isn't the duration of the deployment; it is the frequency of the deployments, as far as I am concerned.

The Senator from Hawaii will recall that he and I went to Prince Sultan several years ago and talked to the pilots who were not reenlisting. This was occurring during the Clinton administration. They were not reenlisting because they had been deployed to Italy; they had been deployed to Bosnia; they had been deployed to fly what we call the "continuous air patrol"—the cap over Iraq. Once they finished the cap over Iraq, they were back in Bosnia again or they were deployed to do some special activities in the Korean area.

Several times when forces were built up as tensions increased, we deployed some forces. They were brought back later. But it wasn't the duration of any one of the deployments, in my judgment; it was the frequency of several deployments.

I remember talking to one pilot who was not going to reenlist because he had been away from his family I think 10 months out of the year.

This was something that was just not contemplated by the total force, whether they were Regular or Guard or Reserve. It is not just the Guard and Reserve. It is the total force in terms of the number of deployments and the length and duration of the rotations that are taking place. Those I think have to be studied, and they have to be studied very carefully to determine where we are going.

Unfortunately, I must disagree with my friend from West Virginia. If we followed his suggestion, we would put down just a blanket rule concerning the time of the deployment period or the number of deployments in any 360-day period. And this would be not more than one.

President Clinton could not have fought in Bosnia and Kosovo and maintained the blockade of Iraq, as he did as Commander in Chief, under this kind of a law. In fact, I do not think any Commander in Chief could command our total force with that kind of a law. But what we have to look at is the number of times that you are deployed in any one period of your service. There are people who still enlist for a period of time. If they enlist in the Guard or the Reserve or the regular forces, I think we ought to assure them, if they are in each category, there ought to be a different standard. In the regular services, those are 365-day-a-year deployments, period.

This concept of applying this policy only to the Reserve component, I think—and I assume by that the Senator includes the National Guard—is not proper, in my judgment. We have to look at the total force and say, if you are a part of that force, this is what will apply to you.

I think there should be some distinctions between the regular services and the Guard and the Reserve so that a person could make a choice based on his or her circumstance as to how often and for what duration deployments might take place.

We developed, in World War II, a concept of points. Again, my friend from Hawaii and I probably are of the few people in the Senate who can remember that. But you got points for the number of months you were deployed overseas. You might have been deployed to France or Italy or England but you built up points. As you reached the zenith on points, you were eligible then to be rotated back home, back to the continental U.S.

That system is almost implied in what the Senator is raising because if you have been deployed more than once in a 360-day period, you could not go again, I take it, until that period was exhausted. But the concept of when a person should be entitled to be returned to the continental U.S., and how many times they can be deployed overseas in any one—we used to call them “hitches”—enlistment period I think has to be explored.

I have just reviewed this, and I want to find a way to raise this so the Senate will understand the issues as we see them with regard to this policy. We need to establish a review by people who are decidedly interested in addressing the problems that Senator BYRD has outlined to give us some judgment, as quickly as possible, on what we should do.

One of the basic questions, in my mind, is, should it be a law, or should we mandate there be regulations issued that encompass certain criteria that must be met by those regulations, or should we direct the Commander in Chief to issue an Executive order?

There are several ways this could be changed. I take it one of the questions that should be addressed in this amendment, too, is the question of whether

the rules should be the same during a period such as we are in now—this is a period of engagement overseas, at the direction of the President, approved by the Congress, by the way, but it is not in response to a declaration of war. I think once we get into a period of total war, as in terms of a declaration of war passed by Congress, then all bets are off. In fact, that triggers, once again, if that happens, as I understand the law, the draft again. We go into entirely different circumstances in terms of manpower and encouraging people to come. We will have to address that sometime.

Just parenthetically, I remember offering the amendment, once in my youth, on the floor, to extend the draft to cover women. Maybe the Senators do not remember that but I did, and it was defeated. We thought it would be defeated but we then went ahead to defeat the draft. We eliminated the draft. Once we agreed we would not draft women, we eliminated the discrimination in being able to draft men. I think, should we ever get into total war again, God forbid, we will have to look into the concept of a draft and how we execute it.

But, very clearly, what we are talking about now, being deployed for more than one 360-day period—I would have been able to come back from China very quickly if we only had 360 days. There were many people who served overseas for more than 2 to 3 years during World War II. By the way, they did not build up the points that were necessary to come home because those points primarily arose, as I recall, in periods of combat—at least you got greater credit while you were in combat.

I never had to worry about points, Mr. President. I enjoyed what I was doing, and maybe I didn't want to quit flying, so I was very pleased to stay where I was.

What we are trying to do is develop a policy that comprehensively examines the issue of overseas deployments and analyzes any resulting personnel readiness or operation tempo strains on the Active Guard and Reserve Forces, and to apply this concept to the total force.

We want to examine overseas rotation policies and practices and determine how those policies—for the whole force—impact military readiness, individual and unit training, the quality of life for military service members and their families, their dependents, the retention of career and noncareer military service members, and the impact on reenlistments of the policies that are pursued.

We want to specifically get some recommendations on ways to reduce the burden of overseas military deployments while maintaining military readiness, overseas presence, and supporting the national military strategy and the ability to respond to the President's orders as Commander in Chief.

I particularly think we ought to find some way to recognize that there has to be times when the Commander in

Chief has the right to obtain the forces that he and his military advisers believe are necessary to maintain our national defense.

Again, parenthetically, I am reading a novel now. I believe I told Senator BYRD and others about it. It is about the Revolutionary War. During that period, the Washington Army was a national army but there still was not a national government and they did not have permanent enlistments. They had enlistments for periods of days or weeks or months. Often Washington found he did not have the forces in one week that he had the week before, and he had to wait until he was augmented by further forces that came to him from the State militias.

What are the State militias today? They are the National Guards. Our history of militias in the United States has given us the National Guards.

This amendment offered by Senator BYRD really applies to the National Guard, too. The National Guard has another commander in chief, unless they are, in fact, mobilized by the President; and that is the Governor of each State. It is only when they are mobilized that they would come under this proposal of Senator BYRD.

What I am saying is, we have many problems out there that have now been perceived because of the multiple deployments of our forces in the last 10 to 12 years. One of them became apparent to me as I talked to military people in my home State of Alaska; that is, we now have, in many instances, couples who are both in the military. Sometimes they are actually in different units, at different bases, but they are married and they have families. We have the problem of units being deployed and finding that both parents might be deployed at the same time, with minor children involved. That is something that ought to be looked at. We ought to have some limits on overseas deployment, period.

Now, for instance, I believe about half of our marines today are in Okinawa. They are stationed there almost permanently. The Marines have fewer married people, I understand, but they do have some problems with regard to family deployments, and I think that concept ought to be looked at.

We ought to look at the question of unaccompanied tours, the reverse side of that. How long should the marines or any of these individuals be stationed overseas when they are not accompanied by their spouse or their families?

I distinctly remember the time Senator HOLLINGS and I were asked to go to Europe by Senator Stennis. We went to study a problem that was coming because in those days, this is back in the 1970s, we had unaccompanied tours in terms of our basic force assigned to the protection of Europe and NATO. When these young people got a leave, they came home. They got married. And pretty soon the wives and younger children would follow the father, and they

were living in these really sad circumstances.

Senator HOLLINGS and I went to what we called a walkup, cold-water flat in Germany, where a young woman and her children were living. They had one little burner, and they had cold water. This young woman had to care for those children, and the husband was not allowed any funds for that deployment because he was unaccompanied. They had to literally live off the local economy and somehow survive.

I have to tell you, these young people, who were then draftees still going to Germany, weren't very well paid at all. They had a tough life. I still give much credit to Senator John Stennis for what he did for the military people because we followed through on every single issue he raised. And one by one we tried to solve the question of the quality of life of these young people. We increased the rotation with families. We increased the allowances for housing and various other quality-of-life items. Senator Stennis rightly has been credited as one of those who brought about a great deal of that change.

This is another change, however. This is a change of a rapid number of deployments on various issues where we have been involved—Somalia, Haiti, Kosovo, Bosnia, Afghanistan, and Iraq. They all happened during our watch. And in many instances they involved the same people.

I congratulate Senator BYRD for raising the issue, but I respectfully say his amendment is not the way to do it. I didn't see the Senator's amendment until just a few minutes ago. I am drafting an amendment which I will offer to the Senator's amendment.

There is a great deal of interest in what is going on. I have just been notified that the Enlisted Association of the National Guard, the Reserve Officers Association, and the National Guard association has asked me to oppose the Senator's amendment. We believe Senator BYRD has good intentions but that the way this is done, if this would become law, would be too abrupt and would not really alleviate the pressures. We believe there should be much more consideration going into how these limitations on deployment will be brought about. We particularly do not want to take the risk that passing a very strict limitation on either the number of deployments or the time for the deployments would have on our national security.

We are about ready to enter into another deployment. We all know the Commander in Chief has decided that some of our forces will go to Liberia. This again is going to raise the issue. But we have tried to deal with some of these issues by increasing compensation, by doing the things we think we should do to ease the burden on National Guard and Reserve personnel when they serve and to increase the amount they get towards credit for retirement and for promotion and for an increase in eligibility for pay.

I do think we are dealing with something that everyone is talking about restructuring and everybody is talking about revamping the policies. Secretary Rumsfeld has told us he intends to issue a draft of a plan for a sweeping restructuring of the 900,000 National Guard and Reserve forces. He wants to deal with the question in a way that would bring about a reduction in the need for calling up large numbers of reservists in a war and do away with the concept in some instances.

He considered it to be, according to the clipping I have just received, a matter of utmost urgency. I believe it is of utmost urgency, too. I would like the opportunity to review the plans the Secretary wants to put into effect. I think if they are plans that would be counter to the goals we currently are trying to achieve, we should find a way to work together.

The Secretary issued a statement on July 9. I ask unanimous consent that it be printed in the RECORD.

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

SECRETARY OF DEFENSE,
Washington, DC, July 9, 2003.

Memorandum for Secretaries of the Military Departments, Chairman of the Joint Chiefs of Staff, and Under Secretaries of Defense.

Subject: Rebalancing forces.

The balance of capabilities in the Active and Reserve components today is not the best for the future. We need to promote judicious and prudent use of the Reserve components with force rebalancing initiatives that reduce strain through the efficient application of manpower and technological solutions based on a disciplined force requirements process.

To that end there are three principal objectives that I want to achieve. They are:

Structure active and reserve forces to reduce the need for involuntary mobilization of the Guard and Reserve. Eliminate the need for involuntary mobilization during the first 15 days of a rapid response operation (or for any alerts to mobilize prior to the operation). Structure forces in order to limit involuntary mobilization to not more than one year every 6 years.

Establish a more rigorous process for reviewing joint requirements, which ensures that force structure is designed appropriately and which validates requests for forces in time to provide timely notice of mobilization.

Make the mobilization and demobilization process more efficient. When Reservists are used, ensure that they are given meaningful work and work for which alternative manpower is not readily available. Retain on active duty only as long as absolutely necessary.

I consider this a matter of the utmost urgency. I expect each of you to tailor the actions in the attachment to your specific organization and report back to USD (P&R) by memo on your assessment and plan for implementation NLT July 31, 2003. Follow up actions may be reviewed at a future SROC as necessary.

DONALD RUMSFELD.

Mr. STEVENS. It reads:

... there are three principal objectives that I want to achieve. They are:

Structure active and reserve forces to reduce the need for involuntary mobilization

of the Guard and Reserves. Eliminate the need for involuntary mobilization during the first 15 days of a rapid response operation (or for any alerts to mobilize prior to the operation). Structure forces in order to limit involuntary mobilization to not more than one every 6 years.

Establish a more rigorous process for reviewing joint requirements.

I am just picking portions of this statement. It will be in the RECORD.

Make the mobilization and demobilization process more efficient.

We agree with that. We ought to agree that there should be a review of that. I hope, however, the Secretary also would undertake some review of the impact of what he is talking about in terms of looking at what it will do to our enlistment rates, our retention rates and, in particular, into the viewpoints of the individual Governors who, after all, have a basic responsibility for the National Guard itself.

I would like to introduce the amendment. I don't have it ready.

Does Senator INOUE have any comment on this? I need to get the draft of the amendment. Would the Senator wish me to yield the floor?

I yield the floor.

Mr. INOUE. Mr. President, I just want to say I support my chairman on this matter. I congratulate Senator BYRD for bringing this to our attention because it is an important matter that concerns all Americans. I hope this proposal by Chairman STEVENS will be acceptable to all Members of the Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from West Virginia.

Mr. BYRD. Mr. President, while the Senate is awaiting Mr. STEVENS' amendment, let me read some excerpts from some of my constituents. I referred to letters from my constituents during my comments on the amendment which I offered. Here is a constituent who writes as follows:

I am writing to express some of my concerns with so many of our West Virginia guardsmen and women deployed.

I am under the impression that the duty of the National Guard and Air National Guard is to fill in and help the active duty in times of need. Many of our West Virginia Guard have been deployed for quite a while now, but it seems as though very few have come home yet. The combat portion of the war seems to be nearing an end, and a couple of months have passed for supplies and human aid to reach the people of Iraq. It seems to me that our Guards men and women have fulfilled their duty and should be sent home soon. A recent severe flooding in our State could use the help of service men and women here at home. I feel that our West Virginia Guards men and women have contributed their portion of duty to this war for the time being and deserve to come home now and begin rotations with other units to cover the needs of our active duty overseas. I do not want to see our State suffer during this time of need for their services here.

I am very proud of our service members within our State because I believe they do an excellent job for us as a State and for the Nation. They are always prepared to perform any tasks they are called to do. I personally

believe that we can use their services here at home for the time being and that they have accomplished their duties overseas. I wanted to explain my concerns to you about the need for our Guard men and women to return home soon.

From another letter I present these excerpts:

I am writing asking for your intervention and help in the swift return to the United States for my son's unit serving in Iraq. His unit has had no real mission since it was sent to Iraq.

He mentions his unit, which I will not mention here. He says:

They have been pumping fuel which is not fit for use in trucks or planes. Most of the time, they end up pumping it on the ground just to settle the dust. They have been in the very dangerous sections of Iraq, north and east of Baghdad. At a family support meeting, we were told that the soldiers are now being rationed water—one 20-ounce bottle a day. They have no way of communicating with us back home. Their food is limited and they are living in extremely miserable conditions. We were urged to contact you for help. Mail is not getting to them and we rarely receive mail from them. They are not part of the rebuilding of the country. They are not involved in any constructive activity—only the danger of being in convoys and the sniper fire which has been reportedly happening regularly.

This war is not over, as our President continuously tells the Nation. Our soldiers are not home. Please help. My son chose to serve his country and for this I am very proud. But this mission has gone into some bizarre and impossible conditions for our sons and daughters. Please help bring them home soon.

Another letter is as follows, and I will excerpt certain paragraphs:

As you are aware from my last letter that these men have been deployed for quite a long time, they were gone for a year with the last deployment, as well as State duty for floods and now this deployment. For this deployment, these men have been deployed since February of this year, and here we are already in the middle of May. They were sent overseas without any real kind of indication as to when they will return home. I have gotten some form of answer [from a certain office in the service] that the current policy is for the men to be deployed for 6 months overseas. However, that is not any guarantee either. We are still looking at 2 years of deployment for these men. I just find it so hard to believe that there is no one out there that can help get these men home before that timeframe. I don't understand why it can't be a total of 6 months.

There are many family members, including mothers and fathers, of these soldiers who would be very grateful to you if you can make this happen for us.

Another letter:

On December 1, 2002, my husband [she writes his name, which I shall not divulge] was deployed for the war in Iraq, and he was told that he would return to continue in his normal career when the war was over. Since then, he has been scheduled to return to the United States on five occasions.

She gives the dates.

He is still in Germany. He is having to pay for his meals and a hotel room, while awaiting a flight somewhere in Africa, as directed by his commander, although there are no legal or valid orders to do so. As of today, my husband has been deployed, mobilized, 200 days. His orders state his deployment is

not to exceed 179 days. . . . My husband is a West Virginia National Guard soldier who has been deployed over 6 months, who by regulation should have been redeployed to his home station before being assigned to a new theater, as stated in his orders. . . . Morale is at an all-time low for my husband, myself, and our family, and all the soldiers and families I have spoken to.

Anything you could do to make this situation right would be so greatly appreciated than I could possibly let you know. Please help me get my soldier home.

It was signed by his wife.

Mr. President, I will not go further in reading letters, but I have many of them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, this is a very complex issue.

I wish to remind the Senate that in this bill, we have added \$2 million for employer support for Guard and Reserve to help address problems with recent deployments. I was just informed there was a Rand study of deployments. The authors looked at the issue in the wake of the high rate of military deployments through the nineties, and the prospect that deployment will rise even more.

The authors found, paraphrasing part of this report, that reenlistment was higher among members who deployed compared with those who did not, and sizable increases in deployment all appeared unlikely to reduce reenlistment rates. Research suggested past deployment influences current reenlistment behavior because it enables members to learn about their preferences of deployment and about its frequency and duration, which may revise members' previously held, more naive expectations.

I have had some letters similar to what Senator BYRD has just read. I do think there are individual problems, and that is our job as Members of the Congress, this body in particular, to look into those and try to remedy them and see they do not happen again. I again commend the Senator for addressing the problem.

There are existing provisions of the United States Code, specifically sections 12301, 12302, and 12304, that detail the varying levels of mobilization, the number of forces the President can call up and the amount of time those forces can be activated and actions required with respect to Congress.

There is no question there is already a law concerning this situation, and by law the President of the United States has the authority to deploy members of the Guard and Reserve overseas as appropriate and within the context of the laws I just mentioned.

This amendment would obviously change those laws, and if nothing else, before we change those laws, we should give the legislative committees, the Armed Services Committee, the opportunity to look at the subject. I think their review should be based upon a review of people with competence who

have had experience in the problem of assisting the Commander in Chief to deal with the Reserve components of our military.

I am told the standard rotation is a deployment of 180 days. Those deployment days do not include preparation or recovery time, and typically the units may be mobilized for 230 days in order to complete the 180-day deployment. This would put a restriction on that past policy as it has been carried out.

We should have some in-depth review of the relationships of these policies of rotation, deployment, and mobilization days, as well as the impact on families and upon their employers, as the Senator has mentioned.

Without question, employers are affected and without question small cities and towns, such as exist in my State and I know exist in West Virginia, are impaired if these durations are for too long.

Clearly, we have come through a period which now I think we ought to review a little bit, and I will speak later today about the reliance of the Department of Defense on supplemental appropriations for contingency and peacekeeping operations in the past two decades. That is something that has to be addressed, and the Senator from Nevada addressed it earlier today, and I will discuss those.

For now, though, again coming back to this basic problem of this amendment, do you think we can say the Secretary of Defense has already issued a statement of intent to devise a plan to deal with a portion of these problems? There is no question we have a difficult future to deal with because we still have forces in Kosovo; we still have forces in Haiti; we still have forces in Bosnia; we still have forces in Korea; we still have forces in Okinawa; we still have forces in Diego Garcia; we have forces at King Sultan Airfield in Saudi Arabia.

The Senator from Hawaii and I represent two areas that have what they call forward-deployed forces. I say to the Senator from West Virginia, often when we have forces deployed from Alaska and Hawaii to go overseas, we then get replacements who are really people who have been called up, Guard and Reserve units, to come to our forward-deployed areas to fill in those spots. They are not considered deployed overseas. If they were from West Virginia, they would be away from West Virginia for a substantial period of time. The Senator's amendment would not cover those people.

In terms of review, I hope, if we are successful in establishing a commission to bring this about, that there will be a basic review of the overall concept of deployment, whether it is overseas or otherwise, when it takes members of the armed services away from their home duty station and their families and particularly those who have multiple family members of the military who could be affected by deployment at the same time.

One of the difficulties I have is now looking at Africa and what is going to happen in Africa. We have had repeated demands for the President to deploy forces there, increased demand to look at more than one nation that is going through a period of rebellion and riotous conduct. I think that may be one of the worst deployment problems we will have in the future, is to find forces to undertake those objectives, fulfill the objectives of the Commander in Chief's orders if we are at the same time still in Afghanistan, Bosnia, Korea, Kosovo, and Iraq.

It is mind-boggling, to say the least, to deal with the concept of deployment at the present time, the requirements overseas to maintain the policies of the United States.

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

Mr. STEVENS. Yes.

Mr. BYRD. The distinguished Senator speaks of our forces being deployed in various and sundry continents, countries, and climates. Are these guardsmen and reservists whom the Senator is talking about?

Mr. STEVENS. Under the total force concept, there could be National Guardsmen and Reserve in any of the units deployed overseas.

Mr. BYRD. He speaks of Kosovo. Are those National Guardsmen and Reserve deployed there?

Mr. STEVENS. I do not know the current component, Mr. President, but we did see some reservists and Guard people in Kosovo when we were there. We visited Fort Bonnsteel. We saw them in Bosnia, and we saw them in Afghanistan. I am specifically told the National Guard currently has a mission in Bosnia.

Mr. BYRD. Are they limited to 6 months?

Mr. STEVENS. Currently, I believe there is a 6-month deployment limit, but they do not charge against that deployment period the time necessary to get them ready to go over, or the time they use in demobilization when they get back.

Mr. BYRD. But the time there, are they limited to 6 months?

Mr. STEVENS. That is my understanding.

Mr. BYRD. Then why shouldn't the people in the hot sands of Saudi Arabia, Kuwait, and Iraq be likewise?

Mr. STEVENS. They are. I just read that law. They are subject to the same law. I am told the standard rotation period is 180 days. Those days do not include any preparation or recovery time. The units are typically mobilized for 230 days or more to complete the 180-day requirement, but it applies to all forces. It does apply to our forces in Iraq, Afghanistan, Kosovo—they are all subject to coming back after 180 days.

Mr. BYRD. Is the Senator aware of any complaints from his National Guard in Alaska or other Reserve units there that they are being held longer than the 180 days and being redeployed for a longer period?

Mr. STEVENS. The Senator used the word "redeployment," which is another matter. Deployment is limited to 180 days. There is currently no limit on the number of deployments, as I understand it. The problem that I and the Senator from Hawaii discussed with various members of the armed services Regular Guard and Reserve has been the problem of successive deployments. Active duty tours are limited to 180 days under most circumstances when they are not considered to be a home station, such as Korea and Okinawa.

For the deployment into these areas, as I understand it, like the Balkans, Afghanistan, or Iraq, the limitation on the deployment is 180 days, but there is no limitation on the number of rotations that one could take to another place overseas when they are brought back.

Mr. BYRD. I am trying to get some predictability worked into the equation. That is the reason I have offered this amendment. I am getting these letters from the men and women from West Virginia who are in Iraq. They want to come home. They think they have served the time that was indicated to them they would serve and yet they are serving longer.

Mr. REID. Will the distinguished Senator yield for a question?

Mr. BYRD. Do I have the floor, Mr. President?

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. BYRD. I thank the Chair.

Yes, I am glad to yield to the Senator.

Mr. REID. It is my understanding this amendment does two things. I wonder if the Senator from West Virginia would indicate if my understanding of the amendment is correct. First, that Guard and Reserve Forces could be deployed for no longer than 180 days. That is 6 months, is that right?

Mr. BYRD. Right.

Mr. REID. And the second part of the amendment says they cannot be deployed twice during a 1-year period of time, is that right?

Mr. BYRD. In essence, the Senator is precisely correct.

Mr. REID. I say to my friend from West Virginia that the people of Nevada are like the people of West Virginia. We get inquiries all the time about when their sons or daughters are going to be able to come home. The Senator from Alaska said they not only are overseas for a long period of time but they have training outside the State of Nevada getting ready to go for long periods of time.

Mr. BYRD. Yes.

Mr. REID. So I hope my colleagues will listen very closely to this debate and approve the amendment of the Senator from West Virginia. It is very simple. If someone is a guard or reservist, they will be deployed no more than 180 days, and if they are a guard or reservist they cannot be deployed overseas twice in any 1-year period of time?

Mr. BYRD. They are entitled to know. They are employed and they are entitled to have their expectations met. Here we are with our men and women in Iraq. They are there like sitting ducks. It is like a shooting gallery. They are in an area I am sure we would find very difficult to live in. We will be talking more about reasons why they were told they were going and about the problems with certain intelligence that had an impression, I am sure, a persuasive impression on some of the Members of Congress who voted to give this President the power to send our men and women into harm's way, but we will save that for another day.

Mr. REID. Will the Senator yield for another question?

Mr. BYRD. What I am trying to do is make it possible for these men and women who are in the Guard and Reserve units to return home to their children, their families, their wives, their mothers, their fathers, their jobs, their communities. Communities have been hit hard in this country. Communities have been hit hard in West Virginia. These men and women answered the call. They have served well. They have demonstrated great courage, bravery, and patriotism. Why should we not keep our word to these people? Why should we not be up front with them?

Mr. REID. Will the Senator yield for another question?

Mr. BYRD. Yes.

Mr. REID. One of the concerns I have and the reason we need some definition for the obligations of these men and women in the Guard and Reserve is that we are having trouble in Nevada recruiting new people for the Guard and Reserve. These weekend soldiers are becoming year-long soldiers and we in Nevada, I think, are no different than any other State. I believe we need a definite period of time they can be obligated to go overseas and how many times they have to go overseas, are obligated to go overseas, or we are not going to get people to join the Guard and Reserve.

Will the Senator agree with that statement?

Mr. BYRD. I agree with that statement, and I think the administration ought to tell these people how long they are going to stay over there. They are not told they are going to be over there just 6 months. They are not told they will be there 9 months or a year. This administration has failed to tell our people, who are put in harm's way by this administration's policy of preemptive strikes, what this administration intends. Congress has not been told how long these people are going to be there, what are the costs.

We hear every day—the President spoke on the *Abraham Lincoln* with a sign, a banner, fluttering overhead, "mission accomplished." The mission has not been accomplished. What was the mission? I am not sure we know what the mission was.

I appreciate the statements and the questions by the Senator from Nevada. I appreciate also the words of the distinguished Senator from Alaska. He is a very reasonable man and a reasonable legislator.

We talk about a study, but we study things to death around here. We need to act, and that is what I am trying to do. I am trying to bring some succor, comfort, relief, and satisfaction to the families of our Guard and reservists who are waiting the return of those men and women.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. There may be some misunderstanding in the minds of those who have been called up, or the dependents of those who have been called up, concerning existing law. The existing law does limit the deployment for overseas to 180 days. They must be rotated in that period of time. As I have said, it takes 230 days to complete that because of the time to call them up. They have to give them notice. They report. They then are put into units and then they are sent overseas.

When they come back, they come into the units where they are going to be really demobilized and it takes some time then, too. I do not think we have a disagreement with the Senator from West Virginia about the need to ease the pressure on these continuing forces caused by the concept of total force, but there seems to be one misunderstanding. It is the unit that is deployed for the 180 days—in some instances members are deployed individually to fill in units. They would be subject to the same limitation, but the basic concept of the law deals with being able to deploy members of the Guard and Reserve as appropriate within the context of the law I have mentioned.

AMENDMENT NO. 1255 TO AMENDMENT NO. 1244

Mr. President, I have my amendment, which I send to the desk, and I will give a copy to my friend from West Virginia. I submit this amendment on behalf of myself and the Senator from Hawaii as a bipartisan approach to deal with the issues and try to bring them together.

The Secretary of Defense has a group going ahead on this. We obviously believe the Congress should be involved in some way. I ask that that amendment be in order to be called up at this time.

The PRESIDING OFFICER. The clerk will report the amendment.

Mr. STEVENS. I apologize. I am offering this amendment in the second degree to the Byrd amendment.

The PRESIDING OFFICER. The Senator wants his amendment to be a second-degree amendment, is that correct?

Mr. STEVENS. That is correct, as an amendment to the Byrd amendment.

The PRESIDING OFFICER. The Senate will withhold while we evaluate the amendment and make the necessary changes.

The amendment is being revised to be a second-degree amendment to the

Byrd amendment. Is that the Senator's intent?

Mr. STEVENS. That is my intention. The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for himself and Mr. INOUE, proposes an amendment numbered 1255 to amendment No. 1244.

Mr. STEVENS. 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 establish a commission to study overseas deployments)

Strike all after the word sec. and insert: 8124 (a) There is established a Commission on Overseas Deployments.

(b)(1) The Commission shall be composed of 11 members of whom—

(A) three shall be appointed the President;

(B) two shall be appointed by the Speaker of the House of Representatives;

(C) two shall be appointed by the Majority Leader of the Senate, in consultation with the Secretary of Defense;

(D) two shall be appointed by the Minority Leader of the Senate, in consultation with any person who served as Secretary of Defense pursuant to an appointment to such position by President Jimmy Carter or President Bill Clinton; and

(E) two shall be appointed by the Minority Leader of the House of Representatives.

(2) Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(3) The Commission shall meet at the call of the Chairman. The Commission shall hold its first meeting not later than 30 days after the date on which all members of the Commission have been appointed.

(4) A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(5) The Commission shall select a Chairman and Vice Chairman from among its members.

(c) The Commission shall—

(1) conduct a comprehensive examination of overseas deployments of members of the Armed Forces, and analyze the resulting adverse effects on personnel, readiness, and operation tempos on members of the active and reserve components of the Armed Forces;

(2) examine current overseas rotation policies and practices for active and reserve component forces and how those policies and practices affect military readiness, unit and individual training, quality-of-life for members and their dependents, and retention of career and noncareer members.

(d)(1) Not later than 120 days after the date of the enactment of this Act, the Commission shall submit to the congressional defense committees a report on the results of the examination and analysis under subsection (c).

(2) The report shall include recommendations on ways to reduce the burden of overseas deployments while maintaining readiness, overseas presence, and support for the National Military Strategy.

(3) The report and recommendations shall also address the overall size, structure, and sufficiency of the Armed Forces in relation to current requirements for overseas deployments and presence, the adequacy of the current balance and mix of active and reserve

component forces, and the adequacy of the current balance and mix of critical, high-demand low-density units the rotation and assignment of members of the Armed Forces married to each other, limitations on the periods of overseas tours, and unaccompanied tours in hardship locations.

(e) The Commission shall consult with the congressional defense committees in carrying out its duties under this section.

(f) The Commission shall terminate 90 days after the submission of the report under subsection (d).

(g) Of the amount appropriated by title II under the heading "OPERATION AND MAINTENANCE, DEFENSE-WIDE", up to \$3,000,000 may be used for carrying out this section.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Alaska.

Mr. STEVENS. If I could explain this proposal, it would create a commission on overseas deployments to have 11 members: 3 appointed by the President, 2 appointed by the Speaker, 2 appointed by the minority leader of the House, 2 appointed by the majority leader of the Senate, and 2 by the minority leader of the Senate. They would be appointed the term of the commission. We ask for the commission to hold its first meeting not later than 30 days after they have been appointed. They have the duty to give us a report within 120 days after enactment of the act—obviously, that would be a period of 90 days for their basic work—and they would recommend ways to reduce the burden of overseas deployments while maintaining readiness, overseas presence, and support of the national military strategy.

The report and recommendations shall address the overall side, structure, and sufficiency of the Armed Forces in relation to current requirements for overseas deployment and presence, and the adequacy of the current balance and mix of Active and Reserve component forces, and the adequacy of the current balance and mix of critical, high-demand low-density units the rotation and assignment of members of the Armed Forces married to each other, limitations on the periods for overseas tours and unaccompanied tours and hardship locations.

I believe this commission would have a duty to give us some basic information to address the problem raised by the Senator from West Virginia.

Incidentally, I now have the numbers the Senator from West Virginia asked. There were Reserve and Guard organizations deployed. They were in Operation Noble Eagle, which was Afghanistan, Kosovo, Iraqi crisis, Bosnia, Haiti, Somalia, Kuwait, and Iraq. We have had a sizable deployment of Guard and Reserve personnel—the Reserve component is what they refer to—in all of those instances. I do have the numbers and the duration.

As I indicated, the rotation schedule was that which I mentioned, which is 180 days for deployment overseas. I urge the Senator from West Virginia to consider supporting the amendment we have offered to his amendment to assure we have the right mix of Active-Duty and Reserve components and that

we devise means to reduce our forces with the least disruption on the lives of the service members involved.

Mr. BYRD. Will the Senator yield?

Mr. STEVENS. Yes.

Mr. BYRD. The distinguished Senator said the reservists should be deployed for 180 days.

Mr. STEVENS. That is the current law.

Mr. BYRD. That is what my amendment says.

Mr. STEVENS. Not quite. We do not interpret it that way. It goes further than existing law.

Existing law says the units can be deployed for no more than 180 days but under the current law, the time and preparing for that deployment and the time after that deployment to be redeployed, say, another place such as England or somewhere, to be put together so they can be brought home, those times don't count against the 180 days.

The Senator's amendment adds a dimension not included in existing law, not more than one deployment in any 360-day period.

Mr. BYRD. Is there a final deadline for this commission to report?

Mr. STEVENS. One hundred and twenty days from enactment of the basic appropriations bills, yes, sir.

Mr. BYRD. I am afraid our guards men and women will have to serve a long time. Many of them have already been serving a long time, in their estimation. They will have to serve a much longer time if they wait the appointment of the commission and then the rendering by that commission. I see its first meeting will not be later than 30 days after the date on which all members of the commission have been appointed.

Mr. STEVENS. The Senator is correct in many ways. The difficulty is the current practice is 180 days but none of these people, to my knowledge, have been over there 180 days yet. This operation has not been ongoing for 180 days. There may, however, be people deployed previously in this current timeframe who were deployed to one place, brought home, and then deployed again in the same year. That is true. That is what the Secretary of Defense has said he is trying to address. That is what this commission is trying to address, some way to provide some guidelines so members of the Active-Duty and Reserve components can determine how long they will be deployed away from their homes in any period.

Mr. BYRD. The Senator gave me this amendment, a 4-page amendment but page 3 is missing.

I thank the Senator. The third page which was missing is the page that had on it the provision:

Not later than 120 days after the date of enactment of this Act, the Commission shall submit to the congressional defense committees a report on the results of the examination and analysis under subsection (c).

So that is 120 days, so that is 4 months, not later than 4 months, by the time this commission is created, is

established and has its first meeting and then reports back to the appropriate committees. I hope surely our young men and women will be home by then without any such report. This is going to be a long time.

That is what I see with this. We need to act. We can study this to death. This is kind of like questioning Secretary Rumsfeld. When I asked him a question in the Armed Services Committee the other day, my question was, How much has our country been spending on the average per month in Iraq?

And he says to me: Well, I'm sorry, Senator, we don't have that information at hand. We will get it for you. We don't have that information at hand.

I asked, How much have we been spending per month in Afghanistan? I got the same answer. Senator, we don't have that information. We will be glad to get it for you.

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

Mr. BYRD. In a moment, if I may.

I am referring to the cavalier treatment that we peons on the Armed Services Committee get from this great Secretary of Defense that we have downtown. He says, Well, Senator, we don't have that information.

Here we are with the top man—the man at the Pentagon, the greatest defense department in the world, the most expensive one, the one that handles more money than any other defense department in the world. As a matter of fact, we are spending more money each year than all of the other 18 NATO nations combined, plus the six remaining rogue nations, plus China, plus Russia. That is almost half of the total moneys that the world spends for defense. We are treated like children by this Secretary of Defense: Well, Senator we don't have that information.

It would seem to me that would be elemental. It would seem to me that a Secretary of Defense would know how much money we spend on national defense; that he would know how much money we are spending on average in Iraq per month. He would know that. He should know that would be one of the first questions he would be asked by the Armed Services Committee when he comes before it. I would think so. You are the Secretary of Defense. How much are we spending in Iraq monthly? Then to have to turn and say, Well, Senator, I don't have that information. It would take us a while to assemble it. That is the way it is here. It is going to take quite a while.

It is going to take quite a while to get this commission started, if we follow the recommendations of the distinguished Senator from Alaska. I ascribe to him a far greater degree of appreciation for what we are doing and a far greater degree of understanding of the need for us to act than I do some of the people downtown. But here we are being asked for a study.

What I am saying is that way of dealing with Members of Congress and committees, saying, Well, we don't have

that information; we will get it for you—by the time we get that information, the time is long past for the committee to ask the next question, if we need the answer to the first question in order to ask the second question. We are going to have to wait to be able to ask the second question. That is a cavalier way of handling people. I have been around here 50 years. I am on to that kind of game.

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

Mr. BYRD. Not yet. I am not talking about the Senator. I am talking about our distinguished Secretary of Defense and the way he handles us children on the Armed Services Committee.

Mr. STEVENS. I would like to tell the Senate about the way the last administration treated this Senate.

Mr. BYRD. The Senator can wait a minute.

Mr. President, I have the floor. I have the floor.

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. BYRD. Now I yield to the Senator for whatever he wishes to say.

Mr. STEVENS. Mr. President, I think the Senator from West Virginia is well aware of what the last administration did. They just spent money. They didn't even tell us where they were taking it from. Twice in 1999, we had to have supplementals. They didn't even tell us in the supplementals what funds they used. They deployed forces, and they took money from the accounts we had already appropriated for other purposes. Every time President Clinton deployed forces, that is what he did.

This time, this President came and asked for a supplemental. He has money he is spending, but he cannot tell us precisely day by day what they are spending. They asked for money in advance. They got money in advance.

He did not disturb the individual accounts of the various services. He did not cause the chaos in terms of defense that the last administration did.

I will defend my friend, this Secretary of Defense. If the Senator wants to defend the last Secretary of Defense, I will let him do it. But I know what happened. In 1998, 1999, and 2000—we had 2 supplementals in 1999. That represented money that was used under the food and farm act concept of ancient law of the United States. The President took money from other accounts and just spent it. He didn't ask us for it. He didn't tell us what he was using it for. He never would account for it. Even when he asked for a supplemental, he didn't tell us what unit he took it from. We had to look for the unit and put the money back where it belonged.

This administration is doing it right. When they ask for money in advance, they are spending money and accounting for it as they account for their bills normally in their normal reports. But they did not take money from the individual units.

They took money from the Air Force and Army and spent it somewhere else without telling anybody.

You want to get me excited about something, I will get excited about the way the last administration handled the Department of Defense. They decreased funding and used the money in a manner totally unheard of in the history of the United States. It would have ruined the military had it not been for the concept of the consolidated force structure. The military saved itself by using Reserve and Guard units in the proper way.

But their funding came from moneys that were for entirely different purposes. I believe they took money from the procurement account from time to time. Normally, they took the operation and maintenance money. That is the steaming money. That is money for flying hours. That is money for drilling. That is money for equipment. That is money for munitions. They just depleted money, and deployed forces to Bosnia and Kosovo without asking at all. There was no advance request. There was no notice given.

If the Senator wants to get excited about the way funding is being used now, they are using the funds which they asked Congress for. I was the one who presented the bill. Congress approved it. The President signed the law. And the Secretary of Defense has the right to use that money according to laws that we pass. And he is following those laws, to the best of my knowledge.

Mr. BYRD. Mr. President, may I say to my distinguished friend, I don't worry. He can get excited as many times as he wishes. I have excited many people in my time around here, before the Senator from Alaska came here. He can get excited all he wishes. I will be glad to wait while he gets excited again, if he would like.

He reminds me of the pharisee and the publican who went up into the tower. The publican said, "Oh, Lord, I don't do what this man does. I don't do as he does. I give my tithes. I give one-tenth of all I earn." And he went on to talk about his attributes. The other poor man in the tower said, "Oh, Lord, Forgive me. I am a sinner."

So don't point to Clinton, when the Senator talks to me—or to any other President. I am talking about this administration. We can't excuse this administration because of something some other administration may have done. The people on that side are good at that. Many of them are always pointing out what we did, what Clinton did, or what this one did, or what that one did. That time is past. We can't excuse our own sins on the basis of the sins of others.

I am talking about this President, this administration, your administration, your Secretary of Defense. You can stand up and defend him all you wish, my friend. And I shouldn't say "you." I shouldn't speak in the second person under the Senate rules. Maybe I got a little excited also.

But the Senator isn't going to run that old fish along the side of me. He

can get excited all he wants. He is noted for his temper. Temper is a good thing. We all have some of it.

But I am saying here that when we ask questions of his friend, the Senator from Alaska's friend, Mr. Rumsfeld, we get treated cavalierly, and many times get a lecture. It is about time we get rid of that kind of treatment. Secretary Rumsfeld, with all due respect to him, wasn't elected by the American people to that job he has today. He was appointed to it. He was confirmed in it by this Senate. I was not appointed to anything.

So let's don't attempt to respond to what I hope were sincere questions here by pointing to what a previous administration may have done. I did not agree with everything that happened in the previous administration. The supplemental requested by the Clinton administration is in no way appropriate to the cost of Iraq. Bosnia and Kosovo were minuscule in comparison to the cost of Iraq.

Let's talk about Iraq, and let's talk about this administration. We have to deal with the problems that confront the Senate today. I am not going to ask my constituents to settle for a study. We need to act. And we Senators have a duty to vote on my amendment. When we talk about a supplemental, that is a way to—and I speak always with great reverence to my friend, Senator STEVENS; and he is my friend, he is going to be my friend, and I am his, but this is a way to hide costs from the American people, huge costs that can be anticipated, and that are driven by policy decisions made in this White House.

There is no reason for a supplemental request in this instance. Congress is not an ATM machine. This White House wants to be accountable to no one. We have a responsibility to the taxpayer to exercise oversight over these monies.

I have nothing else I wish to say at this point. I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I do agree to a great extent with the Senator from West Virginia, except that I reiterate I am proud to defend this administration. This administration asked for the money, told us what it was for. As a matter of fact, in one instance, the President asked for \$10 billion for the global war on terrorism as a contingency fund and, together with the Senator from West Virginia, I helped deny that request. The Congress asked that the administration define the costs and contingencies, and they did. And that money was included in the big supplemental we passed for defense. We asked for it and received the statement of what the money was to be spent for.

We asked them to tell us what they were going to spend the money on in Iraq. It was detailed. It was in the fund that was given to them.

Again, I defend this administration because, to their credit, they agreed we

have rescinded in this bill \$3.1 billion of that supplemental we gave to the Department and took the money back and put it for other functions in the Department. Now, the last administration would have taken that money and put it there, anyway. They agreed we should take it back, and now we are going through the process of reappropriating the same money in this bill for 2004 because it is not going to be used according to what they told us they were going to use it for in terms of the Iraq supplemental.

But, Mr. President, a friend in the House, watching this event, has sent to me a statement that was made in the House Armed Services Committee on April 3 of this year by Sergeant First Class Steven Davis of the U.S. Army Reserve. I think it is significant to have this comment at this time, and I am pleased that my friends are listening. I am going to read the statement word for word.

Sergeant First Class Steven Davis said:

Mr. Chairman, members of this distinguished subcommittee, thank you for the opportunity to be here today and for allowing me to be a participant in this panel.

My name is Sergeant First Class Steven Davis and I am a Military Policeman in the Army Reserve. I have been serving in the United States Army for 15 years, seven of which have been in the Army Reserve. I am assigned to the Military Police Port Security Detachment in Pocahontas, Iowa. I have been mobilized once since I have been in the Army Reserve. I was mobilized on September 23, 2001, for Operation Noble Eagle, and I served one year state side in North Carolina.

In my experience, with both the regular Army and the Army Reserve, I believe that the two are very much integrated. I had positive contacts with reserve soldiers when I was on active duty, and I have also had positive contact with the active Army since I have been a reserve soldier. Most recently during our deployment to Sunny Point, North Carolina, we were directly assigned to the 597th Transportation Group. From the moment we arrived, I felt as though we belonged there. I remember during a welcome meeting, COL Heiter, the Commander of the 597th, made it very clear to everyone in the room that the members of my unit would be treated as any other soldier at Sunny Point. The Command emphasis set the tone for our one-year star. Our forces integrated flawlessly with the existing Department of Defense forces, which is what we were trained to do. We were able to work together as a cohesive team, and everyone's moral was high.

As for the question, did the recent deployment change or affect the reservist's intention to continue to serve. I believe the deployment made our unit stronger and more willing. From month to month we go ask ourselves, are we really needed? Why are we doing this? Then September 11th came and all our questions were answered. Yes, we were needed, and yes, we were important. On September 12, 2001, we had 24 soldiers, myself included, volunteer to go on a security mission to an unknown place. The 24 volunteers left for Beaumont, Texas, on September 13th, 2001. Ten days later, on September 23rd, the remainder of our unit was mobilized and sent to North Carolina, where we spent our tour of duty. When our year was up, and we all got the word that we were going home, we were told the New York unit was going to take our place, but that they did not have

enough people. Twenty-two soldiers from my unit volunteered to stay with them, not for 3 or 6 months, but for another year. Some of the soldiers were married and some were college students. Why did they stay when they did not have to? I would say it was because they knew they had a job to do, and they weren't going to leave until it was finished.

The one problem that we encountered during our deployment was medical benefits. The Army did a great job of providing the coverage, and teaching the soldiers how to use the coverage. However, our family members did not have the advantage of having a representative available to inform them. This created many headaches for the soldiers, who would try to trouble shoot the problems long distance. I believe a local representative, available for family members would have been very helpful and would have saved the soldiers a lot of time on the telephone.

I read that because it is indicative of the feeling of our young people. We talked at one of our hearings to the Guard and Reserve members, and we found that as the deployments increased, enlistments increased; and as deployments increased, reenlistments increased.

We are having complaints from some people who believe they should have come home sooner, but none have been over there a year yet. None of them have been over there 6 months yet. Even under the current, existing law, the Senator's amendment will not affect them. Well, I am told some in Kuwait have been there 6 months by now, and they should be rotating home. But, as a practical matter, the existing law provides for the deployment limitation, the existing regulations and practice for rotation in deployment every 180 days.

However, again, I come back and ask my friend from West Virginia to support us in this effort to have this reviewed. I hope the Senator has read the composition of the commission we would like to create: people appointed by the President, people appointed by the leaders of the two bodies. I do believe an 11-member commission is sufficient. I envision that they would call on former Secretaries of Defense and their assistants, former commanding officers, generals, and members of the Guard and Reserve from the enlisted area. So we would have a representative group to give us their advice.

Respectfully, I think we need their advice on how to deal with the complex problems of dealing with rotation and deployment limitations in this day of a very complex total force that our military defense units face today.

I urge my friend to reflect and let us adopt our amendment and create this commission, and we will be back here in 5 months. That, I think, would be sufficient to deal with this problem. And it will give us a forward-looking concept as far as deployment strategy, rotation strategy, and benefit strategy for members of our Armed Forces.

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

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

Mr. BOND. Mr. President, I rise today to address the amendment offered by the distinguished Senator from West Virginia and the second-degree amendment offered by Chairman STEVENS.

I think we all realize the tremendous strain that the deployments, the call-ups have placed on our Guard and Reserve and actually the continuing deployments place upon the active members of the military. That is a well-deserved concern. We must take into account how calling upon our troops, whether active or reserve, puts stress on them and their families.

I believe very strongly that Senator STEVENS has in his amendment adopted the appropriate approach—appointing a commission to examine the overseas deployments of members of the Armed Forces, the overseas rotation policies and practices for Active and Reserve component forces, and how these policies and practices affect military readiness, unit and individual training, quality of life for members and their dependents, and retention of career and noncareer members.

In examining this issue, as cochairman of the National Guard caucus, we sent out a request, an urgent request, for information from the Guard on their views on these policies. MG Richard Alexander, retired major general, president of the National Guard Association, has written me a letter—which I will, at the end of my remarks, ask to include in the RECORD—noting and commending the efforts of Senator BYRD to bring this issue to the forefront but saying that the National Guard Association is opposed to the amendment. Understanding the intent behind the amendment, it does, unfortunately, reduce the ability of the President to utilize the National Guard and Reserve and places a large, unnecessary restriction on the Department of Defense.

He writes:

The National Guard, as part of the Total Force, shoulders the burdens of our nation. Senior level members of the Office of the Secretary of Defense and the Department of Defense have iterated the importance of the Guard and Reserve to be able to carry out this nation's will.

The members of the National Guard and Reserve with whom I am most familiar take very highly their obligation and responsibility to be available when the President must mobilize them in the national interest. They wish to be considered an active part of the military when we are at war. The single deployment limitation of 180 days or more, for example, may unnecessarily restrict the effectiveness of the Guard if they are called into service.

They say you can only be there 6 months and then you are gone. That really ties the hands of the Secretary of Defense and makes the Guard less likely to be called upon. In those circumstances, the missions for which our Guard members in Missouri and around the Nation train so assiduously may be lost.

The Reserve Officers Association of the United States says, in reference to the amendment of the Senator from West Virginia:

Although we understand the amendment is well intentioned, these restrictions are not needed and such determinations are best left with the Military Departments and services.

In today's security environment we must ensure that our military commanders have flexibility to execute their mission with all available forces.

Finally, the Enlisted Association of the National Guard, EANGUS, the executive director, MSG Michael Cline, Retired, writes that there is clearly concern about the pressures of frequent deployment on National Guard and Reserve members. But much more consideration needs to go into how that will be accomplished. Limiting deployment of National Guard and Reserve members could negatively impact our national security during an overseas operation.

These are the reasons that I believe the amendment offered by the Senator from Alaska is the preferred means of dealing with this question. Clearly, it is of concern to all of us because while we all recognize and acknowledge that the National Guard and Reserves have been called upon more and more over the last several years in various conflicts, our citizen soldiers have answered those calls to duty with a forbearance and spirit of service to their Nation that we all admire.

I will reference a book authored by a good friend, former chief of the National Guard Bureau, General John Conoway, "Call Out the Guard." He underscores the commitment of our citizen soldiers. He said:

As we saw during Desert Storm, the readiness of the individual Reservists was generally high in Operation Desert Storm/ Shield. An amazing 99.9 percent of Army National Guard personnel who were called reported for active duty. Ninety-four percent were ready for deployment; the remaining 5.9 percent were either waiting for initial duty training, high school students, members attending officer candidate, missing pantographic x-rays, or were medical personnel willing to go anyway, but prevented from doing so due to critical civilian jobs.

My question is, why would we want to limit or restrict those who sign up to serve their country and defend freedom when their country needs them?

If you ask any guards man or woman, he or she would not stand down when his or her country needed them. Whether the defense of freedom merits a two-week deployment or a 180-day deployment, our guards men and women stand ready to contribute to the fight. The fact is, today our dedicated soldiers, sailors, airmen, and marines in

the Active Duty rely on and recognize the tremendous value the National Guard brings to the fight and the seamless interoperability that exists between the Guard, Reserve, and Active Duty. Again, to quote from GEN Conoway, he quotes General Charles Horner, stating:

The Guard and Reserve performed very well.

He went on further to say that he "couldn't even tell the difference between the active, Guard, and Reserve; and that's the way it is supposed to be."

That is what we found wherever the National Guard has been called—Desert Shield, Desert Storm, Kosovo, et cetera. They have been excellent members of the team. It is a validation of the total force policy that ensures the National Guard and Reserves are a ready, relevant, and reliable fighting force, capable of responding to any mission they are called upon to conduct. I fear that limiting the role arbitrarily to a 180-day deployment would be a limitation that would reduce the very real direct impact and connection our Guard has with the citizens of this Nation and with their obligation for our national security.

Just as we saw by calling up the National Guard and Reserves from over 6,000 communities during Desert Storm, community support was assured as their loved ones marched off to defend freedom. We all want our service men and women to return home as soon as possible. But under this circumstance, I feel the original amendment is too restrictive on our military services by limiting the amount of time our Guard and Reserve can be deployed. I urge my colleagues to support the alternative. There is a real question here, and I commend the Senator from West Virginia for raising these concerns. But I think they should be studied, as the chairman of the Defense Appropriations Subcommittee and the full committee has suggested.

I urge we support the Stevens amendment. I ask unanimous consent that the letters from the National Guard Association, Reserve Officers Association of the United States, and the Enlisted Association of the National Guard be printed in the RECORD.

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

EANGUS,
Alexandria, VA, July 15, 2003.

Hon. CHRISTOPHER S. "KIT" BOND,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOND: EANGUS understands that Senator Byrd has introduced an amendment to the FY2004 Defense Appropriations bill which would prohibit excessive overseas deployments of members of the Guard and Reserves. EANGUS is strongly opposed to this action.

This amendment would limit overseas deployments to less than 180 days and prohibit more than one deployment per year. This legislation is too restrictive.

Many believe that something must be done to alleviate the pressures of frequent deploy-

ments of National Guard and Reserve members, but much more consideration needs to go into how that will be accomplished. Limiting deployment of National Guard and Reserve members could negatively impact our national security during an overseas operation.

Thank you for your diligence and efforts on behalf of the Enlisted men and women of the National Guard.

Respectfully,
MSG (Ret) MICHAEL P. CLINE AUS,
Executive Director.

RESERVE OFFICERS ASSOCIATION
OF THE UNITED STATES,
Washington, DC, July 15, 2003.

Ref. S. 1382—Mr. Byrd's political amendment "To prohibit excessive deployment overseas of members of the Guard and Reserve."

Although we understand the amendment is well intentioned, these restrictions are not needed and such determinations are best left with the Military Departments and Services.

In today's security environment we must ensure that our military commanders have flexibility to execute their mission with all available forces.

ROBERT A. MCINTOSH,
Major General, USAFR (Ret.),
Executive Director.

NATIONAL GUARD ASSOCIATION
OF THE UNITED STATES,
Washington, DC, July 15, 2003.

Hon. CHRISTOPHER "KIT" BOND,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOND: It is on behalf of the men and women of the National Guard Association of the United States (NGAUS), I am writing to express our concern about Senator Byrd's amendment limiting the involuntary call up of the National Guard and Reserve component to:

1. A single deployment overseas of 180 days or more.
2. More than one deployment overseas in any 360-day period.

The NGAUS is opposed to this amendment. While we understand the intent behind the amendment, reducing the ability of the President to utilize the National Guard and Reserves places a large unnecessary restriction on the Department of Defense. The National Guard, as part of the Total Force, shoulders the burdens of our nation. Senior level members of the Office of the Secretary of Defense and the Department of Defense have iterated the importance of the Guard and Reserve to be able to carry out this nation's will.

We applaud the efforts of Senator Byrd in bringing this issue to the forefront. However, while judicious utilization of the Guard is prudent, the Byrd amendment is not in the best interest of the National Guard.

Respectfully,
RICHARD C. ALEXANDER,
Major General (Ret), AUS, President.

Mr. BOND. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, first of all, I want to congratulate my friend and colleague, the Senator from West Virginia, for his constancy in terms of ensuring to the best of his ability and the best of this institution's ability that we were going to meet our constitutional responsibilities some months ago, and understanding the Constitution, and that the issue of making war is something that was re-

served to the Congress of the United States, and the extraordinary service he provided for our country in reminding us of our responsibilities in the United States to make a judgment and decision about sending and committing our men and women overseas in this conflict.

I welcomed the opportunity to join with him at that time. His eloquence, passion, and knowledge of this institution and the history of the Constitution still ring in my ears from that experience. I think history will show that even though he did not at that time persuade the majority of the Members of the Senate, when history evaluates that effort it will be one of the important contributions he has made, and he has made many to this institution.

As we all understand, he is a person who has placed the interests of this institution at the forefront of his agenda on many occasions, and it is a better institution and it is living up to its historic role as our Founding Fathers wanted it to be because of his contribution.

So I thank him for what he has done and particularly in terms of the whole issue of policy toward Iraq. I welcomed again his comments earlier today. I was unable to catch all of them, but I will study them closely during the evening time, and I know as we are considering the Defense appropriations, we will hear more from him about the issue of American troops overseas, the National Guard and Reserve here at home—the importance of them, and also about what we as a country are going to do in terms of funding this commitment that has been made in terms of Iraq as well as Afghanistan.

The issue of the Guard and Reserve comes to us in a very clear way because of the number of troops we have over in Iraq at the present time. As the Senator knows full well, we have effectively half of all of the Army divisions tied up either in Iraq or Afghanistan. Eighteen out of the 35 or 36 combat divisions are in Iraq. So even when we talk to 148,000 troops, and 22 percent or 23 percent of our Army over there, when you are talking about the combat arms of the United States and the location of those service men and women, we are talking about in Iraq. And when we are talking about the Reserve and the Guard, in my State of Massachusetts, it is the fastest tempo that we have had, I believe, since the end of World War II—13 times higher today than the average over the previous years.

I know he has spelled this out in great detail about what this has meant. What we do know is that it has meant really a stronger military because of the Guard and the Reserve in my own State, having known those individuals and visited those facilities and met those leaders. They are as committed as any military men and women who have served in our country. They provide indispensable services. But as has been pointed out, we are straining these individuals.

Mr. President, last fall, many of us emphasized in the Senate that 9/11 had not nullified the long-standing basic principle that war should be the last resort. We felt that America should not go to war against Iraq unless and until all other reasonable alternatives for a peaceful solution had been exhausted.

Then—as now—I believed that the threat posed by Saddam Hussein was not serious enough or imminent enough to justify a rush to war, and that we were going to war under false pretenses. Then—as now—I believed that war would distract from our broader war against terrorism and that we should not go to war with Iraq without the clear support of the international community. Then—as now—I believed that without a systematic re-examination, with dubious and even false rationalization, and without the informed consent of the American people, the Bush administration was drastically altering our long-standing foreign policy against preventive war, in order to justify its preconceived determination to invade Iraq.

Supporters and opponents of the war alike were enormously proud of the way our troops performed in Operation Iraqi Freedom. The speed and success of their mission demonstrated the outstanding strength of the Nation's armed forces. As a citizen of Massachusetts and a member of the Armed Services Committee in the Senate, it never ceases to amaze me how far we have come in the two centuries since the embattled farmers at Concord Bridge fired the shot heard around the world.

In the past decade alone, technology has put vast changes in warfare on fast-forward. We redefined the nature of modern warfare in the Persian Gulf war, we redefined it again in Afghanistan, and yet again in Iraq. We have by far the world's best military on the ground, on the sea, and in the air. It is no accident that so few paid the ultimate sacrifice during those 3 tumultuous weeks in March and April in Iraq.

It was a foregone conclusion that we would win the war. But pride goes before a fall, and the all-important question now is whether we can win the peace. In fact, we are at serious risk of losing it.

Our policy toward Iraq is adrift. Each day, our troops and their families are paying the price. Our clear national interest in the emergence of a peaceful, stable, democratic Iraq is being undermined.

Since May 1, when President Bush announced aboard the USS *Abraham Lincoln* aircraft carrier that "major combat operations" in Iraq had ended, 81 more American troops have died. For the men and women of our Armed Forces who are dodging bullets in the streets and alleys of Baghdad and other parts of Iraq, the battle is far from over. President Bush says of the attackers, "Bring 'em on." But how do you console a family by telling them that their son or daughter is a casualty of the post-war period?

The debate may go on for many months or even years about our intelligence failures before the war began. As we now know, despite the claim made in the State of the Union Address, Saddam was not purchasing uranium from Africa to build nuclear weapons.

Despite all the intelligence we were shown in the months leading up to war, despite the additional intelligence they said was there but could not be shared, we have yet to uncover any evidence that Iraq was stockpiling chemical or biological weapons. There was and is no evidence that Saddam was conspiring with al-Qaida. What was the imminent threat to the United States that required us to launch a preventive war in Iraq with very little international support? It is a disgrace that the case for war seems to have been based on shoddy intelligence, hyped intelligence, and even false intelligence. We have undermined America's prestige and credibility in the world and undermined the trust that Americans should and must have in what their nation tells them. How many will doubt a future claim of danger even if it is real?

The failures of intelligence were bad enough. But the real failure of intelligence was our failure to understand Iraq.

There is no question that long before the war began, a serious issue was raised about the danger of winning the war and losing the peace. In fact, it was one of the principal arguments against going to war.

Before the war began, 11 separate agencies of the United States Government worked with 280 Iraqi citizens in the State Department's so-called "Future of Iraq" working groups.

In numerous briefings, Pentagon officials assured us on the Senate Armed Services Committee that firm plans were in place to secure and rebuild Iraq. But the reality is that the administration had no realistic plan. We knew the post-war rebuilding of Iraq would be difficult. Based on our experience in Bosnia, Kosovo, East Timor, and Afghanistan, we knew that security could be a profound problem, and that there would be challenges from a restless population. We knew that building a national police force and a credible new government would be complicated tasks. These are not new issues. But rather than learning from past experience in these previous conflicts, the administration was blinded by its own ideological bravado. It rushed ahead without planning for contingencies or raising even basic questions about likely events.

The foundation of our post-war policy was built on a quicksand of false assumptions, and the result has been chaos for the Iraqi people, and continuing mortal danger for our troops. The truth, as our colleague Senator JOHN KERRY starkly stated last week, is clearer with each passing day and each new casualty: "The administra-

tion went to war without a thorough plan to win the peace."

The Pentagon assumed that we would be able to draw on thousands of Saddam's police force to protect security—but in the critical early weeks that followed the war, they were nowhere to be found, and too many of their officers turned out to be thugs and torturers.

The Pentagon assumed that the bulk of the Iraqi Armed Forces could be used to supplement our forces—but those soldiers did not join us.

The Pentagon assumed that some Iraqi exile leaders could return to Iraq to rally the population and lead the new government—but they were resented by the Iraqi people and the exiles were put on hold.

The Pentagon assumed that after a few hundred of Saddam's top advisers were removed from power, large numbers of local officials would remain to run the government—but the government crumbled.

The Pentagon assumed that Americans would be welcomed as liberators—but for large numbers of Iraqis, we went from liberators to occupiers in a few short weeks. The dancing in the streets after the fall of the statue of Saddam was accompanied by an orgy of massive looting and chaos and was followed by growing frustration even from those who first saw us as liberators.

There was egg on the face of the administration and its peace plan from Day 1. Plan A was so obviously the wrong plan that GEN Garner, the man sent to oversee it, was abruptly replaced on Day 21, and Paul Bremer was rushed in to make up Plan B as he went along.

Today, Paul Bremer rules the country from Saddam's palace, while the Iraqi people too often sit in the dark without adequate water or electricity.

Hospital equipment and medical supplies have been stolen. Power grids in major cities are being sabotaged.

Cynicism and anger toward America are growing. Many Iraqis believe that we are unwilling—rather than unable—to restore basic services. They are losing faith and trust in our promise of a reconstructed, stable, peaceful future. They fear that Saddam may still be alive.

Under fire from guerrillas determined to see America fail, our soldiers are now performing police functions for which they have little training. They are building schools and hospitals—a task for which they are ill prepared. We are straining their endurance, and they want to know how long they will have to stay in Iraq.

That America would be seen as occupier should have come as no surprise. Former Secretary of State James Baker wrote in the *New York Times* last August, "If we are to change the regime in Iraq, we will have to occupy the country militarily."

Retired four-star Marine Corps General and former Central Command Commander Anthony Zinni said last

August that we would “inherit the country of Iraq” and “put soldiers that are already stretched so thin all around the world into a security force there forever.”

James Webb, an Assistant Secretary of Defense and Secretary of the Navy in the Reagan administration, warned last September that we could occupy Iraq “for the next 30 to 50 years.”

We knew—or should have known—that if we went into Iraq without the genuine support of the international community, there would be no easy way out. As James Webb also warned, “Those who are pushing for a unilateral war in Iraq know full well that there is no exit strategy if we invade and stay.”

The White House is only just beginning to face the truth. On July 3, President Bush finally agreed that rebuilding Iraq would be a “massive and long-term undertaking.”

But that undertaking cannot be sustained—and no foreign policy in this free society can succeed—unless it is supported by our people. With the administration’s credibility frayed, and distrust rising here at home, it is time for President Bush to level with America. It is time for him to hear and heed the words of the great World War II general and great post-war Secretary of State George Marshall in his historic commencement address at Harvard in 1947:

An essential part of any successful action on the part of the United States is an understanding on the part of the people of America of the character of the problem and the remedies to be applied.

The Marshall Plan proposed in that address became one of the great achievements of the 20th century. It succeeded because it involved a coordinated effort by the United States and many nations of Europe to advance the recovery of the continent after the war, and Marshall won the Nobel Peace Prize. Is it too much to ask that we now be guided by that example?

President Bush should face the truth and level with the American people about the cost of stabilization and reconstruction in Iraq—both financial and human. We need a plan—a real plan, to which we are truly committed—to share the burden with the international community, including old allies who can be enlisted if we make a genuine effort to heal the divisive past.

Our troops are now sent overseas for longer stretches than ever—because we rely on their skill and talents to meet commitments on a global scale. More than 150,000 of our troops are in Iraq, and many have been deployed in the region for close to a year. Half of our Army divisions are in Iraq or Afghanistan. Of 33 Army combat brigades, 18 are in Iraq.

The strain is also great for citizens serving in the Guard and Reserves because we must depend upon them with greater frequency, ever since we reduced our forces after the cold war.

More than 150,000 Guard and Reserve soldiers have been mobilized; 13,000 have been on active duty for at least a year. Others return home from deployments, only to be turned around and sent overseas for another tour. In fact, today our Reservists are spending 13 times longer in active duty than they did a decade ago, forced to put their lives on hold, missing births of their children, dealing with family crises by phone and e-mail.

Open-ended missions are a serious strain on our forces and their families. It is difficult to continue to put these patriotic men and women through the deployment grinder year after year and expect them to hold up indefinitely.

It is also difficult to sustain the cost of such missions. We are now spending \$3.9 billion a month in Iraq. With the ongoing cost of the war on terrorism, our operations in Afghanistan, and our potential new responsibilities around the globe, in places such as West Africa, let alone Iran and North Korea, we are creating an unsustainable financial burden at a time of exploding budget deficits, soaring demands for homeland security, and mounting needs for health care, education, and other domestic priorities.

Despite the escalating cost of the military operation in Iraq, not one cent of its cost is included in the defense-spending legislation being considered this very week in the Senate. Not one penny. How will we pay the bill? To this question, there is only resounding silence at the White House, another refusal to level with the American people.

As a Nation with honor, responsibility, and the vision of a better world, America cannot invade and then cut and run from Iraq. But we also can’t afford the continuing cost—in dollars or in blood—of stubbornly continuing to go-it-alone. If our national security is at stake, we will spare no cost. But we have options here that reach beyond the checkbook of the American people.

Working with the international community, we can develop and implement an effective strategy to change a failed course, reduce the burden and risk to our soldiers, stabilize Iraq, and deliver on the promise of a better future for the Iraqi people.

As we all know, a number of countries supported our military action against Saddam Hussein. Many others did not. But if the administration is willing to put the national interest ahead of its own ideological pride, I believe that we can secure broad international support and participation in the stabilization and reconstruction of Iraq. After all, so much is clearly at stake for the rest of the world.

At issue are the stability and the future of the entire highly volatile region. None would be immune from the dangers that a disunited and disorganized Iraq could present for its neighbors and for nations everywhere.

These are not just American or British concerns. They are true inter-

national concerns. America cannot be effective in its mission in Iraq if old wounds don’t heal and bitterness continues to fester. We need to take the chip off our shoulder, mend fences with France and with Germany, and stop the divisiveness.

As we seek to stabilize and democratize Iraq, we do not need to go it alone and should not try to. If we diversify the faces of the security force, it is far less likely that Iraqis will see us as the enemy, oppressor, and occupier. We want the 25 million citizens of Iraq to see the forces that are there as friends and partners in their pursuit of freedom.

We need to bring regional forces into Iraq—especially Muslim ones. Countries like Jordan, Pakistan, and Egypt could transform this mission with both their diversity and their expertise. The United Arab Emirates have contributed to the effort in Kosovo. Morocco and Albania and Turkey have worked with us in Bosnia. Countries such as France, Germany, Italy, Argentina, and Spain could provide well-trained police.

Reaching out to other countries and bringing them into the post-war process is the surest path to a stable Iraq. But most other nations are unlikely to send troops to serve in what is perceived as an American occupation. They will be more likely to do their part if an international mission is approved by the United Nations and organized by NATO.

Secretary Rumsfeld insists that we are reaching out to the international community and that we are working with NATO. But the Secretary General of NATO, Lord Robertson, says that the alliance as an institution has never been asked to play the formal role in Iraq that it plays in Bosnia and Kosovo, and soon will play in Afghanistan. Nor has the Secretary General of the United Nations, Kofi Annan, been asked to seek international consent for a truly multilateral force. The United States insists on a coalition of the few, dominated and controlled by our Nation.

Instead of asking our Armed Forces to carry out a mission for which they are not trained and to do so alone, we need to rely on the expertise and resources of the international community. The United Nations has assumed that responsibility in other countries in the past. It is one of the major reasons why the U.N. was created—to bring international vision and strength to the difficult issues of peace keeping and nationbuilding after the Second World War. Necessity is the mother of invention. In the case of Iraq, President Bush has at last been persuaded to abandon his strong opposition to nationbuilding. The challenge now is to persuade him to move beyond unilateral nationbuilding.

The new Iraqi council announced on Sunday was a step in the right direction. But it would have been much

more effective if the U.N. Special Representative—and not the U.S. Government—was seen as sponsoring its creation.

If America alone sets up a new government in Baghdad, it may fail—if not now, later; if not while our forces are there, as soon as they are gone. Those who join such a government run the risk of being dismissed by the Iraqi people as American puppets. And for as long as America alone is calling the tune, Iraqi moderates may remain in the background, and possibly even oppose us.

Our interests in the emergence of a true democracy in Iraq are best fulfilled by involving the world community and especially other Arab nations as partners in helping the Iraqis themselves shape a new Iraq. Only then will a new Iraqi government be viewed as legitimate by the Iraqi people.

So it is time for the administration to stop giving lip service to international participation and start genuinely seeking and accepting it—on reasonable terms, and with a real commitment to it. President Bush's meeting with U.N. Secretary General Kofi Annan at the White House yesterday should be the beginning of a renewed relationship and a shift in attitude at 1600 Pennsylvania Avenue about the rightness and the practical imperative of working with others.

The U.N. has a mandate for humanitarian issues. But it has only an advisory role in the civil administration of Iraq. That has to change. The U.N. should have a formal role in overseeing the establishment of a political process. The U.N.—rather than the United States and Britain—should preside over the evolution of the new Iraqi government. Doing so will win international legitimacy and marshal international support for this challenge, minimizing the danger that Iraqis will regard their government as a puppet of ours.

With Arab-speaking spokesmen, the U.N. could also convey a different image and a different message to the people of that country, a sense of reassurance that an overwhelmingly American occupation never can.

NATO, as an institution, should clearly be in Iraq as well. Military experts believe it will take at least 200,000 troops to stabilize Iraq. Our goal should be to include NATO and some of its 2-million-member pool of armed forces in military operations as soon as possible. America would provide a majority of the troops, but over time the overall number of forces would decrease.

As in Kosovo and Bosnia, we should ask the United Nations Security Council to authorize NATO to organize an international security force to demilitarize and stabilize Iraq. Doing so does not mean that the United States should or must relinquish all military control. On the contrary, we would have a significant role in the NATO force, and could continue to have the defining role in Iraq. An American

commander was in charge of American troops in Bosnia, and the head of NATO forces in Europe is—and always has been—an American.

Secretary Rumsfeld told the Armed Services Committee last week that except for the area around Baghdad, most of Iraq is already secure. If that is so—and we have to hope this estimate is more accurate than others we have heard—then why not reduce the burden on our military and decide that this large area of Iraq, which needs police forces as well as combat troops, should be turned over as soon as possible to a United Nations-approved and NATO-led force? Why not allow American and coalition forces to secure the area around Baghdad, and allow other nations to provide security for the rest of Iraq?

Finally, as long as Iraq continues to dominate our attention, we cannot give other aspects of the war against terrorism the focus they deserve.

Has the American occupation of Iraq defeated Osama bin Laden and al-Qaida? No.

Has it increased our security against the continuing al-Qaida threats in Afghanistan and other terrorist sanctuaries? No.

Has our action in Iraq led Osama bin Laden and al-Qaida to lay aside their sworn purpose of killing Americans and destroying our way of life? No.

It is not just what happens in Iraq itself, as important as that issue is, but the continuing urgency of the ongoing fight against terrorism that should compel this administration to enlist allies in an international plan for a peaceful Iraq. Otherwise, we run the grave risk of exposing our Nation to more terrorist attacks.

America won the war in Iraq, as we knew we would, but if our present policy continues, we may lose the peace. We must rise to the challenge of international co-operation. Saddam Hussein may no longer be in power, but the people of Iraq will not truly be liberated until they live in a secure country. And the war will not be over until the fighting stops on the ground, democracy takes hold, and the people of Iraq are able to govern themselves.

The PRESIDING OFFICER (Mrs. DOLE). The Senator from West Virginia.

Mr. BYRD. Madam President, I thank the Senator from Massachusetts for his statement in support of the amendment and also for his overly gracious and charitable statement at the beginning of his remarks concerning my previous efforts in regard to the whole question of Iraq.

I am hoping other Senators will speak on the amendment, but in the meantime I say that soldiers whom we are using in our National Guard and Reserve are entitled to fairness. They are entitled to know how long their tour of duty will extend. After all, we were told that our men and women would be welcomed not as occupiers but as liberators. We were told that our men and women would be welcomed with flowers and smiles.

Our men and women in the Reserve components are beginning to wonder if they were misled. We are using our National Guard and Reserve in a way which is unfair to them and to their families. We cannot ask them to wait for some study now while they bide their time. It is not their fault that the White House decided to wage a war without considering the aftermath in Iraq. It is not their fault that a policy of preemption may demand many more troops than we can muster. We need to give our Guard and Reserve some relief from the turmoil of being constantly deployed. We owe them more than a study. We owe them action.

If this amendment were accepted, it would push the administration to internationalize the peacekeeping in Iraq. I hope other nations will join in keeping the peace in Iraq so that our own guardsmen and reservists will be relieved and will be able to come home.

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. HOLLINGS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HOLLINGS. Madam President, my understanding is that there is a first-degree amendment by my distinguished ranking member, the former chairman of our Budget Committee, that I very vigorously favor with respect to the National Guard and the Reserve. I know that the Reserve officers at the C-17 unit under General Black at the field in Charleston, SC, were alerted on September 12, the day after 9/11, and they are still flying. Now, that is quite a burden. Many are straining to make their rent payments and their house payments.

When we had a hearing about 2 months ago and the distinguished Secretary of Defense, Donald Rumsfeld, came, after listening, I said: Mr. Secretary, what you need is not a money supplement but a manpower supplement.

In that vein, I want to say as much as I can in support of my chairman, but I deter for the simple reason that the money is not in this particular Defense appropriations bill for Iraq, and there is a good reason for it.

Now, there should be gratitude for little things that happen. I first express my gratitude to the distinguished editor and publisher of the Washington Post, Mr. Donald Graham. I complained in an op-ed piece some weeks ago that they were not covering the budget amounts and that we ought to have truth in budgeting, and because we have come to the highest budget deficit in the history of the U.S. Government, that ought to be covered as front-page news. Today it is. We have moved from page A4 to page 1. I have my copy of today's Post, and front and center on page one are the articles:

"The Budget Deficit May Surpass \$450 Billion" and "Budget Woes Trickle Down."

I happened to be a State Governor, and I received a AAA rating from Standard&Poors and Moody's, and we have maintained that in South Carolina. We have to have a balanced budget.

I coauthored Gramm-Rudman-Hollings, which happened under President Reagan. I have been in the vineyard. But the headline here states: "The Budget Deficit May Surpass \$450 Billion," and I want to thank Jonathan Weisman, the author of this particular story, and Fred Hiatt, the editorial page editor, for including this.

I said we just move up in inches. Let's look at the Mid-Session Review of the Budget of the United States Government by the Office of Management and Budget, the Executive Office of the President, signed by Joshua Bolton, Director, as of yesterday, July 15.

We find out why Mitch left town. Mitch Daniels is gone. Now we know why Ari Fleischer is gone. Both Mitch and Ari skipped town. Why? Just look at this document. They have no tricky answers for this one. This is the Administration's writing, and I am reading on page 1 their statement:

The deficit for 2003 is now estimated at \$455 billion.

That is on page 1. One learns, after years up here, how to read these things. So on page 57, you get to the actual deficit, how much we get in revenues and how much we spend, and if spending exceeds revenues, then there is a deficit. If we look at table 20 on page 57, we will find the total gross Federal debt for 2002 was \$6,198,000,000,000 and it will go up to \$6,896,000,000,000 this year. That is why Mitch left town. Compute that and the deficit will not be an estimated \$455 billion; it will be \$698 billion. They estimate a \$698 billion deficit for the year 2003.

But, wait, we have actual numbers as of this minute. As of July 14th, yesterday, the Treasury says the debt to the penny is \$478 billion. So it is already more than the \$455 billion they say it will be at the end of the year. I guess that is why Paul O'Neill left town, too. They are all leaving if they have anything to do with fiscal matters, and so now we have John Snow as Treasury Secretary.

What did President Bush say when he came to town? I have the exact quote, taken from his first address to a Joint Session of Congress in 2001:

To make sure the retirement savings of America's seniors are not diverted in any other program, my budget protects all \$2.6 trillion of the Social Security surplus for Social Security and for Social Security alone.

Well, he is spending the trust funds when he says on page 1, \$455 billion. He is spending \$163 billion of Social Security, plus another \$30 billion of other trust funds.

What we have is a Social Security trust fund, the Medicare trust fund, the

military retirees trust fund, the civil service retirees trust fund, the highway, the airport, the railway trust fund, the unemployment compensation trust fund—which will be drained, incidentally; we will have to fill that back up. We are spending it on any and everything but unemployment. This is Enron bookkeeping. We are spending Social Security moneys on any and everything but Social Security.

But the President, when he was speaking when he was speaking right after he took office in February 2001, said that wasn't all he was going to do.

He goes on and says:

We should approach our Nation's budget as any prudent family would, with a contingency fund for emergencies. We are going to have a contingency fund for emergencies or additional spending needs. My budget sets aside \$1 trillion over 10 years for additional needs. That is 1 trillion additional reasons you can feel comfortable supporting this budget.

Now, Iraq and Afghanistan and the whole kit and kaboodle, put in Liberia and whatever country he wants to run to, we have 14 peacekeeping missions, then we have Kuwait, then we have Afghanistan, then we have Iraq, and now he is looking for another country to send the military to. We don't have enough National Guard or anybody in uniform to get to that country, I can tell you that right now.

But that has not cost \$1 trillion. It has not cost \$1 trillion. But he had \$1 trillion set aside before September 11, so why can't he pay for this out of that?

Now, let's find out what he said last year in the State of the Union:

Our budget will run a deficit that will be small and short-term so long as Congress restrains spending and acts in a fiscally responsible manner.

Well, all the spending bills were signed by President George W. Bush. So I take it since that was his admonition to us, he must have had that in mind for himself. And he signed only fiscally responsible budgets.

He also said:

The way out of this recession, the way to create jobs, is to grow the economy by encouraging investment in factories and equipment and by speeding up tax relief so people will have more money to spend.

There were plenty of tax cuts, but he hasn't created any jobs.

One more—let's go to January of 2003, to what he said in his State of the Union then:

We will not pass along our problems to other Congresses, to other presidents and other generations. Tax relief will help our economy immediately.

Immediately? He got yet more tax cuts, and we still have 3.8 million Americans, the highest in 20 years, receiving unemployment compensation. There have been over 3 million Americans who have lost their jobs since President Bush took office.

I think of President Clinton. He created 20 million jobs, and President Bush already has lost 3 million. Where is the immediacy that his budget is going to take care of?

We will not pass along our problems to other Congresses, other presidents and other generations.

That is exactly what we are doing—\$698 billion in bills. Mark it down. Poor Mitch, he got free. Mitch Daniels escaped to Indiana. He did not want to come before the Budget Committee and answer any questions, I tell you, and Ari Fleischer says: This is enough for me, I'm gone. Everything is going to run—out of Washington.

I have worked with the Senator from West Virginia and my chairman, Senator INOUE, who is most responsible on budget matters and we balanced the budget. They want to forget that. Eight years under William Jefferson Clinton and we came from a \$403 billion deficit in 1992 to finally getting in the black. We gradually got it down. I voted to increase taxes on Social Security. I voted to increase gas taxes. I voted for all of those tax increases and we acted responsibly.

George W. Bush comes to town and what does he do? He says: Tomorrow, don't worry about it. He has some fellow hidden out in the Pacific, he is far enough from Washington, out in California and Boston who says, don't worry about deficits and all. The youngsters are keeping IRA savings accounts and when their IRA savings accounts trigger you will not have to worry about deficits. There is no conscience with this charade. This is the best off-Broadway show you will find going on in the National Government, the National Congress.

I hope we can sober up and pull in our horns. We have so much manpower. We do not have the manpower of the Chinese. We have to maintain our security on the superiority of technology, and Iraq proved that. We had the superior technology. But we have been cutting back on that.

I have a hearing tomorrow morning where we are going to be cutting back the advanced technology. We are cutting back on education programs. We are cutting back on all the important investments.

I ask unanimous consent to print page 1 and page 57 of the Mid-session Review for the fiscal year 2004 of the budget of the U.S. Government in the RECORD.

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

SUMMARY

The President's Budget, released in February, focuses on the challenges posed by three overriding national priorities: winning the war against terrorism, securing the homeland, and restoring strong economic growth and job creation. Significant program has been made in all three areas.

This Mid-Session Review of the Budget revises the estimates of receipts, outlays, and the deficit to reflect economic, legislative, and other developments since February. The deficit for 2003 is now estimated at \$455 billion, up from the \$304 billion deficit estimated in February, for the following reasons:

Economic and Other Reestimates. The economic assumptions for this review, discussed

later in the chapter "Economic Assumptions," reflect weaker-than-anticipated economic growth since February. Slower growth, lower estimates of wage and salary income, and other economic factors have reduced receipts from the levels estimated in the budget. In the interest of cautious and prudent forecasting, the revised estimates also include a downward adjustment for revenue uncertainty of \$15 billion in 2003, \$30 billion in 2004, and \$15 billion in 2005. These reestimates in receipts are partially offset by lower outlays due to revised economic and technical assumptions. The net effect of all economic and other reestimates is to raise the projected deficit by \$66 billion in 2003 and \$95 billion in 2004.

Iraq War. Funding for Operation Iraqi Freedom in supplemental appropriations enacted in April, including costs for military

action and reconstruction assistance, increases spending by \$47 billion in 2003 and \$20 billion in 2004. These estimates do not reflect what the Administration has previously indicated are expected but undermined additional costs arising from ongoing operations in Iraq, extending beyond 2003.

Jobs and Growth Act. Enactment of a jobs and growth bill that was larger for 2003 and 2004 than proposed in the February Budget raises the projected deficit by \$13 billion in 2003 and \$36 billion in 2004. Of this increase, \$9 billion in 2003 and \$11 billion in 2004 is due to temporary state fiscal assistance included in the final enacted bill. In later years, the enacted tax relief is smaller than proposed in the Budget, which reduces the deficit projected in those years relative to the February estimates.

Other Legislation and Policy Changes. Final 2003 appropriations action, non-war re-

lated costs in the April supplemental, extension of the program to help unemployed Americans by providing an additional 13 weeks of unemployment benefits, and other policy changes raise spending by \$26 billion in 2003, \$17 billion in 2004, and smaller amounts in subsequent years.

The reasons for changes in receipts and spending from the February Budget are discussed further in the "Receipts" and "Spending" chapters of this Review.

The deficit is projected to increase slightly from \$455 billion in 2003 to \$475 billion in 2004. As a share of the economy, the projected deficit remains steady in these two years, at 4.2 percent of Gross Domestic Product (GDP). These deficit levels are well below the postwar deficit peak of 6.0 percent of GDP in 1983, and are lower than in six of the last twenty years.

TABLE 20.—FEDERAL GOVERNMENT FINANCING AND DEBT
(In billions of dollars)

	2002 actual	Estimate					
		2003	2004	2005	2006	2007	2008
Financing:							
Unified budget deficit (-)	-158	-455	-475	-304	-238	-213	-226
Financing other than the change in debt held by the public:							
Premiums paid (-) on buybacks of Treasury securities	-4						
Net purchases (-) of non-Federal securities by the National Railroad Retirement Investment Trust	-2	-18	1	1	1	1	1
Changes in:							
Treasury operating cash balance	-17	16					
Compensating balances ²	-14	-25	52				
Checks outstanding, etc. ³	-12	-3					
Seigniorage on coins	1	1	1	1	1	1	1
Less: Net financing disbursements:							
Direct loan financing accounts	-15	-13	-19	-15	-20	-21	-21
Guaranteed loan financing accounts	-2	2	3	2	3	1	1
Total, financing other than the change in debt held by the public	-63	-40	38	-12	-16	-17	-18
Total, requirement to borrow from the public	-221	-496	-437	-316	-254	-230	-244
Change in debt held by the public	221	496	437	316	254	230	244
Changes in Debt Subject to Limitation:							
Change in debt held by the public	221	496	437	316	254	230	244
Change in debt held by Government accounts	208	202	253	275	280	294	307
Change in other factors	*	16	*	*	*	*	1
Total, change in debt subject to statutory limitation	429	713	690	591	534	524	551
Debt Subject to Statutory Limitation, End of Year:							
Debt issued by Treasury	6,171	6,869	7,560	8,151	8,685	9,209	9,760
Adjustment for Treasury debt not subject to limitation and agency debt subject to limitation ⁴	-15	-*	-*	-*	-*	-*	-*
Adjustment for discount and premium ⁵	6	6	6	6	6	6	6
Total, debt subject to statutory limitation ⁶	6,161	6,875	7,565	8,156	8,690	9,215	9,766
Debt Outstanding, End of Year:							
Gross Federal debt: ⁷							
Debt issued by Treasury	6,171	6,869	7,560	8,151	8,685	9,209	9,760
Debt issued by other agencies	27	27	27	26	26	26	25
Total, gross Federal debt	6,198	6,896	7,586	8,177	8,711	9,235	9,785
Held by:							
Debt held by Government accounts	2,658	2,860	3,113	3,388	3,668	3,962	4,269
Debt held by the public ⁸	3,540	4,036	4,473	4,789	5,043	5,272	5,516

* \$500 million or less.
¹ A decrease in the Treasury operating cash balance or compensating balances (which are assets) would be a means of financing a deficit and therefore has a positive sign. An increase in checks outstanding (which is a liability) would also be a means of financing a deficit and therefore also has a positive sign.
² Compensating balances are non-interest bearing Treasury bank deposits that Treasury mainly uses to compensate banks for collecting tax and non-tax receipts under financial agency agreements. Most of the balances estimated at the end of 2002 are required to be invested in nonmarketable Depository Compensation Securities issued by the Treasury; the rest of the balances, and the entire amount in previous years, is invested in the way that the banks decide. The Administration has proposed legislation that would allow Treasury to replace compensating balances by an appropriation.
³ Besides checks outstanding, includes accrued interest payable on Treasury debt, miscellaneous liability accounts, allocations of special drawing rights; and, as an offset, cash and monetary assets (other than the Treasury operating cash balance and compensating balances), miscellaneous asset accounts, and profit on sale of gold.
⁴ Consists primarily of Federal Financing Bank debt in 2002.
⁵ Consists of unamortized discount (less premium) on public issues of Treasury notes and bonds (other than zero-coupon bonds) and unrealized discount on Government account series securities.
⁶ The statutory debt limit is \$7,384 billion.
⁷ Treasury securities held by the public and zero-coupon bonds held by Government accounts are almost all measured at sales price plus amortized discount or less amortized premium. Agency debt securities are almost all measured at face value. Treasury securities in the Government account series are measured at face value less unrealized discount (if any).
⁸ At the end of 2002, the Federal Reserve Banks held \$604.2 billion of Federal securities and the rest of the public held \$2,936.2 billion. Debt held by the Federal Reserve Banks is not estimated for future years.

Mr. HOLLINGS. There you go. Instead of \$455 billion in deficits, we are running right this minute, according to the Secretary of the Treasury, in excess of \$455 billion. We do not have to wait until the end of September. We are already up to \$470 billion.

The "Public Debt to the Penny," I ask unanimous consent to have printed in the RECORD.

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

THE DEBT TO THE PENNY

	Amount
Current:	
07/14/2003	\$6,705,859,055,894.83
Current Month:	
07/11/2003	\$6,659,621,392,684.00
07/10/2003	6,659,226,260,487.87
07/09/2003	6,660,190,974,044.60
07/08/2003	6,661,139,880,068.78
07/07/2003	6,656,880,050,796.69
07/03/2003	6,656,271,436,016.11
07/02/2003	6,664,585,450,219.34
07/01/2003	6,661,149,640,189.12
Prior Months:	
06/30/2003	6,670,121,155,027.26
05/30/2003	6,558,146,735,285.55
04/30/2003	6,460,380,745,789.28
03/31/2003	6,460,776,256,578.16
02/28/2003	6,445,790,102,794.08
01/31/2003	6,401,376,662,047.32
12/31/2002	6,405,707,456,847.53
11/29/2002	6,343,460,146,781.79

THE DEBT TO THE PENNY—Continued

	Amount
10/31/2002	6,282,527,974,378.50
Prior Fiscal Years:	
09/30/2002	6,228,235,965,597.16
09/28/2001	5,807,463,412,200.06
09/29/2000	5,674,178,209,886.86
09/30/1999	5,656,270,901,615.43
09/30/1998	5,526,193,008,897.62
09/30/1997	5,413,146,011,397.34
09/30/1996	5,224,810,939,135.73
09/29/1995	4,973,982,900,709.39
09/30/1994	4,692,749,910,013.32
09/30/1993	4,411,488,883,139.38
09/30/1992	4,064,620,655,521.66
09/30/1991	3,665,303,351,697.03
09/28/1990	3,233,313,451,777.25
09/29/1989	2,857,430,960,187.32
09/30/1988	2,602,337,712,041.16
09/30/1987	2,350,276,890,953.00

THE DEBT TO THE PENNY AND WHO HOLDS IT
[Debt held by the public vs. intragovernmental holdings]

	Debt held by the public	Intragovernmental holdings	Total
Current:			
07/14/2003	\$3,866,723,997,104.30	\$2,839,135,058,790.53	\$6,705,859,055,894.4
Current Month:			
07/11/2003	3,820,773,321,549.88	2,838,848,071,134.12	6,659,621,392,684.0
07/10/2003	3,820,833,957,669.25	2,838,392,302,818.62	6,659,226,260,487.8
07/09/2003	3,820,333,904,766.11	2,839,857,069,278.49	6,660,190,974,044.6
07/08/2003	3,818,105,259,943.75	2,843,034,620,125.03	6,661,139,880,068.7
07/07/2003	3,817,909,677,373.27	2,838,970,373,423.42	6,656,880,050,796.6
07/03/2003	3,817,524,856,163.49	2,838,746,579,852.62	6,656,271,436,016.1
07/02/2003	3,813,751,975,812.24	2,850,833,474,407.10	6,664,585,450,219.3
07/01/2003	3,813,425,178,154.99	2,847,724,462,034.13	6,661,149,640,189.1
Prior Months:			
06/30/2003	3,816,831,315,563.84	2,853,289,839,463.42	6,670,121,155,027.2
05/30/2003	3,776,621,896,107.35	2,781,524,839,178.20	6,558,146,735,285.5
04/30/2003	3,702,844,997,678.07	2,757,535,748,111.21	6,460,380,745,789.2
03/31/2003	3,711,311,962,399.17	2,749,464,294,178.99	6,460,776,256,578.1
02/28/2003	3,683,881,032,284.53	2,761,909,070,509.55	6,445,790,102,794.0
01/31/2003	3,636,978,106,813.83	2,764,398,555,233.49	6,401,376,662,047.3
12/31/2002	3,647,939,770,383.73	2,757,767,686,463.80	6,405,707,456,847.5
11/29/2002	3,649,352,539,575.36	2,694,107,607,206.43	6,343,460,146,781.7
10/31/2002	3,586,523,356,148.57	2,696,004,418,229.93	6,282,527,774,378.5
Prior Fiscal Years:			
09/30/2002	3,553,180,247,874.74	2,675,055,717,722.42	6,228,235,965,597.1
09/28/2001	3,339,310,176,094.74	2,468,153,236,105.32	5,807,463,412,200.0
09/29/2000	3,405,303,490,221.20	2,268,874,719,665.66	5,674,178,209,886.8
09/30/1999	3,636,104,594,501.81	2,020,166,307,131.62	5,656,270,901,633.4
09/30/1998	3,733,864,472,163.53	1,792,328,536,734.09	5,526,193,008,897.6
09/30/1997	3,789,667,546,849.60	1,623,478,464,547.74	5,413,146,011,397.3

Mr. HOLLINGS. Otherwise, you have heard the comments. It is going up to \$698 billion, and it will probably be even more than that. They are trying to be as conservative as they can, I take it.

I appreciate the distinguished author of the amendment yielding me time to talk on a peripheral matter. But it goes right to the heart of why they do not include money for Iraq in the Defense appropriations bills.

Mr. BYRD. That is right. What the Senator has been quoting isn't included either. They don't include the cost of the war.

Mr. HOLLINGS. No, they don't put in the cost of the war.

Mr. NELSON of Florida. Madam President, will the Senator yield?

Mr. HOLLINGS. I would be delighted to yield to the Senator.

Mr. NELSON of Florida. I think the point just made by the Senator from West Virginia and the Senator from South Carolina is most important. With this misinformation about the budget, isn't it curious that it comes at a time when we are discussing the Defense appropriations bill? There is not one penny in this bill, as pointed out by the Senator from West Virginia, for the war in Iraq. Just in Iraq, the war is costing \$1 billion a week—\$4 billion a month. That doesn't include all of the other necessary military expenditures, such as in Afghanistan and in Bosnia. Yet we are considering a Defense appropriations bill that does not have any money in here for the war in Iraq.

Mr. STEVENS. Will the Senator yield right there?

Mr. NELSON of Florida. The Senator from South Carolina controls the time.

Mr. HOLLINGS. I have the floor. I would be glad to yield to the distinguished Senator from Alaska for a comment.

The PRESIDING OFFICER. The Senator from South Carolina has the floor.

Mr. STEVENS. The money to pay the salaries for everyone in Iraq is in this bill. The money to pay for operations is

in this bill. The problem is the special money for the deployment costs were in the supplemental which we already passed. There was more than was necessary. We have already taken \$3 billion out of that. They are operating on what is left. We appropriated \$60-plus billion before.

Let me assure the Senator that there is money in this bill for Iraq. There is money to pay the salaries and support for the military personnel. Some 60 percent of the money in this bill is support for them. It is there. No matter where they are in the world, they are paid from money in this bill.

Mr. NELSON of Florida. Will the Senator yield?

Mr. HOLLINGS. Let me yield the floor so the Senator from West Virginia can straighten the point out.

Mr. BYRD. The men and women are being paid their salaries, even if they are from West Virginia. If they were all from West Virginia, they would be paid their salaries. We are talking about the additional costs, the incremental costs, and how much it costs this country to wage war in Iraq per month. We are not talking about the salaries. They get paid no matter where they are. We are talking about the additional costs of Iraq. Let us be clear about that. Additional costs are almost \$1 billion a day for Iraq.

Mr. STEVENS. No.

Mr. BYRD. One billion dollars a week. That was a misstatement. I know better than that—\$1 billion a week.

Mr. NELSON of Florida. Will the Senator from West Virginia yield?

Mr. BYRD. Yes.

Mr. NELSON of Florida. Madam President, this Senator would like for the Senator from West Virginia to clarify, since the Senator from South Carolina has pointed out that we are talking about an annual deficit not close to \$500 billion but now it might be approaching a \$700 billion annual deficit, is that not all the more the responsibility of the Senate, which is part of

the legislative branch? Under the Constitution, it is supposed to control the purse strings. Would that not make it all the more incumbent upon us to insist on what is going to be the supplemental bill to pay for the war so that we exercise our constitutional duty?

Mr. BYRD. Absolutely. The American people are entitled to know that. They are going to pay the bill.

Mr. HOLLINGS. Will the distinguished Senator yield so I can bring this into focus?

Mr. BYRD. Yes.

Mr. HOLLINGS. Madam President, if you took the cumulative deficits from President Truman, President Eisenhower, President Kennedy, President Johnson, President Nixon, and President Ford—if you took the deficits for all of the 30 some years which these six President's ran up—it would add up to \$358 billion. The deficit this year, according to this President, is going to be almost at \$700 billion.

Look at page 57 from the Mid-Session Review released today. See where the gross debt from 2002 to September 30, 2003, is in black and white; that is almost \$700 billion. We are doubling the 30 plus-year deficit of Republican and Democratic Presidents—paying for the cost of World War II, all the costs of Korea, all the costs of 10 years in Vietnam. We always paid our way.

Abraham Lincoln, the father of the party over there on the other side of the aisle, put a tax on dividends and on estates in order to pay for the Civil War.

Now you folks come and want to take the tax off dividends, saying there is no tomorrow.

Mr. INHOFE. Madam President, will the Senator yield?

Mr. HOLLINGS. I would be delighted to yield.

Mr. INHOFE. I know it is a difficult thing to deal with when you talk about the benefits of reducing taxes and giving people more choices to do with it what they wish. A great Democrat President, John F. Kennedy, back in

the 1960s, said: We need to have more money to put these programs together, and the best way to increase revenues is to decrease marginal rates. He did that, and increased revenues nearly a third.

In 1980, the total amount of money that was raised from marginal rates was \$244 billion. In 1990, it was \$466 billion. It almost doubled in the period of time that the greatest reduction in rates took place.

Every time since World War I, this has happened when we did that.

This Senator doesn't like to sit here and hear somebody talking about reducing rates and, therefore, that is the reason for the deficit.

Mr. HOLLINGS. According to the Concord Coalition—let me refer first to them—you have diminished revenues \$3.12 trillion in 3 years and three tax cuts.

I know the distinguished Senator from Oklahoma doesn't want to refer to the loss of all those revenues. But when the market sees that, they say: Well, wait a minute. Yes, you can cut the interest rate a quarter of a point under Alan Greenspan. But that means the Government will be crowding the financial market with its sharp elbows crowding out corporate finance, and they freeze in place. And we run huge deficits in the balance of trade. We are running trade deficits of \$500 billion, that is \$1.5 billion a day. The foreign investors who helped cause that bubble are frozen in place. Then the poor worker finds as he opens his mouth that his job has gone overseas, so he gets lockjaw and freezes in place.

This is not like Jack Kennedy who inherited almost a balanced budget. We started this fiscal year with \$428 billion in budget deficits from last year. This year, it is \$698 billion, according to the President of the United States.

Mr. INHOFE. If the Senator will yield on that point.

Mr. HOLLINGS. Yes.

Mr. INHOFE. This Senator wants to bring up the point that there is no reason to come in here and talk about which party was responsible. We all know, and the Senator from South Carolina knows, that the recession we are in right now began in March of 2000.

Mr. HOLLINGS. It only lasted for 3 years.

Mr. INHOFE. Not under a Republican administration. If the Senator feels strongly about believing the Concord Coalition over that great former President John Kennedy, it is his option to do that.

Mr. HOLLINGS. That is right. It is bipartisan. Kennedy wasn't bipartisan. He was a Democrat. This is bipartisan.

Mr. INHOFE. I didn't say he was bipartisan. He said he advocated a reduction in tax rates to increase revenue, and it worked. Look at the Democrat Governor out in New Mexico who did the same thing. It is one of the very few States that is increasing revenue right now. He is the only Governor I

know—Democrat or Republican—who is reducing marginal rates.

Mr. HOLLINGS. Madam President, I am sure these other nine Republican Governors quoted in this "Budget Woes Trickle Down"—I am sure they would love to be able to reduce rates. I know my Republican Governor of South Carolina would love to reduce rates. They are not given that option. This "Budget Woes Trickle Down" and those nine Republican Governors are having to raise taxes. Kentucky let the prisoners out. They are cutting back all the programs. Higher education is decimated. Every college president is increasing tuition.

"Budget Woes Trickle Down." They are not cutting taxes.

Let's get right to where we are.

Mr. INHOFE. If the Senator will yield, I agree they are not cutting taxes. One of the Democrat Governors is cutting taxes and look what is happening to the revenues out in the State of New Mexico. They are going up.

Mr. HOLLINGS. Bill Richardson is the only exception I have been able to find.

Mr. NELSON of Florida. Will the Senator yield for a question?

Mr. HOLLINGS. Yes.

Mr. NELSON of Florida. I want to ask the Senator, when this Senator was assigned to the Budget Committee and the administration came forth with a budget, I questioned the figures because what was expressed was that we were not going to raid the Social Security trust fund to pay the normal expenditures of Government. Clearly, that is what the people in the country do not want. They do not want the Social Security trust fund raided to pay for expenses.

Now, the Senator has come up with a new budget document that is saying the annual deficit could be as high as \$500 billion but it could also be, by the words on the paper, \$700 billion?

Mr. HOLLINGS. That is right, \$698 billion—spending Social Security tax moneys. That is the revenues. That is how they get to the \$455 billion on page 1.

But let me point this out because we were here in 1983, and the distinguished Chair remembers this, we had the Greenspan commission. That really started over on the House side with our good friend Wilbur Mills, who had been chairman of the Ways and Means Committee. He upped the ante along with President Nixon, decimating the trust fund.

So by the end of the 1970s we appointed the Greenspan commission. After a 3-year study, they came with section 21. It says we are going to have an inordinate increase in payroll taxes, graduated up so as to take care of the baby boomers in the next generation. Section 21 says: And put this money in trust and don't spend it on anything but Social Security.

Now my friend from Florida, what happens is, it took us from 1983 to 1990, I think it was. It was on November 5,

1990, George Walker Herbert Bush, President Bush's father, he signed into law section 13301. Section 13301 of the Budget Act, says: You shall not report a budget, either the President or the Congress, spending Social Security trust funds on anything other than Social Security. We put that into law and they continued to violate it. They continued to spend it. That is 13301.

The vote in the Senate was 98 to 2 for that particular provision. It is in the law today, in the Budget Act. But that is what they are doing. That is when the distinguished President started off and he took office in 2001 and he said: I am setting aside \$2.3 trillion to take care of the needs of Social Security.

He was following through on a pledge that he made in the campaign. But we spend Social Security moneys on any and everything but Social Security, and run around like a dog chasing his tail saying we have to fix Social Security, we have to fix Social Security, we have to fix it, and they have all kinds of plans: invest in the stock market, get an IRA, take this percent, that percent, retire early, don't retire—you know, on and on.

All they need do is obey section 13301 of the law, the Budget Act, and not spend Social Security revenues on anything and everything but Social Security. That is all they have to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, since we are on the Defense Appropriations subcommittee bill, I want to follow up on the remarks of the Senator from South Carolina. I thank him for his comments.

I say this Senator is quite concerned about the legislated budgetary sleight of hand that has been apparent throughout this budgetary process. I don't like it. I don't think it is instructive to the country. I think it is budget fakery and that, although it has certainly been employed on both sides of the aisle over the years in the history of this Republic, particularly at a time now where the numbers are getting so large, where the annual deficit—that is spending more than we have coming in in revenue—is getting so large, if you believe the figures the Senator from South Carolina has just spoken about from a budget document that was just released—upwards of \$500 billion on one page and upwards of \$700 billion on another page—that is spending that much more in this fiscal year than we have coming in in revenue—that is not a way to get our economic engine purring again. That is not a way of stopping the economic recession. Because if there are more people chasing the available dollars that we need to borrow, then there is more demand on the money. What is going to be the result on the cost of the money? The cost of the money is going to go up. That is going to be the interest rates that are going to go up, and that is all the more going to stall us trying to get out of the recession.

It is perplexing to me, to say it in the mildest terms that I can, as to why we have all this budgetary sleight of hand, why we have this budgetary fakery. Why can't we just be up straight, aboveboard: this is what it is and this is the plan to get out from under it. But there seems to be an agenda to try to mask, to obscure what is the real situation.

Since we are on the Defense Appropriations subcommittee bill, I want to bring up a matter of grave concern that I have. That is, as we continue to battle, as we continue to prosecute the war against terrorists—be that in Afghanistan, be that in Iraq, be that in America—we have to have timely and accurate intelligence. That has to be a given. There can't be any fudging or fakery or sleight of hand. It has to be the best estimate of all the intelligence agencies. So I get quite concerned.

Mr. BYRD. Will the Senator yield?

Mr. NELSON of Florida. I yield to the Senator from West Virginia.

Mr. BYRD. And it should not be based on unsubstantiated—

Mr. NELSON of Florida. Unsubstantiated.

Mr. BYRD. So-called evidence that is produced by the intelligence agencies of another country, another state.

Mr. NELSON of Florida. That is precisely the point I want to make. I thank the Senator from West Virginia for underscoring that. Because I get a little concerned, I got a little upset when I read in Sunday's Washington Post:

CIA director George J. Tenet successfully intervened with White House officials to have a reference to Iraq seeking uranium from Niger removed from a Presidential speech last October. . . .

Continuing:

Tenet argued personally to White House officials, including deputy national security adviser Stephen Hadley, that the allegation should not be used because it came from only a single source, according to one senior official.

That was in October. Three months later, in the President's State of the Union speech, the very reference that was excised from the speech in October was inserted.

I want the Senator from West Virginia to hear this reference. I want the Senator from West Virginia to verify what I am saying because, according to the Washington Post, when the Director of the CIA removed that reference to Iraq seeking uranium from Niger in October, the very same reference was inserted 3 months later in the President's State of the Union speech but with a qualifier, and the qualifier was: according to British intelligence, even though 3 months earlier the CIA Director had that reference stricken because it was not true.

Mr. BYRD. Yes.

Mr. NELSON of Florida. What does that suggest is going on with regard to accurate, timely, and truthful intelligence?

Mr. BYRD. Well, it suggests we are going down the wrong path when the

President of the United States leads our country into war, leads our men and women into war, based on evidence that is supposed to have been developed by another country's agencies, that evidence not being substantiated by our own intelligence agencies.

So it is very evident we were just grasping for a straw to hang our hats on. I happen to believe that this administration intended from the beginning to go to war in Iraq, that this administration intended from the beginning to invade Iraq.

How many times has the Senator from Florida heard the President say, with reference to the U.N., "If you don't do it, we will. If you don't do it, we will"? They were not waiting on the U.N. to come along. We already had our minds made up to go into Iraq.

And anybody who heard Karl Rove or read about Karl Rove's statement to the National Republican Committee—in January of last year, I believe it was, yes—when he indicated to the National Republican Committee that: this homeland security horse was the one we could ride to victory politically on, and that the national Republican efforts should make, as its center strategy, the subject of homeland security—it was evident to me they were going to ride that horse to the utmost until the horse dropped or got across the victory goal line in the election.

Mr. NELSON of Florida. I thank the Senator for his response.

Mr. BYRD. And I think it was a misuse. It is a misuse. It is just an effort now, as they look back, to cover their skirts because it is clear, so far as the evidence thus far is concerned, that there was no such uranium coming from Africa. That was virtually a fictitious thing, and our people knew it. They knew it in October of last year, as the Senator has pointed out.

Mr. NELSON of Florida. Madam President, I was in Iraq last week, as the blood of a Florida soldier was still soaking into the parched sands of Baghdad. I still feel that we have sufficient security interests of the United States for us to be in Iraq, and, clearly, we better draw this to a successful conclusion to politically and economically stabilize that country.

But I can tell you, when I read this kind of information that suggests that the American people and their Representatives in the Congress were being fed information that was not accurate—and it was intentional—then I get very concerned for this country's ability to conduct our war against terrorists, for we are only going to be successful in a war against terrorists from timely and accurate and truthful intelligence.

Mr. BYRD. The administration misled the American people when it tried to leave the impression that the war on terrorism is engaged in by—in other words, that Saddam Hussein and al-Qaida could be linked. That has not been shown to be a fact. And the American people, according to the polls I

read some time ago, seemed to be half of the belief that those who took the planes into the Twin Towers were Iraqis. The truth is, not one of those hijackers of planes flown into the Twin Towers on 9/11—not one of those hijackers was an Iraqi, not one. Not one was from Iraq.

So where is the link? Where is the link?

Mr. NELSON of Florida. I thank the Senator from West Virginia. I will have more to say about this as the debate continues on Defense appropriations. I will speak to this issue that I have raised here. It is of grave concern to me.

I want, in the course of this debate, for us to be told in this debate a satisfactory explanation of why we are not planning for the supplemental on the Defense appropriations for the war in Iraq, why we are not planning for that and stating that in this Defense appropriations bill. I think that should be a part of the debate for all of the Senators to engage in.

I yield the floor.

Mrs. BOXER. Mr. President, I support the amendment offered by Senator BYRD to assure that the deployments of National Guard and Reservists do not exceed 180 days. The amendment further mandates that Guard and Reservists are not deployed more than once in a 60-day period.

As a member of the Senate Foreign Relations Committee, I asked many questions of the administration as it made its case for war. Two of the questions that were never answered involved the length of our deployment and the ability of the international community to share the burden of rebuilding Iraq.

Because of the failure of the administration to answer these questions, some of our troops face the possibility of spending more time than expected in Iraq. Our Guard and Reservists have fought bravely. We have to see that they are rotated home and replaced with other troops on a timely basis.

I want to read part of a letter I received from one Californian asking that a Marine Reserve Unit return to the United States:

The members of the Marine Reserve unit ANGLICO are important members of our society. They are hard working citizens who contribute to our economy. Their families are feeling the financial strain of their continued and unnecessary absence. These Marines are eager to come home to contribute to the continued success of our surrounding communities. I am asking you to please look into this matter and help facilitate the homecoming of our Marines.

Because of security concerns, the DoD was unable to shed any light on when this particular unit was to return home. But it highlights the sacrifice our communities are making to support this action in Iraq.

I believe the U.S. should fulfill its duty and provide for the reconstruction of Iraq. However, I call on the President to ask our allies to help share the burden and I ask him to ensure that

our Guard and Reservists are rotated out of Iraq on a regular basis.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, this has been an interesting debate, but in the course of the debate we found that we have agreement that we have to do something about the basic subject of rotation and deployment as it applies to the Guard and Reserve as well as the active portions of our total force.

I think, in the interest of all concerned, it would be best to put aside both Senator BYRD's amendment and the one that Senator INOUE and I have offered and see if we cannot get further information from the Department and try to work with the Department in terms of this new policy that is projected.

So on that basis and the debate that has taken place so far, I move to table Senator BYRD's amendment, which would take with it my second-degree 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. 1244.

The clerk will call the roll.

The bill clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from New Hampshire (Mr. SUNUNU) is necessarily absent.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

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

The result was announced—yeas 64, nays 31, as follows:

[Rollcall Vote No. 277 Leg.]

YEAS—64

Akaka	Crapo	Lott
Alexander	DeWine	Lugar
Allard	Dodd	McCain
Allen	Dole	McConnell
Baucus	Domenici	Miller
Bayh	Ensign	Murkowski
Bennett	Enzi	Nelson (NE)
Biden	Feingold	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Campbell	Gregg	Smith
Carper	Hagel	Snowe
Chafee	Hatch	Specter
Chambliss	Hutchison	Stevens
Cochran	Inhofe	Talent
Coleman	Inouye	Thomas
Collins	Kohl	Thomas
Conrad	Kyl	Voinovich
Cornyn	Landrieu	Warner
Craig	Leahy	

NAYS—31

Bingaman	Corzine	Harkin
Boxer	Daschle	Hollings
Breaux	Dayton	Jeffords
Byrd	Dorgan	Johnson
Cantwell	Durbin	Kennedy
Clinton	Feinstein	Lautenberg

Levin	Pryor	Schumer
Lincoln	Reed	Stabenow
Mikulski	Reid	Wyden
Murray	Rockefeller	
Nelson (FL)	Sarbanes	

NOT VOTING—5

Edwards	Kerry	Sununu
Graham (FL)	Lieberman	

The motion was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 1257 THROUGH 1259, EN BLOC

Mr. STEVENS. Mr. President, I have three amendments which have been cleared. Senator INOUE has similar ones for his side. Right after that, we will have a consent agreement that we will present, and if we are successful in getting that consent agreement, we would not have any further votes tonight but we will have to wait until we present that agreement.

I send to the desk three amendments en bloc, one from Senator VOINOVICH to make available from amounts available for research, development, test, and evaluation, defensewide, \$3 million for the long-range biometric target identification system; an amendment on behalf of myself and Senator INOUE for Senator ROBERTS which earmarks \$2,500,000 for the study of geospatial visualization technologies; and a third amendment by Senator ALLEN to make available from amounts available for research, development, test, and evaluation, Navy, \$4 million for the high speed antiradiation demonstration airframe/propulsion section.

I send those to the desk and ask that they be considered en bloc.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes amendments numbered 1257, 1258, and 1259.

Mr. STEVENS. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 1257

(Purpose: To make available from amounts available for Research, Development, Test, and Evaluation, Defense-Wide, \$3,000,000 for the Long Range Biometric Target Identification System)

Insert after section 8123 the following:

SEC. 8124. Of the amount appropriated by title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE", up to \$3,000,000 may be available for the Long Range Biometric Target Identification System.

AMENDMENT NO. 1258

On page 120, between lines 17 and 18, insert the following:

SEC. . Of the total amount appropriated by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to \$2,500,000 may be used for the study of geospatial visualization technologies.

AMENDMENT NO. 1259

(Purpose: To make available from amounts available for Research, Development, Test, and Evaluation, Navy \$4,000,000 for High Speed Anti-Radiation Demonstration Airframe/Propulsion Section)

Insert after section 8123 the following:

SEC. 8124. Of the amount appropriated by title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY", up to \$4,000,000 may be available for High Speed Anti-Radiation Demonstration Airframe/Propulsion Section (PE#0603114N).

The PRESIDING OFFICER. Is there further debate on the amendments?

If not, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 1257, 1258, and 1259) were agreed to en bloc.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 1260 THROUGH 1263, EN BLOC

Mr. INOUE. Mr. President, I have four amendments I ask to have considered en bloc. The first is submitted by Senators BINGAMAN and DOMENICI providing for \$3,500,000 for the National Consortia on MASINT research; the second by Senator CONRAD for research, development, test, and evaluation for the Army, \$3,500,000 for the Medical Vanguard Project; third, submitted by Senator BREAUX to make available from amounts available for research, development, test, and evaluation, \$800,000 for the Tulane Center for Missile Defense, Louisiana; and the final and fourth from Senator REED of Rhode Island to make available from amounts available for Defense Production Act purchases \$3,000,000 for a flexible aerogel material supplier initiative.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc. The clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUE] proposes amendments numbered 1260 through 1263, en bloc.

Mr. INOUE. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 1260

On page 120, between lines 17 and 18, insert the following:

SEC. 8124. Of the total amount appropriated by title IV under the heading "Research and Development Defense Wide", up to \$3,500,000 may be used for National Consortia on Masins Research For Program Element Number 0305884L.

AMENDMENT NO. 1261

(Purpose: To make available from amounts available for Research, Development, Test, and Evaluation for the Army \$3,500,000 for the Medical Vanguard Project to expand the clinical trial of the Internet-based diabetes management system under that project)

Insert after section 8123 the following:

SEC. 8124. Of the amount appropriated by title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY", up to \$3,500,000 may be available for the Medical Vanguard Project to expand the clinical trial of the Internet-based diabetes management system under that project.

AMENDMENT NO. 1262

(Purpose: To make available from amounts available for Research, Development, Test, and Evaluation, Defense-Wide, \$800,000 for the Tulane Center for Missile Defense, Louisiana)

Insert after section 8123 the following:

SEC. 8124. Of the amount appropriated by title IV of this Act under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE", up to \$800,000 may be available for the Tulane Center for Missile Defense, Louisiana.

AMENDMENT NO. 1263

(Purpose: To make available from amounts available for Defense Production Act Purchases, (\$3,000,000) for a Flexible Aerogel material Supplier Initiative to develop affordable methods and a domestic supplier of military and commercial aerogels)

Insert after section 8123 the following:

SEC. 8124. Of the amount appropriated by title III of this Act under the heading "DEFENSE PRODUCTION ACT PURCHASES", up to \$3,000,000 may be available for Flexible Aerogel Material Supplier Initiative to develop affordable methods and a domestic supplier of military and commercial aerogels.

The PRESIDING OFFICER. Is there further debate on the amendments?

If not, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 1260 through 1263) were agreed to en bloc.

Mr. INOUE. Mr. President, 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.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator from Missouri has a statement I would like to respond to, and I ask unanimous consent that I be allowed to yield to him for his portion of the statement.

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

The Senator from Missouri.

Mr. TALENT. Mr. President, I rise in support of the bill in general, and second, I thank the chairman for his support of hypersonics funding in the bill. The bill increases funding above last year's appropriated level. I do have a couple of concerns and I appreciate the chairman's willingness to address them with me in a colloquy.

Hypersonics are the future of aerospace. Later this year NASA will carry out a further test of the X43-A. This will be done as part of NASA's hyper-X project, a program devoted to the study and creation of vehicles that use air-breathing engines at hypersonic speed. If this test is successful, the aerospace industry will prove that the physics of hypersonics are correct and our engineers can begin creating the models that will become the future of the aerospace industry.

This technology will yield unprecedented results, opening up new commercial markets for industry, furthering human and robotic exploration in the solar system, and significantly improving national security. This transformational technology holds great promise for the development of missiles, unmanned combat air vehicles, manned flight and next-generation space shuttles. I thank the chairman for his support, and I ask him for his comments about hypersonics.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I appreciate the advocacy of our colleague from Missouri on the issue of hypersonics, and I know, as a member of the Armed Services Committee, he has been a champion of this issue and raised it several times.

I agree with the Senator on hypersonics technology. It is very important for the future of the aerospace industry. Over the next 10 years or more, the U.S. will develop and test a series of ground and flight demonstrators that will be powered by air-breathing rocket or turbine-based engines or ram/scramjets. It is a very interesting technology. I agree with Senator TALENT that this technology has the potential to revolutionize our commercial transport industry, space travel, as well as the military capabilities.

I look forward to working with the Senator from Missouri on this important issue as the chairman of the Defense Subcommittee and generally. I think it is a very interesting subject.

Mr. TALENT. I close by thanking the chairman again and look forward to continuing to work with him and the committee to advance the technology and research necessary to ensure a strong hypersonics program. I thank the chairman for the colloquy.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I ask unanimous consent that Senator DORGAN be recognized to offer an amendment on budget costs. I further ask consent that when the Senate resumes consideration of the amendment on Wednesday, there be an additional 30 minutes equally divided in relation to the Dorgan amendment; provided further that at the expiration of that time Senator BINGAMAN be recognized to offer an amendment regarding detainees; provided further that there then be a 40-minute period equally divided in the usual form; further, that following that time the Senate proceed to a vote in relation to the Dorgan amendment to be followed by a vote in relation to the Bingham amendment with no amendments in order to the amendments prior to the votes, and with 2 minutes for debate equally divided prior to each vote.

The PRESIDING OFFICER. Is there objection?

The Senator from Nevada.

Mr. REID. Reserving the right to object, at 10 a.m., the Secretary of State will be in the building for a briefing.

The debate on the Burma amendment should not involve all Senators. I thought originally we would have a recess during that period of time but the majority leader has decided not to do that. I understand why. But that is still available.

Mr. STEVENS. I have a further consent agreement. Does the distinguished leader wish to have that set forth before he agrees for the first unanimous consent?

I reoffer the first request.

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

Mr. STEVENS. Mr. President, on behalf of the leader, I ask unanimous consent that at 10 a.m. tomorrow, Wednesday, the Senate proceed to the immediate consideration of House bill 2330, the Burma sanctions bill, under the following conditions: One hour of debate equally divided in the usual form; Then upon the use or yielding back of time, the bill be read the third time and the Senate proceed to a vote with no amendments in order to the bill, at a time to be determined by the majority leader after consultation with the Democratic leader, with particular reference to the prior agreement we have already entered into.

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

Mr. STEVENS. Mr. President, I am now authorized by the majority leader to say there will be no more record votes tonight.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 1264

Mr. DORGAN. Mr. President, I offer an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN] proposes an amendment numbered 1264.

Mr. DORGAN. 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 require from the President a budget amendment for the budget for fiscal year 2004 on the amounts requested for military operations in Iraq in fiscal year 2004)

Insert after section 8123 the following:

SEC. 8124. Not later than July 29, 2003, the President shall submit to Congress a budget amendment to the budget of the President for fiscal year 2004, as submitted to Congress in 2003 under section 1105(a) of title 31, United States Code, setting forth in full the amounts required for fiscal year 2004 for United States military operations in Iraq and Afghanistan in fiscal year 2004.

Mr. DORGAN. Mr. President, I will speak briefly. I will speak further tomorrow on this subject. This relates to something I spoke about yesterday. It may well be that the Congress—in this case, the Senate—feels it is appropriate to ignore the added costs of Afghanistan and Iraq in next year's budget, but

I happen to think that makes no sense at all. If we know, reasonably, that we are going to spend an additional \$1 billion a month in Afghanistan and perhaps \$4 billion a month in Iraq—that is perhaps a \$50 or \$60 billion additional expenditure—it seems to me we ought to address that question now; not only address what are the additional costs with respect to Iraq and Afghanistan but where we will find the money.

What will likely happen is what happened last year. The President made the case he did not know what the costs might be in Iraq and therefore did not include anything in the budget for it, but we have been through now at least an initial phase of the war, with continuing violence in Iraq. We know from Secretary Rumsfeld's position earlier this week we may well see an increase of troop strength in the area. We know the comptroller of the Pentagon says they have a pretty good sense of what will be on the ground for the next fiscal year—referring both to Afghanistan and Iraq.

If that is the case, and if we are now appropriating money for the Department of Defense, why not try to learn from the administration what figures they are using for additional costs in the coming year and what they recommend we appropriate and how they recommend we find the money.

My amendment is very simple. It asks the President to submit an amended budget to the Congress within the next 2 weeks setting out what he thinks the costs will be in Iraq and Afghanistan above that which is already in the Department of Defense budget, and then recommending how we would cover that, how we would pay for it. That, after all, is a starting point that comes from the executive budget, and then to be considered by the Congress.

This is a very incomplete picture and an incomplete process if we are staring anywhere from \$50 to \$60 billion in additional costs right square in the face and pretending it does not exist.

My amendment is very simple. I deeply appreciate the work that Senator STEVENS and Senator INOUE have done on this bill. I happen to be on that subcommittee. These two are some remarkable men in this Senate and have distinguished war records and have a distinguished record of service to our entire country. I appreciate very much their work on this bill. But I do think it is important for the Congress to answer this question: Is this the way we should continue to handle these extra costs?

Now these extra costs are becoming very large, \$5 billion a month. It is quite clear from statements this week that the Pentagon knows or has some notion of what these extra costs will be. It makes no sense to pass an appropriations bill and pretend they do not exist.

I will speak at greater length tomorrow morning on this subject, but I really believe we need to address this as a Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, unless there is a unanimous consent request to proceed to another matter, I would like to speak for a few moments in support of Senator DORGAN's amendment.

The PRESIDING OFFICER. The Senator has that right.

Mr. DURBIN. I know the Senator from North Dakota has to leave and will be back tomorrow to discuss his amendment, but doesn't it strike those following this debate as strange that we are considering the appropriation for the Department of Defense for the next year and it includes everything except Iraq and Afghanistan?

If this is truly an appropriations bill, if the Senate is meeting its responsibility in reviewing the requests of the administration to make certain they are reasonable, how can we, in good conscience, pass a bill without any reference to the costs of the war? That, of course, is a good turn of events for the administration because they do not have to explain how they will pay for it.

This morning's newspapers across America disclosed we are facing a record-breaking budget deficit. We have gone, over the span of 3 years, from over \$200 billion in surplus each year to over \$450 billion in deficit. That does not count the Social Security portion which is about another \$160 billion. We are facing record-breaking budget deficits. And now as we debate appropriations bills, these bills are not speaking to the reality of official spending under the Bush administration.

To think we would consider this Department of Defense bill and not include the money necessary for the war in Iraq is to suggest that this bill does not tell the whole story.

Just last week in the Armed Services Committee, Secretary Rumsfeld, our Secretary of Defense, appeared before the committee and was asked by Senator BYRD of West Virginia, what is the cost of the war in Iraq? Secretary Rumsfeld, in charge of the largest military operation on the face of the Earth, said, I don't know. Senator BYRD said, you better find out. These are questions asked by Congress of Secretaries of Defense through history. So there was a break in the action and Senators came over for a vote and when we returned, Secretary Rumsfeld said, I have been told it will be about \$3.9 billion per month, roughly \$1 billion a week for Iraq. When asked about Afghanistan, he suggested it would be somewhere in the range of \$1 billion a month.

That means we are going to spend roughly \$5 billion a month that is not accounted for in this bill. So we know we are going to spend the money. We are never going to shortchange our men and women in uniform. Why isn't this Bush administration, in all candor and honesty, coming to us with a bill that includes the costs of the war?

Senator DORGAN, my colleague from North Dakota, asked that obvious question and asked the Senate to vote on it. It will be interesting tomorrow to see if those who believe the Senate has a responsibility for oversight and also believe this administration has a responsibility to be honest about the costs of the war, will, in fact, support the Dorgan amendment. I certainly will. I hope my colleagues on both sides of the aisle will, as well.

This is a tough amendment because it puts the administration on the spot. They have to explain where they are going to come up with a substantial amount of money, but I think that is the burden they asked for when they assumed office. We need to face it squarely, as do they.

I also say, despite the obvious monetary costs of the war, what I find in traveling back to Illinois is the people are less concerned about the monetary costs than the human costs of this war. It is tough to calculate how many of our great men and women have died since President Bush declared military victory in the first part of May. But we know almost on a daily basis that we are losing some of our finest soldiers, men and women, well trained for military combat, who are now in the position of maintaining peace in Iraq, trying to establish a civil society. It is not an easy task. These men and women, trained with the highest technology, so successful on the battlefield, now find themselves on patrol, guarding college campuses, guarding museums, enforcing curfews, dealing with scuffles and fights in public marketplaces. As they go in to try to quell this violence and bring peace to the situation, sadly, many of them are being attacked by Iraqis. Some are being killed.

To those who follow this debate, I say we can try in this bill to ignore the dollar costs of this war but, trust me, families across America, the people of this country, know the human costs on a daily basis. They are asking us the hard questions.

Senator LUGAR of Indiana, whom I respect very much, visited Iraq. He came back and said, in all candor, he believed we would be in that country for 5 years. He said he felt that was a minimum. I hope he is wrong. But I respect his judgment and his insight. If we are to be there for 5 years, if 150,000 troops or any portion of those troops will remain for that period of time, it is a massive investment by the United States in Iraq. It calls into question our basic strategy in trying to establish civil order.

I cannot for the life of me understand why this administration has not gone to the United Nations and asked them to assume responsibility with us for the future of Iraq. Why hasn't this government come to the Senate and asked the same thing? If we could replace American troops in the field, guardsmen and reserves who have been there for long periods of time away from their family, if we could replace them

and bring them home by bringing in troops from other countries, that would certainly be very positive.

In this morning's newspapers Prime Minister Vajpayee of India said the United States requested 17,000 Indian troops and he declined the invitation. He said he might join an effort sponsored by the United Nations. Those are his conditions. I don't know the conditions of other countries.

What is clear to me now is that though the coalition of the willing was enough to win the military end of the war, the coalition of the willing is incapable of meeting the responsibility today of establishing and maintaining order in Iraq. That coalition has really come down to two major countries, Great Britain and the United States. We are shouldering this burden, not just on the monetary side but on the side of human cost.

I think this administration should be conscious of the fact that many Americans, supportive of the invasion of Iraq, supportive of eliminating Saddam Hussein, are now raising serious questions about the duration and cost of our occupation of Iraq.

The same thing can be said, obviously, of Afghanistan. I am a big supporter of Hamid Karzai. I think he has done a remarkable job as the leader in Afghanistan, bringing some order to a country which has known chaos for too many years. But we know he needs help. Too many tribal warlords control portions of the country that should be controlled by some central authority coming out of Kabul, the capital of Afghanistan. That is not the case.

The President of Pakistan recently visited the United States. President Musharraf said to President Bush: If you want one piece of advice, send more troops to Afghanistan. We don't have enough people there to maintain order. Our troop strength is estimated to be between 8,500 and 10,000. That points to the need for this bill to be more inclusive on the real cost of the war in Afghanistan and Iraq. We need to face this head on.

For the Department of Defense appropriations bill to speak to national security and ignore 150,000 men and women in uniform in Iraq and the cost to our country, as well as another 8,500 or so in Afghanistan, really misses the point. We need a bill that is complete. The Dorgan amendment will move us in that direction. I will support it tomorrow, and I hope my colleagues will join me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, no one regrets the deaths that are occurring in Iraq any more than I, or anyone else here, particularly those of us who served in the uniform of our country. We know the seriousness of being involved in Iraq.

The offensive operations in Iraq started in March. I believe it was March 19. This budget was presented to

us long before that. It did not have money for Iraq. As a matter of fact, we have handled this concept of the war in Iraq on the same basis as Bosnia, Kosovo, et cetera—with one exception. The President came to us and asked for a supplemental for Iraq, and we passed it. The money is there. He asked for the money; we gave it to him. I don't understand this demand, now, for another supplemental. We do not need any more money right now. We are continuing to spend the money Congress provided, over \$60 billion.

I have a little sense of politics in this. I don't quite understand. Politics are never raised on the floor of the Senate, obviously. But clearly the political implication is, somehow or other, the deaths are related to the fact that the President has not asked for any money. We have plenty of money right now to run this war. The costs of the war are coming down. As I pointed out previously here this afternoon, all of the costs of the manpower for fighting in Iraq are in this bill. The costs that are not in this bill, that are being paid from the supplemental, are the incremental costs of moving forces to Iraq, moving materiel to Iraq, moving people back from Iraq, taking care of our global expenses, and conducting the war in Iraq.

The President came in and asked for a \$10 billion contingency fund. I joined in saying no, you can't have a contingency fund. We gave him the money he requested, the money whose use they detailed. But we didn't put up \$10 billion as a contingency fund because we didn't think it was necessary, and I still don't think it is necessary. But we do understand if the cost of the war in Iraq will somehow exceed what we have already provided, the President will come for a supplemental in time. He has done that.

We are funding the war in Iraq on an incremental basis from a supplemental fund we gave the President. Again, we gave him so much money, we rescinded \$3 billion in this bill. Three billion dollars of the previous supplemental have been rescinded and spread around in other areas of the Department of Defense.

I think we ought to get back into some historical context here. We have had a series of peacekeeping operations, so-called peacekeeping operations. There were people killed in Bosnia. There was a war in Bosnia. There is a war in Kosovo. There is a war in Afghanistan. This administration has asked for the money, and we have given it to them. The money we gave them, by the way, the \$60 billion-plus, was for the whole area that was commanded by General Franks. It was the war zone. That included Afghanistan as well as Iraq.

We have had, unfortunately, in the past—and I also mentioned this today—we had in connection with Bosnia and Kosovo a policy of the administration, the previous administration, to not ask for money at all. They took

the money from the O&M accounts of the Departments, the various forces—Army, Air Force, Navy, Marines—and spent it. They never told us where they were spending it. When they came up and asked for a supplemental to replace it, they asked us for the money to replace the accounts. We never really got detailed descriptions of how much money was spent per day in Bosnia or Kosovo. I don't know where this is coming from.

As a matter of fact, Senator INOUE and I have been involved in managing this bill, now, since 1981. We can tell the Senate the way we are handling the bill now is the way we should handle a bill for defense. We pay the money for the regular costs, and the Department asks us for the extraordinary costs. The last administration had the money for the personnel and regular costs in the bill, but they took some of that money and fought the war in Bosnia and fought the war in Kosovo and then came up for a supplemental. This administration came for the supplemental first.

They have the money. It is in the bank. They are spending it. And somehow they are being criticized for not asking for a supplemental.

I oppose this amendment. I intend to oppose it. I intend, as a matter of fact, to make a motion to table it in the future.

There is an agreement for debate. We are in a situation where, as far as I am concerned, we should not ask the Department to come and ask for moneys on a contingency basis. That is really what the Senator is suggesting—ask for money, what you might spend in the future, beyond what we have already given you. There is a bank over there. They have the money.

To ask for a budget amendment for the fiscal year 2004, to be submitted this year, I don't understand at all. It wasn't required by the congressional budget resolution, by the way. If this was so important, why didn't someone raise it in connection with the congressional budget resolution that passed after we went to war? And we are at war.

I really believe it is time we understand what is going on. I do not want to see us get another supplemental request this year. We have 13 appropriations bills to pass. They have plenty of money. Why tie us up in another supplemental? Everyone knows a supplemental this time of year would become a Christmas tree. Everyone is going to offer amendments to do things they didn't get in the other bills, and every one would be a demand for an emergency.

As long as I am chairman, we are going to try to have some discipline with regard to dealing with money. The discipline is, we follow the budget. I have committed to follow the budget. We are following the congressional budget. In order to do so, we had to ask the President's permission. Chairman YOUNG, chairman of the House Appropriations Committee, and I asked for

permission to take \$3 billion off the President's request that is in this bill for defense. We admit we took \$3.1 billion from what the President asked for in his budget request and put it in other subcommittees. Because of the fact the congressional budget resolution was \$2.6 billion below the President's budget, we needed to find money to fund operations of those other departments that would not fit within that bill.

We are proceeding on a basis that I think makes sense. I hope we will have bipartisan support for it. But one thing we don't need is another supplemental at this time dealing with Defense when Defense has money to continue to operate in Iraq. When they run out of money or come close to it, I assume they will come and ask for more. I presume the cost per week is going to go down. It has been fairly high. The incremental cost was over \$34 billion last month, as I understand it. Under the circumstances, if it continues to wind down, I believe the monthly cost will decline and the Department will be able to get through this fiscal year with the money they have. If they need more money in the calendar year 2004, they can come in and ask for it. But I predict—I hope I am right—they are not going to need any more money in calendar year 2003 for either fiscal year 2003 or the first quarter of 2004. If they do, and that could happen—God forbid this thing could blow up over there and we would have to send more forces back in. I don't know. No one can predict what happens in a situation like we have now. We want to as rapidly as possible cease being an occupation force.

This reminds me of some of harassment that took place during World War II when we had operating forces in areas where part of the enemy was not subdued and there were sniper attacks. There were bombing attacks. It was a disaster for people in uniform, who suffered even after the war was over. There were some deaths in World War II. I think this is a sad thing.

I hear a call to bring the troops home. One of the reasons the troops are there is to protect one another and protect the people we just freed. I thought the price of freedom was in fact doing what our people are doing; that is, following the commands of the Commander in Chief.

It is a very tough thing to say, but once we undertake action such as this, our national image would be absolutely tarred if we brought these people home before there was security for the people who have been liberated from that regime, the Baath party of Saddam Hussein. We can't leave them exposed, nor can we leave exposed our people who are trying to bring about reconstruction. I think we have to use common sense.

To say the President shall submit a budget amendment—by the way, I don't know of any requirement anywhere in the law that the President has

to submit a budget resolution before. I don't know that Congress has ever said the President shall present a budget amendment for a specific amendment of money or a specific item. I have been here 35 years. I can't remember such a requirement before in my life. For no other reason, I would oppose that because he is the President. The Constitution gives him some powers. It gives us powers. One of the powers is to exercise the power of the purse. But we are not the ones who can command the President to ask for the money. He is the President. If he wants the money, he should ask for it. If he doesn't need it, we should not compel him to ask for it. I am sure if he needs it, he will be the first one to ask for it.

As a matter of fact, I have heard comments about our President on this floor lately that are sort of derogatory. I think he is a fine man. He is a great President. He is doing a good job. He is honest. He is forthcoming. He admits if he makes mistakes, and then he gets highly criticized for having made the mistakes. Everybody makes mistakes from time to time. It takes a real man to say he has made one.

That is why I came to the floor yesterday and congratulated George Tenet for having taken the step of admitting he bore the responsibility for the error in handling the reference in the President's State of the Union message.

But this President is doing a good job. This Secretary of Defense is doing a good job. I think the American people should be proud of them. In my home State, they are certainly proud of them. And they are proud of the young men and women in uniform representing our country over there.

I think the very thought that somehow something is going wrong here and because something is going wrong here people are dying in Iraq is just a terrible thing. People are dying in Iraq, unfortunately, because there are snipers. There are terrorists loose in Iraq. I thought we were conducting a global war against terrorism. What is going on in Iraq is terrorism. There has been a regime change. There are people opposed to that change, and they are trying to kill our people over there. They are trying to protect their own brothers and sisters in their own country.

I hope the Senate settles down a little bit. In the past, we have handled this bill very expeditiously because of our respect for men and women in uniform. This is the money to pay those people who represent our country throughout the world. They are deployed in many countries. They read about what goes on here. They listen to it. They have it on C-SPAN.

By the way, it is a very interesting thing for this generation to go overseas compared to my time overseas. I never got a phone call after I left my home until I got back. These young people have phone calls every day. They have e-mail. They use the Web. They conduct their classes when they are deployed overseas and continue their

studies. It is a different world. They know what is going on here.

I hope they understand what we are trying to do is get this bill passed and make sure they get their pay raise; make sure everything is in place in time so when September 30 comes, this bill will have passed and become law and be there for the protection of our men and women in uniform.

I regret deeply that we have to handle an amendment like this. We know the amounts required for the fiscal year 2004 military operations in Iraq and Afghanistan. We already put the money up. They are reporting monthly on what they spend.

Now we want to predict how much they are going to spend. I really do not see the relevancy of this amendment. Tomorrow, I hope to end the debate by moving to table. I hope the Senate will support that motion.

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. TALENT). Without objection, it is so ordered.

JOINT AIR TO SURFACE STAND-OFF MISSILE
(JASSM)

Mr. SHELBY. Mr. President, I am reminded that both the distinguished chairman and the ranking member have been strong proponents of the JASSM program in the past.

The JASSM program is less than 30 days from completing operational test and is scheduled for a full rate production decision in November of this year. Both DOD and the Air Force have sufficient confidence in JASSM that they have proposed to use fiscal year 2003 Iraqi freedom funds to procure additional missiles. In addition, I would note that the Navy is scheduled to join the Air Force in future JASSM procurements and this production ramp is critical to meeting both the Navy and Air Force inventory requirements.

I hope that we can work in conference to find a path that will protect the existing contract while at the same time provide the Air Force these vitally needed "go-to-war" assets.

Mr. STEVENS. I thank the Senator for bringing this matter to my attention. He has my assurance that we will consider this matter in conference.

Mr. INOUE. I agree with the chairman and will join him in reviewing this matter for conference.

DIGITIZATION OF DEPARTMENT OF DEFENSE
MANUALS

Mr. INOUE. Mr. President, beginning in fiscal year 2003 and continuing this year, the Defense Appropriations Subcommittee has included funds for the digitization of Department of Defense, DoD, manuals and has directed that the work be performed by information technology firms owned and operated by Native Americans located in

impoverished Native communities. These Native firms came together and formed a corporation, the Intertribal Information Technology Corporation, that could serve as the prime contractor in an effort to facilitate the contracting relationship with the Department of Defense.

This consortium of firms has been working with mentoring information technology companies who already have existing contracts with the Department of Defense. I have had two briefings on the progress that is being made by the Native firms and their mentoring companies on existing DoD contract work, and have been advised that the performance of the Native firms is both exemplary and highly efficient. A few months ago, I had the opportunity to attend the dedication of the Native Hawaiian information technology firm that is part of this consortium, and was further impressed with the capacity of these Native firms to carry out the digitization work.

Mr. STEVENS. I agree. The war in Iraq demonstrated the important of having the highly-mobile maintenance capability that the digitization of DoD manuals enabled our forces to employ. For many years, the Senator and I have shared a concern about the high unemployment rates in Native communities. This program serves as one effective means of addressing those high unemployment rates while also providing the Defense Department with new sources of supply for digitization services.

Mr. INOUE. As the Senator knows, the ten Native-owned firms that came together to establish a new Small Business Act 8(a) firm is composed of American Indian, Alaska Native and Native Hawaiian information technology companies. To my knowledge, this is the first business enterprise to be jointly owned by the three indigenous populations of the United States.

This new jointly-owned firm was established so that DoD would only have to award a single contract rather than having to award ten separate contracts to each of the ten participating firms. In establishing the jointly-owned firm, it was well understood that the jointly-owned firm would subcontract the digitization work to the ten participating Native-owned firms, and that the jointly-owned firm would assume administrative responsibilities and provide technical support to the ten Native Firms to ensure the highest quality production.

This innovative approach reflects the intent of the Congress that the digitization work be performed by Native firms that can not only produce quality products for the Government, but that in the process of doing so, can also generate jobs in the economically-disadvantaged communities that they serve.

Mr. STEVENS. It is my understanding that the contract with the jointly-owned firm was to have been awarded on June 2 of this year, but

that DoD officials are now expressing some reluctance to allow the jointly-owned firm to pass the digitization work through to the Native firms because the customary practice is to have the prime contractor perform the majority of the work. I am also told, however, that there is an exception to this practice provided for in regulation, particularly when the Government had directed or identified a specific source for the provision of services, as we did in the fiscal year 2003 Department of Defense Appropriations Act.

Mr. INOUE. Yes, that is my understanding as well. I am advised that the exception can be applied while still assuring full compliance with all procurement requirements. So I would ask, is it the intent and directive of the Appropriations Committee that the Department of Defense employ all legal measures available under the law to accomplish the intent of the Congress in having the digitization work performed by the ten participating Native-owned firms through a single DoD contract with the jointly-owned firms?

Mr. STEVENS. This is the intent. This new program is already proving to be a highly-efficient means of addressing the Department's needs for the digitization of DoD manuals, and we would expect the Defense Department to employ every legal authority at its disposal to implement the program as Congress intended it to be implemented.

AIR FORCE ADVANCED POWER TRANSFORMATION OFFICE

Mr. CHAMBLISS. Mr. President, I rise today to express my support for the mission of the U.S. Air Force, USAF, Advanced Power Transformation Office, APTO, at Robins Air Force Base in Georgia. This transformation office was established to advise and assist military installations all over the world in their development of alternative fueled vehicles.

Mr. STEVENS. If the Senator from Georgia would yield for a question, I have learned that the Energy Policy Act authorizes the APTO to enter into public-private collaborative agreements to encourage the development and deployment of alternative fuel vehicles and alternative hydrogen fueling infrastructures. Does the Senator know whether the transformation office in Georgia has taken advantage of this opportunity?

Mr. CHAMBLISS. As my colleague from Alaska has suggested, the APTO has entered a public-private collaborative project with the Southern Hydrogen Fuel Cell Research Partnership, which has then entered into a further agreement with the Georgia Tech Research Institute. This Georgia-based collaborative advances the national interest in the study of hydrogen-powered vehicles and fueling system designs. The APTO also hopes to accelerate the development of hydrogen power technology to determine whether it is feasible for both military and commercial use. Because of the impor-

tance of this project, I urge the Air Force to continue to support this important initiative.

Mr. STEVENS. The committee also notes the importance and value of the efforts of the Advanced Power Transformation Office and encourages the Air Force to continue funding and support for this important initiative.

Mr. CHAMBLISS. I thank the distinguished Senator from Alaska, and I yield the floor.

SAC POSITION ON OBJECTIVE FORCE CANNON

Mr. INHOFE. Mr. President, I rise in support of S. 1382, the Department of Defense appropriations bill for fiscal year 2004, as reported by the Senate Committee on Appropriations. I take a moment to talk about the urgent need for the non-line of sight cannon and to commend the actions the Senate Appropriations Committee has taken to meet this key need.

We have heard testimony from the most senior members of the Army uniformed and civilian leadership that organic Army indirect fire is one of the most urgent needs in today's military environment.

When Congress agreed to allow the Department of Defense to terminate the Crusader program last year, it did so with the explicit understanding the Crusader technology would be used to form the basis of a new lighter, more easily deployable non-line of sight cannon, which would be ready no later than 2008.

Indeed, during the last session we enacted law to that effect, and also stipulated that development of the non-line of sight cannon would be undertaken as part of the Army's Artillery Systems Demonstration and Validation program element, which is the only place within the budget that cannon artillery research and development is funded.

The designation of the non-line of sight cannon as a congressional special interest by the Senate Appropriations Committee goes even further than last year's legislation to ensure that this need is met. I ask the chairman to comment on the need for this further step.

Mr. STEVENS. In an effort to ensure full compliance with Congress's intent to fully fund the non-line of sight cannon program, the Senate Appropriations Committee has designated the program as a congressional special interest and appropriated funding in a separate program element devoted to the advanced development of artillery systems.

Mr. INHOFE. With limited resources available for the competing needs of modernization and force sustainment, it is imperative that crucial programs like non-line of sight cannon receive the requisite congressional oversight to ensure their timely development and fielding in accordance with the priority they enjoy.

I thank the Senator, and my other colleagues on the Appropriations Committee for their efforts to ensure that this vital program receives the funding it needs.

SUPPLIES OF MEALS READY TO EAT

Mr. BAYH. Would the chairman yield for an inquiry on the subject of MRE supplies?

Mr. STEVENS. I would yield to the Senator from Indiana for a question.

Mr. BAYH. Mr. President, during Operation Iraqi Freedom, our military relied upon MREs to an extent never before seen in the history of modern combat. Due to concerns about the safety of the local food supply, Operation Iraqi Freedom and the subsequent mission has relief almost entirely on MREs to feed our soldiers. It is my understanding at the height of the operation, the Department of Defense was consuming roughly 300,000 cases of MREs per week. Is the chairman aware of this unprecedented use of MREs?

Mr. STEVENS. I was aware of the reliance on MREs, yes.

Mr. BAYH. I would further point out at the height of the operation, some estimate that DOD was down to a worldwide reserve of some 400,000 cases. To summarize, DOD was within a week of running out of food for our soldiers in the field. Thanks to a surge in production by MRE producers on very little notice, DOD managed to stave off a logistical and potential military disaster. Is the chairman aware of how close we came to literally running out of food?

Mr. STEVENS. I was not. But I certainly believe the committee should look into it.

Mr. BAYH. Surprisingly, the Defense Logistics Agency, DLA, has still not chosen to replenish an adequate reserve of MREs. In additions, DLA has cut MRE production despite the fact that our troops in Iraq are still consuming MREs at an unprecedented rate. Would the chairman consider this matter in conference and have the managers address it if the committee finds the problem to be as grave as it would appear?

Mr. STEVENS. We would be willing to look at that possibility.

Mr. LOTT. Would the chairman yield for me to add further to the discussion at hand?

Mr. STEVENS. I yield to the Senator from Mississippi.

Mr. LOTT. Part of any military exercise or experience is an afteraction review to learn what went right and wrong and how to improve on things in future situations. It would seem that the MRE supply issue is just such an issue. Obviously DLA did not have reserve stocks of food on hand going into this operation. Obviously no one anticipated the consumption rate we have experienced in the past few months. But it seems apparent that the reliance upon MREs isn't going to change in the foreseeable future.

I can think of a number of things that could go wrong during a military operation, but running out of food has to be one of the worst. So I can't imagine why DLA is cutting production when we haven't even started to replenish our reserves. It would seem

simple enough that if anything DLA should be increasing production and increasing reserves so that we never face this potential disaster again.

I am informed that an adequate reserve based upon the new realities we have discovered in the past few months would ultimately be 10.5 million cases. Well, we are about 10 million cases away from that goal so we better get started on meeting that target. I too would certainly welcome anything the chairman could do to address this problem in conference and compel DLA to up the reserve stocks of MREs to an adequate level. I yield back of the chairman.

Mr. STEVENS. We are going to take a close look at this problem and see what is or isn't being done to address it and take corrective action if necessary.

COST-SHARING OF DEFENSE MEDICAL RESEARCH

Mr. LEAHY. Mr. President, I would like to take this chance to thank Chairman STEVENS for his leadership in funding the Army Peer-Reviewed Breast Cancer Research Program at \$150 million in this bill. I would also like to take a moment to enter into a colloquy with the distinguished chair of the Appropriations Committee about the report language in the committee report on cost-sharing in such medical research. Mr. Chairman, when I read this report language, it seems clear that the intent of the language is to determine if there is some way to contain medical research costs within the defense budget.

We all know that the Army Peer-Reviewed Breast Cancer Research Program, BCRP, has proven to be efficient and highly effective, and the committee has supported its efforts strongly. The flexibility of this program allows the Army to administer it in such a way as to maximize its limited resources. The BCRP is able to quickly respond to current scientific advances, and is able to fill gaps by focusing on research that is traditionally underfunded. It is also responsive, not just to the scientific community, but also to the public.

Mr. STEVENS. Yes, the Senator from Vermont is correct. The committee is seeking to determine alternative ways to fund increases in these kinds of projects, but not undermine the effectiveness of ongoing programs. The committee has received numerous requests to start up new medical research programs. In many cases these requests cannot be met when trying to meet other valid military requirements with limited resources. The language is certainly not specifically designed to undermine the integrity of the existing DOD BCRP, and the committee recognizes it as innovative, extremely accountable and transparent in its approach to medical research.

Mr. LEAHY. I thank the chairman. I would also like to clarify the language in this provision about the agencies to perform the study. Am I right in reading the word "consultation," in reference to the offices, institutes, and

bureaus performing the study, to mean a continual process of discussion and collaboration? Consultation almost always involves more than simple briefings, but a consistent, mutual back-and-forth designed to ensure the objectivity, soundness, and fairness of a research process.

I personally hope that the Assistant Secretary of Defense for Health Affairs will go even beyond that notion and rely heavily on the expertise of the Institute of Medicine, which has reviewed programs like the Army Peer-Reviewed Breast Cancer Research Programs on several occasions.

Mr. STEVENS. Yes, that is right. The language clearly foresees that the Assistant Secretary of Defense for Health Affairs will work closely with the service Surgeons General and the Institute of Medicine to develop and conduct a sensible, objective, and fair analysis of cost-sharing options for future medical research programs.

Mr. LEAHY. I thank my good friend from Alaska for his support of programs like the Army Peer-Reviewed Breast Cancer Research Program. Recently one of the staunch advocates of this program in my home State of Vermont, Patt Barr, passed away. One of my lasting memories of Pat is seeing her standing in the hallway here in the Capitol, well past midnight, patiently explaining to individual Senators why the Department of Defense should include funds for breast cancer research in its medical budget. Mr. Chairman, your support and spirit has kept her legacy living on.

LASER PEENING

Mr. DEWINE. Mr. President, I rise today to discuss an important matter with my friend, the distinguished committee chairman.

I have been a long-time supporter of laser peening technology. Laser peening is a revolutionary materials processing technology that has proven very effective in solving many of the fatigue problems currently plaguing military engines, such as the F101 engine in the B-1 bomber. Laser peening has been scientifically and battlefield proven to extend fatigue life and fatigue strength of metal parts.

In recognition of the benefits of laser peening, the Army has initiated an effort to establish a technology insertion program that would employ laser peening in support of major Army helicopter programs. Congress provided \$1 million to begin this effort in fiscal year 2002.

Laser peening technology is being evaluated to extend the life of flight critical components on Army helicopters—including the CH-47 Chinook, AH-64 Apache, and UH-60 Black Hawk. These components are subject to fretting fatigue, wear that results when two metal components rub against each other. Without laser peening, fretting produces cracks that penetrate

deep into the component surface, causing fracture, failure, and ultimately requiring part replacement. Laser peening will be applied to families of components such as integrally bladed rotors, gears, and bearing raceways to significantly increase service life and reliability. These components are used in all of the Army's helicopters and ground vehicles with turbine engines, including the Comanche, Black Hawk, and Apache helicopters and the M2 Abrams tank.

Stated simply, laser peening will improve the performance, extend the service life and reduce the cost of these critical systems. Without continued support for laser peening technology, this program will halt and these savings and improvements will never be realized.

In recognition of the tremendous potential for laser peening for the Army, I would ask the chairman's assistance in allowing the funds available for Research, Development, Test and Evaluation for the Army to be used for laser peening for Army aircraft and ground equipment.

Mr. STEVENS. I thank the Senator for his interest in this issue. I recognize the importance of laser peening technology, and I promise the Senator that I will be certain to give his request careful consideration as we proceed with action on the Department of Defense Appropriations bill for fiscal year 2004.

Ms. LANDRIEU. Mr. President I rise today to discuss the defense appropriations bill before us this week and the excellent work the chairman of the Appropriations Committee, Senator STEVENS, and the ranking member of the Defense Subcommittee, Senator INOUE, have done to bring a very good bill before the Senate under a tight budget. Additionally, we are engaged in operations in Afghanistan and Iraq, which make it critical that we approve a bill that gives the men and women in the field the tools they need. Senator STEVENS and Senator INOUE have crafted a bill to benefit our armed forces in a time of war. Additionally, the bill is forward looking and meets our transformational goals to modernize the U.S. military.

On Saturday, LPD-17, USS *San Antonio*, will be christened at Avondale Shipyard in Louisiana. The *San Antonio* will move from dry-dock into the Mississippi River, where she will undergo final preparations before she can be delivered to the United States Navy and the Marines. It will be a day to celebrate. There can be no doubt about America's need for the LPD class of ships. The LPD is designed to bring the fight to our enemy.

But the LPD program has suffered bumps and bruises along the way. She has experienced delays and cost-overruns. Some tough love was needed to bring efficiency to the program. Today, however, the LPD program is back on track. It is on time and on budget. It is a fitting coincidence that we will christen

the *San Antonio* at a time when the LPD program is healthy.

The LPD program could not have been brought back to even keel without the guidance and support of Senators STEVENS and INOUE. They have been long-time advocates of the LPD program. I cannot thank them enough for keeping faith in a program that is absolutely vital to our Marines.

In this bill, Senators STEVENS and INOUE helped the LPD overcome yet another hurdle. When the President's budget for shipbuilding came out in February, the President recommended the construction of LPD-23 to begin in fiscal year 2006, not fiscal year 2005 as originally planned. The Department of Defense sought to push back the production rate of the LPD program, which, if enacted, will only cause the LPD program to experience price increases, once again. Moreover, if the recommendation holds, over 2,000 layoffs of highly skilled workers could occur at Avondale and Ingalls in Mississippi. Fortunately, the chair and ranking member support keeping LPD-23 on schedule for fiscal year 2005. I am appreciative, and I know the Marine Corps and people of Louisiana are appreciative.

During the debate on the budget resolution, I offered a resolution to increase spending for the National Guard and Reserve forces by \$1.1 billion to meet unfunded equipment requirements. Our Guard and Reserve forces make up over 40 percent of our armed forces personnel, yet for years they barely received 8 percent of the funds in the defense budgets. Our Armed Forces could not have performed as brilliantly as they did in Operation Enduring Freedom and Operation Iraqi Freedom without our reliance on our National Guard and Reserve. Over 320,000 guardsmen and reservists have been activated since September 11, 2001. Many have been called up two and three times, which places tremendous stresses on the lives of our troops and their loved ones. Our citizen soldiers are being asked to perform the same tasks as our active forces, and they are doing so with expertise. But, they often have hand-me-down equipment. There are people near and dear to me stationed right now in Iraq in the Reserves. When their lives are on the line, I do not want them wondering if their Vietnam era equipment will work.

Again, I am pleased Senators STEVENS and INOUE have made a strong commitment to bolstering our National Guard and Reserve. They funded the National Guard and Reserve equipment account at \$750 million. This will allow our Guard and Reserve forces to purchase key equipment for modernization, such as laser targeting pods. The Senate also commits key funds to the modernization and long-term sustainment of the National Guard: \$175 million for upgrades to National Guard Bradley fighting vehicles; \$50 million and pledge for full funding for a Stryker Brigade for the National

Guard, \$70 million for Black Hawk helicopters, and \$17 million to stand up 12 additional weapons of mass destruction civil support teams. This money will be well invested, and I know the men in women in our National Guard and Reserve will put this equipment to good use.

I also wish to thank Senator STEVENS and Senator INOUE for their continued support of the National D-Day Museum in New Orleans, LA. Last year, we were saddened by the death of one of America's greatest historians, Dr. Stephen Ambrose. His works have chronicled, for perpetuity, the lives of Lewis and Clark, Dwight Eisenhower, and the millions of brave Americans who took up a call to arms in World War II in order to protect the United States and liberate the world.

In 1991, Dr. Ambrose embarked on a mission to create a museum to honor America's war heroes. He wanted to place the Museum in New Orleans because Andrew Jackson Higgins was a New Orleanian. Most people in the U.S. do not know who Andrew Jackson Higgins is, but we owe a great debt to Mr. Higgins. He created the landing crafts, or Higgins boats, used to carry U.S. G.I.s to the shores of northern France for the D-day invasion of 1944. In Dr. Ambrose's interviews with President Eisenhower, President Eisenhower stated that Andrew Jackson Higgins' boats were the reason America won World War II.

In June of 2000, on the 56th anniversary of D-day, the National D-Day Museum opened its doors and fulfilled the realization of Dr. Ambrose's dream. The museum has been a run-away success. When you walk through its exhibits, you cannot keep from being immersed in the history. To see a veteran explaining to his grand-children what life was like in World War II is truly remarkable.

Just last week, on July 7, the 1 millionth visitor walked through the doors of the D-Day Museum. It is an extraordinary accomplishment for a museum to welcome 1 million visitors in 37 months. Visitors to the Museum are saying they traveled to New Orleans just to tour the National D-Day Museum. Usually, people say they visit New Orleans for the food or the music. It is a true testament to the D-Day Museum that people are now thinking of the D-Day Museum before they think of creole food and jazz as reasons to vacation in New Orleans. Again, we might not be celebrating the millionth visitor if it were not for the commitments of Senator STEVENS and Senator INOUE to help Dr. Ambrose make his dream a reality. The people of Louisiana and all one million visitors are grateful.

In closing, I look forward to approving the Defense appropriations bill and hope we can move to conference quickly so that we can best provide for our troops. I would be remiss if I did not commend the Defense Appropriations Subcommittee staff members their

diligence, too. Senators STEVENS and INOUE navigated difficult waters and came up with a good bill, and for that I am appreciative.

Mr. HARKIN. Mr. President, I am very pleased we were able to maintain continued strong funding for the Army Peer-Reviewed Breast Cancer Research Program, BCRP, and for a number of other medical research programs in this bill. The BCRP has made a real difference in supporting innovative, effective research to help the many women and men who get breast cancer in this country. Because of its success, other medical research programs have been added, and there is always interest in adding more. The chairman has expressed concern about the potential effect of these new requests on the Defense budget, and the committee report includes language requesting the Department to look at possible additional sources of funding. I look forward to working with the Department, the Institute of Medicine, and others to ensure that this review strengthens the medical research programs and does not undermine or bias them, and I look forward to working with the chairman to ensure continued strong funding for these important programs.

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business.

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

VOTE EXPLANATION

Mr. MURRAY. Mr. President, on Friday, July 11, 2003, I was unavoidably absent from the Senate and missed three rollcall votes. Had I been present, I would have voted "yes" on rollcall vote Nos. 272, 273 and 274. I particularly want the record to indicate my support for the Legislative Branch and Military Construction appropriations measures.

PROTECTING THE NATION'S PASSENGER AVIATION SYSTEM

Mr. KENNEDY. Mr. President, last week I joined Massport CEO Craig Coy, Logan Airport's Federal Security Director George Naccara, and Congressman Stephen F. Lynch to mark a significant milestone in our efforts to better protect the Nation's passenger aviation system. The occasion was the announcement that the Transportation Security Administration and Massport had reached an agreement concerning Federal reimbursements for Massport's installation of a comprehensive explosive detection baggage screening system.

That the announcement was made at Logan Airport was fitting because since 9/11 Massport has been a leader among airport operators in strengthening aviation security. In fact, Logan

was the only major airport in the country to have met the deadline mandated by Congress in the Aviation and Transportation Security Act by having its permanent baggage screening system up and running by December 31, 2002.

In order to accomplish this feat, Massport had to invest nearly \$146 million of its own money before it was clear that the Federal Government would reimburse any of these costs. Additionally, meeting this deadline required the around-the-clock efforts of over 700 laborers who completed 2 years of construction in less than 6 months. Finally, this effort required Massport to work in close collaboration with the Transportation Security Administration, an agency headed by dedicated and talented professionals, but also one that, having just been created, was still working to define its mission and scope in the 9/11 environment.

While there are still many security enhancements to be completed at Logan—as there are at every major airport in the country—solid and consistent progress is being made under Massport's new CEO, Craig Coy, and his management team. Just as they have done with regard to the new baggage screening system, Massport's leadership, security officials, and professional staff continue to work to define complex security challenges and to meet those challenges. And I believe they are setting a very strong example for those public agencies across the country charged with the complicated and costly responsibilities of protecting key pieces of our Nation's transportation, energy transmission, and public health infrastructure.

The manner in which Massport is approaching these new challenges is outlined succinctly in an April 1 Boston Business Journal editorial by John A. Quelch, a Harvard Business School professor and the current chairman of the board of the Massachusetts Port Authority. The performance model Quelch describes is, I think, instructive for other public agencies—and some corporate boards—that are struggling to adopt a governance structure that encourages performance and works to eliminate obstacles to achievement.

I ask unanimous consent to print the text of Chairman Quelch's article in the RECORD.

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

[From the Boston Business Journal, Apr. 1, 2003]

BETTER GOVERNANCE IN PUBLIC AGENCIES? (By John A. Quelch)

Corporate executives say they're concerned that new and improved governance requirements will prove onerous and irrelevant, dissuade talented people from serving as non-executive directors, and eat up valuable board time that could be spent better on discussing the health of the business.

To ease their minds, these executives need look no further than well-run public agencies, where tough governance practices enhance professionalism and can be a source of competitive advantage.

Take, for instance, the Massachusetts Port Authority. With \$350 million in annual revenues, Massport runs Logan Airport and the Port of Boston. Massport is governed by a politically balanced board of six members plus a chairman, appointed for staggered seven-year terms of the Massachusetts Governor. Following the tragedy of 9/11, an independent commission called for reduced political patronage in Massport appointments. A professional CEO with corporate experience was appointed following a nationwide search. A new, politically independent, chairman was also appointed.

Massport has since become a model of public agency governance. Consider these practices from which many corporations could learn a thing or two:

Frequent Oversight. The Board meets ten times a year, typically for four hours. Meeting agendas follow a systematic pattern, varying with the annual planning and budgeting cycle. Five committees, each chaired by a board member and with its own charter, meet at least twice a year and report back to the Board. These committees cover audit, human resources and compensation, security, community affairs, and facilities and real estate.

Zero Compensation. Board members are not compensated. Yet, despite the workload, attendance is consistent and commitment is high. Members are attracted by a shared interest in transportation and economic development challenges, and by the opportunity to apply their professional expertise in the public interest.

Voting Transparency. The state public meeting law requires all Massport board and board committee meetings open to the public. Discussions of security issues, litigation and real estate and collective bargaining negotiations can be held in executive session if agreed to by a public roll call vote of board members. Any member can request a roll call vote if (s)he wishes to put each board member on the record.

Patronage Control. A sunshine policy adopted by Massport requires that requests for patronage appointments be reported to legal counsel. All job openings have to be posted internally and externally and requests for charitable contributions are all channeled through an employee committee which disburses an annual budget and reports to the board.

Conflicts of Interest. Each board member maintains a Register of Interests, recording his or her outside employment, directorships in public companies and any governmental appointments. State law requires disclosure and/or recusal where conflicts arise.

Audit Independence. Massport's auditors provide no other consulting services to the agency and the audit partner must be rotated every five years. An internal audit function reports directly to and is evaluated by the board.

Shared Leadership. The roles of the chairman and chief executive are, by board resolution, separated, as is common practice in European companies but not the USA. The CEO is selected and evaluated by the board. All decision-making authority of the CEO is delegated from the board. Senior management appointments, as well as substantial financial commitments, require board approvals.

Improved governance is essential to enhancing Massport's newfound political independence and managerial professionalism. These efforts are enhancing the pride and commitment of the pro bono bond members, and commanding the respect of bond rating agencies and other stakeholders.

Though public agencies are not required to do so, Massport is now in compliance with almost all relevant New York Stock Exchange corporate governance recommendations. In addition, Massport's CEO and CFO