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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. SIMMONS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

Washington, DC, October 17, 2003.

I hereby appoint the Honorable ROB SIMMONS to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Most Reverend Thomas Wenski, Coadjutor Bishop of Orlando, Florida, offered the following prayer:

O God, all powerful Creator and loving father of all mankind, Maker of nature and nature's law:

You are the source of the inalienable rights which our union was formed to protect and to promote.

We ask You to look lovingly upon this Congress as its Members convene this morning to seek to provide for the common good of our people.

You know what is in the human heart and You justly judge the rectitude of our intentions.

May these representatives in their deliberations today be guided by Your wisdom.

And, may they rely on the protection of Your Divine Providence which You in Your goodness have extended over our Nation from its beginnings.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 618. An act to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326–A–1, 326–A–3, 326–K, and for other purposes.

WELCOMING THE MOST REVEREND THOMAS WENSKI

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, it is my pleasure and high honor to have Bishop Wenski visiting with us today. The Bishop was born in West Palm Beach, Florida, and grew up in Lake Worth, my hometown, where he attended Catholic school at his home parish, Sacred Heart.

Bishop Wenski has provided for the pastoral and spiritual needs of the Haitian communities of south Florida. Through the 1980s, he conducted a circuit-riding ministry that led him to help establish Haitian-Catholic communities from Homestead in the south to Fort Pierce to the north, Immokalee to the west and Fort Lauderdale to the east.

In late 1996, he spearheaded a relief operation that delivered over 150,000 pounds of food to Caritas Cuba, the social service arm of the Catholic Church in Cuba, for distribution to people left homeless by Hurricane Lilly. This was the first time that Cubans in Miami participated in a humanitarian relief effort directed to their native land of Cuba.

In 2001, Governor Jeb Bush appointed him to the Florida Council on Homelessness.

Bishop Wenski speaks Haitian, Creole and Spanish fluently and preaches and celebrates mass regularly in both languages. He also has knowledge of Polish, the language of his immigrant father and Polish-American mother, as is my family of Polish-American descent.

Pope John Paul II appointed Bishop Wenski as coadjutor bishop of the Dioceses of Orlando on July 1, and I know the gentleman from Florida (Mr. KELLER) and the gentleman from Florida (Mr. MICA) and the gentleman from Florida (Mr. FEENEY), among others, join me in welcoming their new bishop of Orlando. He is the only native Floridian serving as bishop in our great State of Florida, and Bishop Wenski's motto is: All things to all men, Corinthians 9:22.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five 1-minute speeches per side.

AMERICA CONTINUES TO FIGHT WAR ON TERROR

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday was a significant day in the War on Terror with countries all over the world joining in to

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help the United States bring civil order to Iraq. The morning began with Japan announcing $5 billion in aid for Iraq redevelopment. The Washington Post reported Ambassador Howard Baker, Jr., thanked our Japanese allies for being ''generous.'' This was followed by the unanimous vote of the Security Council to approve a new resolution backed by America. The New York Times today editorialized ''President Bush won a big victory yesterday at the United Nations.''

Later, there was an historic meeting here at the Capitol of Speaker Ognyan Gerdjiko of Bulgaria with the gentleman from Illinois (Mr. HASTERT), the first meeting ever of speakers from Bulgaria and America. Speaker Gerdjiko pledged partnership in the War on Terror, substantiated by providing 500 Bulgarian troops currently in Iraq.

With the supplemental vote today, America is proving its determination to win the war on terror by making all efforts to complete our commitment for victory to protect the American people.

In conclusion, God bless our troops.

BUREAUCRATIC INCOMPETENCE, INDIFFERENCE AND INTRANSIGENCE AT PENTAGON

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, today the House will vote to borrow $87 billion to continue the conflict in Iraq and build and revitalize the Iraqi economy. They say it is necessary to support the troops. It is not for dearth of funds that our troops lack ceramic body armor or armored Humvees and other essentials. There are ample, unspent funds, billions from the $79 billion we borrowed for this war last April, but it is bureaucratic incompetence, indifference and intransigence at the Pentagon. Secretary Rumsfeld and his advisors did not order armor because they did not think that we would need it, and they could never admit they were wrong. It did not fit their scenario.

They say it is necessary for the security of the American people that we are going to borrow $20 billion in the name of working Americans to invest and stimulate the Iraqi economy, to build their infrastructure, roads, bridges, highways, state of the art telecommunications, sewer and electric.

Well, it is not going to boost our economy here at home, and that is the security that my constituents and most Members' constituents are worried about. If we invest in the economy as the Democrats have advised, it would provide 1 million jobs for Americans.

WHY ARE WE BEING SO GENEROUS?

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, there has been a lot of discussion about our reconstruction efforts in Iraq, and why are we doing it, why are we not lending them the money at some exorbitant interest rate? Why are we being so generous? Well, there are five real reasons.

Number one, Iraq is saddled with a $200 billion debt already. If we give them a loan, what is going to happen is similar to what happened between France and Germany after World War I with the reparations: It will not help Iraq become independent and free and strong.

Number two, practicality. There is no ruling authority in Iraq at this point to make a loan to, and it will take a lot more time if we go that route.

Number three, we need to lead by example. As the gentleman from South Carolina (Mr. WILSON) just said, because of the U.S. efforts, we already have other donor nations stepping forward.

Number four, perception. There is already an anti-American, anti-Western mood amongst Arab countries in the Middle East, and by doing this, we will become free of that suspicion.

Number five, it is in our national interest to have a stable, secure, democratic country emerging in the Middle East.

Mr. Speaker, this is why we are doing what we are doing. It is an important vote, and it is the right vote.

NATIONAL GUARD GETS HAND-ME-DOWN EQUIPMENT

(Mr. GEORGE MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, under current practices today, the National Guard gets hand-me-down equipment from the regular Army. In many instances, it is never really anticipated those Guard units will go into combat. Now, because of manpower shortages, we are reaching so deeply into the Guard that we are having the Guard show up in Baghdad with old-generation Humvees without the proper equipment.

We will have an amendment later today to transfer $300 million out of the weapons of mass destruction search by David Kay that has turned up a vial of botulism that we are now told by the experts has never been turned into a weapon, and it was sold by an American company back in the 1980s and given to the National Guard so that when they rotate into Baghdad and into other parts of Iraq, they will have modern equipment.

We cannot sacrifice the lives of these young people because we failed to provide them the equipment or we gave them old equipment 7, 8, 10 years ago and they have to take that equipment into battle. This is absolutely crucial in terms of the safety and protection of our fighting men and women who are in the Guard who now find themselves stationed in combat zones in excess of a year.

RUSHED DEBATE ON SUPPLEMENTAL APPROPRIATION INAPPROPRIATE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, this morning we discovered that one more MP lost his life in the midst of Operation Iraqi Freedom. I heard yesterday the majority leader say ''our war.'' This war was rendered by a resolution of this House, but not by a Constitutional vote under the Constitution that required this Congress to declare war. This war was rendered on the premise of weapons of mass destruction and the fact that the United States of America was under imminent attack. We found both of those to be fallacies and untrue.

Mr. Speaker, today we are asked to abrogate our responsibilities as Members of Congress and do a circumscribed debate on issues important to the future of this Nation. I spent time with those young women and men on R&R from Iraq. Their courage has not been diminished, but their morale has been obliterated. Eleven of them have committed suicide. They recognize they do not have the proper equipment that they need; and I respect the appropriators for doing the best they can, but this rush to judgment in this debate on this particular appropriation is not appropriate. If we are to stand with the troops, we should be debating this through the weekend, and we should talk about the quality of life and provide them the resources necessary. This is a travesty and a farce because we are not doing what we are supposed to do, in supporting in the fullest way our U.S. troops by a thoughtful deliberative process of debate.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

The SPEAKER pro tempore. Pursuant to House Resolution 396 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3289.

□ 0913

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the

further consideration of the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, October 16, 2003, the bill had been read through page 2, line 2, and amendments considered under a previous order of the House had been disposed of.

Pursuant to the order of the House of that day, before consideration of any other amendment, except pro forma amendments by the chairman or ranking minority of the Committee on Appropriations or their designees for the purpose of debate, it shall be in order to consider the following amendments: An amendment by the gentleman from Wisconsin (Mr. KIND) or the gentleman from Maryland (Mr. CARDIN); an amendment by the gentlewoman from California (Ms. MILLENDER-MCDONALD); an amendment by the gentleman from Pennsylvania (Mr. HOEFFEL); an amendment by the gentlewoman from Texas (Ms. JACKSON-LEE); an amendment by the gentleman from Minnesota (Mr. RAMSTAD) or the gentleman from Kansas (Mr. MOORE); an amendment by the gentlewoman from California (Mrs. TAUSCHER); an amendment by the gentleman from Michigan (Mr. STUPAK); an amendment by the gentleman from Texas (Mr. REYES); an amendment by the gentleman from Oregon (Mr. DEFAZIO); an amendment by the gentleman from New York (Mr. WEINER); an amendment by the gentleman from Florida (Mr. DEUTSCH); an amendment by the gentlewoman from New York (Ms. VELÁZQUEZ); and an amendment by the gentleman from California (Mr. SHERMAN).

Each such amendment may be offered only by a Member designated or a designee, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT OFFERED BY MR. KIND

Mr. KIND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KIND:

Page 48, after line 21, insert the following:

SEC. 2213. The dollar amounts otherwise provided in this chapter under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND'', are each reduced by 50 percent.

The CHAIRMAN. Pursuant to the order of the House of Thursday, October 16, 2003, the gentleman from Wisconsin (Mr. KIND) and the gentleman from Arizona (Mr. KOLBE) each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, last week I had the opportunity to travel to Iraq visiting our troops in the field, and they are doing an incredible job under difficult and dangerous circumstances. Clearly, our Nation is paying a very high price in both lives and money due to the unilateral action that was taken in Iraq. Their high level of sacrifice, quite frankly, has not been met by the high level of planning that is required for this mission. I believe we have been derelict in our duty in Congress in demanding more accountability and more justification in regards to the expenditure and the use of the funds that are before us today and have been appropriated earlier this year.

That is why the gentleman from Maryland (Mr. CARDIN) and I are offering this amendment which could be titled The Enhanced Accountability and Detailed Accounting Amendment, which would slash the reconstruction funds by one-half, not because we do not believe in the mission, but because we believe the administration should come before Congress to justify in a detailed fashion what current funds are being used for and what future funds are being requested and for what purpose.

The World Bank and IMF released a report last week that indicated that for the next year in Iraq, we cannot spend, more than $5 billion without running into difficulty, and yet we have a $20 billion reconstruction request before us today.

As a member of the Committee on the Budget, it has been very frustrating trying to get detailed listings of the amount of money being spent and for what purpose. Mr. Zakheim, Comptroller for Defense, indicated yesterday before us that it was the administration's intent to keep coming to Congress for future supplemental requests which do not have to be offset, which will result in more deficit financing, instead of budgeting it in the normal budget process.

We think it should be budgeted with future requests. I also believe by slashing funds by one-half, we would encourage greater savings and cost efficiencies.

I met with Kuwaiti officials last week who indicated that they did not understand what the administration was doing in Iraq. They were sitting on multiple 3,000 megawatt generators not being used and not being requested by the United States for use in Iraq. They are also sitting on multiple desalinization machines that could be used in Iraq to help with clean water difficulties; but again, they were not being asked to contribute.

General Petraeus of the 101st Airborne, when he discovered from U.S. engineers that it was going to cost somewhere between $15–$20 million to restore a cement factory in northern Iraq went out and talked to local Iraqi officials and was able to get the job done for $80,000.

I believe this Congress has an obligation to the American taxpayer, an obligation to our children and to our grandchildren to ask questions and to demand accountability in regards to the use of these reconstruction funds, and I would encourage support for my amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from Maryland (Mr. CARDIN), one of the most fiscally responsible Members of this Congress.

Mr. CARDIN. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. KIND) for offering this amendment. The gentleman has brought forward an important amendment that I hope we will consider and pass.

Regardless of how one may feel in support of the supplemental appropriation, I hope we all agree that reconstruction aid requires a higher level of scrutiny. That is exactly what this amendment does. It provides 50 percent of the money now. That is consistent with the analysis of the World Bank, the United Nations, and the International Monetary Fund as to how much funds can effectively be used by Iraq in the next year. It is consistent with our initiative to get our allies to pay a larger share of the reconstruction act.

The vote in the United Nations Security Council yesterday was encouraging. If Members believe our allies should be paying more of these reconstruction funds, Members should support the Kind amendment.

It is also consistent with our desire to have the Iraqis repay some of this money. We know that the other body has already taken action in that regard. If Members believe that we should be considering whether the Iraqis have the resources to repay some of these funds later, then Members should support the Kind amendment.

It is consistent with our responsibility for oversight. It is our responsibility to make sure these monies are properly spent, to monitor the use and get more accounting. If Members believe we should exercise that responsibility, they should support the Kind amendment.

It also allows us to get a plan from the administration to transfer authority to the Iraqis and bring our troops home. We should have that information. This amendment is consistent with that request.

Then if more funds are needed, this body can take it up with the condition, and in the form, that is consistent with the goals that we are trying to achieve. At that time, the Congress can take up additional resources and act on that request. I urge my colleagues to support this amendment. It is the right thing for us to do in order to successfully complete our mission in Iraq.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to the amendment, and would like to point out that this is a little different amendment than we originally thought we would be looking at today.

This issue was debated twice yesterday on this floor, once with the Obey

amendment which would have cut the amount by half and put some in loans, the other time during debate on the amendment offered by the gentleman from Indiana (Mr. PENCE) which would have done the same thing. We have had a lot of discussion about the idea of how much we should have and whether we should reduce it, and whether some should be in the form of a loan or not. I believe that issue has been dispensed with.

I have just heard a couple of arguments from the other side that this amendment will require more scrutiny. Where in the words here does it require any more scrutiny? It just says it will cut it by 50 percent. It says that we think that the Committee on Appropriations' work is insufficient, we are just going to cut it in half.

Where does it say that it is going to require some repayment by the Iraqis? There is nothing in here about repayment or loans. It just says we are going to take the aid and the assistance we are going to provide to the Iraqis, and we are going to slice it exactly in half because we think that they do not really need that money for reconstruction.

Mr. Chairman, what we have heard over the last several days, and I know I am sounding like a broken record by repeating this, as General Abizaid, Ambassador Bremer, and many others have told us over and over again, every dollar for reconstruction is just as important as every dollar we provide to our men and women in uniform in Iraq. It is just as important.

If we are going to get our men and women home from Iraq, we have to turn the security of the country over to the Iraqis, and that means we have to train the Iraqis. We have to train the police force and the national army. If we are going to get our men and women home, we have to restore the Iraq economy and put Iraq back on its feet. Cutting the assistance to Iraq in half is not the way to accomplish that. If we want to be sure that our men and women in uniform stay in Iraq a lot longer, this is the amendment Members want to vote for.

I have great respect for the gentlemen who have offered this amendment, they are very thoughtful people, but I must say this amendment is absolutely the wrong direction. It does not accomplish what they want. It does not accomplish the kind of scrutiny they want, which is what we will find in the general provisions of the bill. We have a lot of oversight. We have more reporting, we have more oversight requirements, we have requirements that if there are changes in the amount of the funds, if it is moved from one to the other, there has to be notification to the Congress. We are doing that oversight. That is the responsibility of Congress. But cutting the amount of assistance to Iraq in half is not the way to proceed. I urge my colleagues to reject this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. KIND).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KIND. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. KIND) will be postponed.

AMENDMENT OFFERED BY MR. STUPAK

Mr. STUPAK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STUPAK:

In the paragraph in chapter 1 of title I under the heading ''Military Personnel, Army'', insert after the dollar amount the following: ''(increased by $188,420,000)''.

In the paragraph in chapter 1 of title I under the heading ''Military Personnel, Navy'', insert after the dollar amount the following: ''(increased by $12,616,000)''.

In the paragraph in chapter 1 of title I under the heading ''Military Personnel, Marine Corps'', insert after the dollar amount the following: ''(increased by $11,643,000)''.

In the paragraph in chapter 1 of title I under the heading ''Military Personnel, Air Force'', insert after the dollar amount the following: ''(increased by $52,322,000)''.

In the paragraph in chapter 2 of title II under the heading ''Iraq Relief and Reconstruction Fund'', insert after the aggregate dollar amount the following: ''(reduced by $1,007,000,000)''.

Mr. STUPAK (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of Thursday, October 17, 2003, the gentleman from Michigan (Mr. STUPAK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Chairman, I yield myself such time as I may consume.

I ask that my amendment to provide a $1,500 bonus to the men and women who have served in Iraq be joined by the gentleman from Pennsylvania (Mr. DOYLE), the gentleman from Washington (Mr. INSLEE), the gentleman from Texas (Mr. LAMPSON), the gentleman from California (Mr. CARDOZA), and the gentlewoman from Minnesota (Ms. MCCOLLUM), and all those who have cosponsored my base bill, H.R. 3051. They have all asked to join with me in providing this bonus to the men and women who have served in Iraq and Afghanistan during fiscal year 2004.

This amendment provides a $265 million increase in the base pay for all of our military services' troops. This is the amount that is needed to provide a $1,500 bonus to each person serving, including our National Guard and Reserve units serving in Iraq or Afghanistan.

This $1,500 bonus is paid for by cutting the appropriate sum from the bill, from the amount set aside to import petroleum products into Iraq. In this $87 billion supplemental appropriation for Iraq, we surely can afford to boost the pay of the service men and women by $1,500.

What this amounts to when we look at the total bill, for every $328.30, we are giving our troops $1. Certainly, we can afford $1 for every $328 we spend in Iraq and Afghanistan. Our troops are really carrying the true burden of our commitment to Iraq and Afghanistan, and at least we can give them $1 compared to $328 which we are pouring into Iraq and Afghanistan.

Our soldiers have lived basically in nearly primitive conditions. We had an amendment yesterday on the floor, the Obey amendment, which would increase the quality of life for our Armed Services while there, and when they come home. Unfortunately, that amendment was defeated. This is an opportunity to show our troops that this Congress is united behind them in the service they are providing.

These deployments that we are now undertaking of our troops, our Guard and our Reserve units, is the longest deployment we have had of military personnel since Vietnam. They have now been deployed for up to a year in Afghanistan and Iraq. Recently, the Pentagon provided a 2-week leave for our troops after they serve 12 months. We know some 700 soldiers a day come back to the United States. They are only paid to fly into BWI, Baltimore-Washington International Airport, and then they are stuck. If their family is in Michigan, Iowa, Tennessee, they have no way of getting home. They do not even get a government rate to finish the trip home. The military does not provide a ticket for them to see their families.

And how about our National Guard and Reserve units over in Iraq and Afghanistan, first they were only going to be called up for a few months, then 6 months, and now it is a year. While our National Guard and Reserve units are proud to serve, and are willing to leave their civilian jobs to serve, how do they support their families back home, when they leave their civilian jobs?

In my district, National Guard Unit 1437 from Slt. St. Marie, Michigan, just came back. They told me about the financial hardship it is to make ends meet at home while they are over in Iraq.

□ 0930

Right now the U.S. Army Reserve Unit 652, a bridge-building unit, is in Iraq. It is from the Harvey and Marquette, Michigan area. What about their financial burdens? What about the financial burdens we place on the families? Well, this $1,500 bonus is not going to solve all of these financial burdens for these people, and I do not believe that asking for $1 out of every $328 we are going to pour into Iraq and Afghanistan, to give our troops $1 is asking too much.

Again, to pay for this, in the amendment we propose to cut the oil import into Iraq. Iraq possesses the second largest oil reserves in the world. I did not know why we even have to import into Iraq, but I think we should at least be able to cut that and provide this bonus to these people.

I know some may argue that Iraq may not have enough diesel fuel or kerosene to see them through the winter. Therefore, we somehow ask the American taxpayers to make sure that they will have the diesel and kerosene to get through this winter to heat their homes. But what about our own energy needs here in this country? What about this winter? Heating oil, natural gas, and propane is expected to go sky high, and we will be in short supply here at home. Americans will be scraping and sacrificing to get through the winter. The Iraqis should at least share in this sacrifice when it comes to their oil needs.

Mr. Chairman, it still does not make much sense to me to have oil imported into Iraq which, again, possesses the second largest oil reserves in the world.

Mr. YOUNG of Florida. Mr. Chairman, I claim the time in opposition to the amendment, and I yield myself such time as I may consume.

Mr. Chairman, on the first amendment offered today, the amendment offered actually was different than the one that we had agreed to last night in the unanimous consent request, and that is okay; we have no problem with that. But I would just ask my colleagues that in the event that any amendment that they would offer, if it is different than the one that we agreed to last night, please let us know that when they actually offer the amendment, so that we are prepared to deal with the proper amendment.

Mr. Chairman, I ask unanimous consent that the balance of the time be controlled by the gentleman from California (Chairman LEWIS) of the Subcommittee on Defense.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume. Good morning, Mr. Chairman, and welcome back. The Chairman carried forward a very full day yesterday, and we appreciate his help.

This amendment, and amendments like it that we have seen much of the day yesterday, is a very appealing sort of amendment, for it essentially says we have money in this package, and why do we not take some of it and add additional funding for our troops one way or another. Obviously, that has appeal.

The gentleman from Michigan (Mr. STUPAK) is a very fine Member from Michigan and he has expressed his concern about the troops before. Yesterday I heard people who had never expressed concern for our troops and, in fact, had not even voted for our bill in the past who were suddenly very, very concerned, and that is a little disconcerting. The gentleman from Pennsylvania (Mr. MURTHA) and I, my colleague and partner, have made every effort in this package and packages before it to aggressively increase funding available for our troops, especially those who are serving our country overseas and those who are in harm's way.

This specific proposal adds $265 million to the military personnel accounts. It suggests that it is enough to pay for a $1,500 bonus for each serviceman who is in the region. The offset is to reduce $1 billion for the reconstruction effort in Iraq.

I must say, one of the strongest arguments regarding this, besides the fact that we have done everything we can to help our troops in the previous bills and in this one, is the reality that the experts, the generals in charge of our military effort over there, say that their number one priority is reconstruction, because it is the way to, first of all, secure our troops while they are there and, secondly, the way to make certain they get home as quickly as possible is to see the economy of Iraq move forward, get it back on track, and that is part of what this bill is about.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I know that there is no one in this Chamber who has more concern about the Reserve and Guard than the gentleman from Michigan (Mr. STUPAK). He has units that have been deployed, as all of us have. I am getting questions and concerns from the families in my district, and all over the country they are writing to me. I had a 67-year-old say that he was retired for 10 years and they were trying to call him back.

But I do not think, as hard as we work for pay, I do not think an amendment like this helps us. I think we really have a problem. I know we all want to help the troops, but we struggle all the time trying to make sure we balance out the money they make. I just do not think this is the right way to do it. I think what we have to do is certainly take a look at it, working with the services themselves.

Mr. Chairman, 65 percent of our money right now goes to personnel. We put a big health care package in. Our subcommittee works helping the troops; that is what we concentrate on. I think it is just something we cannot accept. I would ask the Members to vote against this amendment, no matter how all of us would like to see the troops get more money.

Mr. LEWIS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman from Pennsylvania for his comments.

Mr. Chairman, here we go again. The last amendment cut 50 percent of the reconstruction dollars; this only cuts 1 billion of the dollars out of reconstruction. But I am still left with the question, what is it that members do not understand regarding the importance of reconstruction assistance? We have been told over and over again by our commanders, by everybody that is out there, that the dollars we are spending on reconstruction is part of national security. It is just as important as what we do for our Guard and Reserves. It is just as important as what we do in terms of providing ammunition and vehicles and all the armor and the other items that are needed by our troops that are over there.

The reconstruction is a vital part of this program; and if we short that, all we are doing is saying to the men and women in uniform who are there in Iraq that we are going to leave you there better off, with maybe more creature comforts, maybe with more vehicles, but we are going to leave you in this bleak, hostile landscape.

Where is this billion coming from? Is it coming from what we are going to do to try to create a new constitution? Is it coming from the governing council? Is it coming from the kerosene funding? Is it coming from the clean water for the children over there? Where is it coming from?

Mr. Chairman, to take this money out of the reconstruction is the wrong approach. We should not be doing that. I hope my colleagues will reject this amendment.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Michigan (Mr. STUPAK).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. STUPAK. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan (Mr. STUPAK) will be postponed.

AMENDMENT OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DEFAZIO:

At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available in this Act may be used for the participation of Iraq in the Organization of Petroleum Exporting Countries (OPEC).

Mr. DEFAZIO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of Thursday, October 16, 2003, the gentleman from Oregon

(Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

This amendment will not, as has previously been criticized, deduct from the funds that will be used to build Iraq or, I should say, the money we will borrow to build Iraq. It is a simple amendment. It says, none of the funds made available in this act, U.S. taxpayer dollars, may be used for the participation of Iraq in the Organization of Petroleum Exporting Countries.

Now, why would we want to restrict that?

Well, the Organization of Petroleum Exporting Countries is a cartel. It is an energy cartel. They flout international law, the World Trade Organization, and other agreements by artificially constraining production in violation of the World Trade Organization's precepts to drive up the price, to profit themselves; and, of course, U.S. consumers are the losers.

Now, OPEC controls about 40 percent of the world's oil production, three-quarters of the reserves, and they set these production quotas for its 11 members.

We have heard a lot about how Iraq is going to become a free market economy. It is going to have a tremendous impact on world oil prices when its production hits the free market. If they join OPEC, they will be assigned a quota; and their quota will be controlled in the interests of OPEC, not international oil supply, not the consumers of the United States of America, but solely to benefit members of a price-fixing oil cartel.

This same cartel agreed to cut oil production, they just voted a couple of weeks ago, on November 1, by 900,000 barrels a day, which is already raising the price of gasoline at the pump here in the United States, jacking up the price of home heating oil as we go into a home heating season here in the United States. And the Iraqi representative who was sent to the last meeting at the behest of Mr. Bremer and the United States, in all probability with U.S. funds, Ibrahim Bahr al-Uloum said Iraq should play an active role in achieving the objectives of this organization, which translated, means Iraq fully intends to participate in the price-fixing, the manipulation, and the cartel.

I do not believe that U.S. taxpayer dollars should participate in this activity, which is contrary to the United States, the precepts we advocate in world trade, and our own consumers and taxpayers.

Now, why do we need the amendment? Well, Mr. Bremer has supported the membership of Iraq in OPEC, the price-fixing cartel. There are ample discretionary funds in the bill in addition to the $2.1 billion that will go to rebuild the Iraq oil infrastructure and flows through the Iraqi oil ministry which could be used to facilitate the participation in this price-fixing cartel. I just do not think that the United States taxpayers should be asked to foot this bill.

Hopefully, in fact, the U.S. will try and convince the Iraqi council and others that it would not be in their best interests to participate in a price-fixing cartel, particularly if they are going to depend upon us for so many billions of dollars to fix their oil infrastructure.

I know the gentleman from Arizona believes very much in the rule of law and is a big advocate of the World Trade Organization, their dispute mechanism, resolution mechanism; and I am certain he is very well aware that the quotas of OPEC violate the precepts of the WTO. They are not based in a shortage; they create shortages. The only way we can constrain supply under the WTO in this manner is if we have a certified shortage or conservation of resources. This is neither. This is price-fixing to gouge American consumers and others in oil-importing countries, and the United States taxpayers should have none of this.

Mr. Chairman, I yield back the balance of my time.

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition. I will not take 5 minutes. I yield myself such time as I may consume.

I agree with most everything the gentleman from Oregon has said. I certainly do not believe the taxpayers of the United States should be paying for Iraq when there is a newly constituted government there to be participating in the Organization of Petroleum Exporting Countries, known as OPEC. The fact is they most certainly, almost certainly, will continue to be a member of that organization; and, in fact, they have already attended meetings in kind of an observer status. But none of our funds should be used to do that, since they are generating a fair amount of oil funds now that are paying for much of their internal costs of government, although not enough to do the reconstruction, which is what we are having the discussions today about. That would be the funds that they would use to do that, but I quite agree that funds from the United States taxpayers should not be used for that.

Therefore, Mr. Chairman, I am prepared to accept this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-MCDONALD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. MILLENDER-MCDONALD:

In the paragraph in chapter 1 of title I under the heading ''Operation and Maintenance, Defense-Wide'', insert after the aggregate dollar amount preceding paragraph (1) the following: ''(reduced by $50,000,000) (increased by $50,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of October 16, 2003, the gentlewoman from California (Ms. MILLENDER-MCDONALD) and a Member opposed each will control 5 minutes on the amendment.

The Chair recognizes the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I yield myself such time as I may consume.

Today I am offering an amendment that directs $50 million from the Operation and Maintenance Defense-Wide account to the Family Advocacy program that is administered by the Defense Department. This amendment addresses the fundamental needs that will be facing our returning military personnel and their families when they return home from Operation Enduring Freedom and Operation Iraqi Freedom.

The Family Advocacy program provides support services to families that are transitioning from the frontline to the home front. This additional $50 million in funding will enable military families to get personal and marriage counseling which will work to reduce the incidence of domestic violence and suicide among our military personnel.

□ 0945

As we are all aware, Mr. Chairman, domestic violence occurs within all groups and levels of society. However, the military presents families with particular challenges not normally found in civilian society.

Mr. LEWIS of California. Mr. Chairman, will the gentlewoman yield?

Ms. MILLENDER-MCDONALD. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I appreciate very much the gentlewoman yielding, and she is in the midst of a very important statement, but I wanted to share with her, as well as my colleagues, that I believe she is highlighting a very important problem.

We do provide for $22 million within the bill, but frankly, the Department tells me that the challenges are very real, we may need more money, and rather than taking my 5 minutes, I am inclined to let the gentlewoman know that we are going to accept her amendment.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I thank the gentleman so much.

Mr. Chairman, I need not say anymore. I appreciate the other side accepting this.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD).

The amendment was agreed to.

Mr. KOLBE. Mr. Chairman, as the designee of the gentleman from Florida (Mr. YOUNG), I move to strike the last

word, and I yield to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Chairman, I was prepared to introduce an amendment. There will be a better time under the rules to do that, but I will just take a couple of minutes to explain what that amendment would have done, if that is okay with the gentleman from Arizona (Mr. KOLBE).

The amendment that we had been prepared to introduce, and which, actually, we will execute in another way as the chairman of the Committee on Small Business regards the reporting requires of H.R. 3289, and, essentially, what we are trying to do here is two things.

The first thing is to have the reporting requirement so that every 60 days the Federal Government will have to file a written report with the United States Congress stating the nature of these contracts that are being used for the reconstruction of Iraq, the country of origin of incorporation or entity getting the contract and the country of origin of the services or manufactured items. There is a very rich opportunity in this country to help restore the crumbling manufacturing base by taking the $21 billion in money to rebuild Iraq and to target that at United States' manufacturing companies which have lost nearly 3 million workers in the past 2½ years.

The present reporting requirements of H.R. 3289 are not adequate for Congress to perform the oversight functions. The present bill requires no reporting to Congress where a foreign company wins a contract to assist Iraq in a free and open competition. The bill, however, does require a report to Congress where a contract is awarded on the basis of restricted competition such as a small business set aside awarded to U.S. small business.

The issue here is accountability and, essentially, the issue is under Article I of the Constitution, section 9, where it says, No money shall be drawn from the Treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

We simply would have asked in the amendment, had it been ruled in order, for the United States Congress to follow the constitutional mandate of reporting. So we will find another time to do that.

Meanwhile, Mr. Chairman, what we have going on in this country is 93,000 manufacturing jobs have been lost in the past 60 days in America. The slide has continued for over 3 years at the rate of about 57- to 60,000 manufacturing jobs per month, and this Congress should step up to the bat and say if we are going to spend $21 billion in taxpayers' dollars, let us at least use it to help keep the jobs of the hard-hit manufacturing sector in this country.

I want to thank the gentleman from Florida (Chairman YOUNG) for the opportunity to speak, look forward to working with him. I will be writing to the people in charge of the conference to ask them to consider this extremely important amendment.

Another amendment that we would have introduced, had it been in order, would have been at least to request the people buying supplies in Iraq with American taxpayers' dollars to prefer American manufacturers and American suppliers of services. We need to find a way to help create jobs, to help stop the ebb of service sector jobs and manufacturing jobs in this country. We should be using this process to rebuild Iraq for that opportunity.

AMENDMENT OFFERED BY MR. REYES

Mr. REYES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REYES:

In chapter 1 of title I, in the item relating to ''INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT'', after the first dollar amount, insert the following: ''(reduced by $5,000,000) (increased by $5,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of Thursday, October 16, 2003, the gentleman from Texas (Mr. REYES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Chairman, I yield myself such time as I may consume.

This amendment is designed to address serious shortfalls in two critical areas to our national security, foreign language proficiency and diversity in their workforce.

Specifically, my amendment will cut $5 million from the general intelligence community management account and add $5 million for programs designed to increase language proficiency and workforce diversity in the intelligence community.

Success in the global war on terrorism and in Iraq demands that our Nation have the best intelligence collection and analysis possible. Officers with only a marginal understanding of the language and the culture of intelligence targets will only be marginally effective for this country.

The report of the joint inquiry into the events of 9/11 reflects my longstanding concerns about the lack of progress that has been made by the intelligence community in enhancing language proficiency and diversifying its workforce.

Specifically, it recommended that the intelligence community implement, expeditiously, measures to identify and recruit linguists outside the community whose abilities are relevant to the needs of counterterrorism.

The joint inquiry further recommended that the intelligence community should enhance recruitment of a more ethnically and culturally diverse workforce and devise a strategy to capitalize upon the unique cultural and linguistic capabilities of first-generation Americans.

To address these critical needs, my amendment will provide funds for training in critical foreign languages and language maintenance and award programs. It will also fund scholarship programs, recruitment efforts and other nontraditional programs that are designed to enhance the recruitment and the retention of a diverse workforce.

The intelligence community must have a diverse set of people that have the cultural awareness, the language familiarity and the skill sets that will allow our Nation to succeed against an increasing number of formidable foes around the globe. My amendment will provide funds for increasing diversity of the workforce and language proficiency, two vital and important national security imperatives.

I hope that I can get the support of all my colleagues on this very critical amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I rise very reluctantly to oppose this amendment.

The CHAIRMAN. The gentleman from California (Mr. LEWIS) is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

The gentleman from Texas (Mr. REYES) is pointing to an area that the committee is very concerned about, and indeed the intelligence community has been, as has our Permanent Select Committee on Intelligence here in the House.

The amendment seems to have no real overall effect on the intelligence community's management account. It decreases the account by $5 million and then increases that same account, but the point that I would make is that this shifting of money would tend to have a direct impact upon both the FBI and the Department of Energy, as well as the broader intelligence community, in their efforts to develop our effort on the intelligence side in the war on terrorism.

In turn, in recent years, there has been sizeable adjustment in those accounts that addressed the question of linguistics, the training of people who know foreign language, et cetera, and as my colleague knows, identifying such people, first of all, takes time and takes time to train them, and so we just cannot throw money at it and cause a change like that. I mean, unlike a lot of accounts where we just put money in and something happens tomorrow, linguistic development, that kind of training is very difficult. So it is much more a regular order kind of process.

I could describe this in great detail in private between us, but some of the intelligence questions here really should not be discussed in this environment, but in turn, it is an important problem. If I thought a $5 million shift would make a difference and not affect other elements of our war on terrorism, I would support the gentleman's amendment, but I reluctantly oppose it.

Mr. Chairman, I reserve the balance of my time.

Mr. REYES. Mr. Chairman, I yield myself such time as I may consume.

I have a high degree of respect for my colleague. I have been on the Permanent Select Committee on Intelligence finishing up my third year, and the bottom line is that we have not seen a strategic plan to, in fact, diversify the workforce or specifically address issues dealing with language.

My purpose in offering this amendment is to continue to highlight the critical nature and the imperative challenge that we face when we do not have this as a priority for our country. That is really why I left this at $5 million because I did not want to try to hurt any one program or this account in particular, but I specifically wanted to highlight the critical need and the lack of a strategic plan by our intelligence community to work in this particular area.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. REYES. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I am pleased to have this exchange with my colleague. We are really coming from the same position. These accounts are very delicately balanced now, as the gentleman knows, and the impact that this shifting might very well have on work that is vital within the FBI, et cetera, concerns me.

In turn, I think our dialogue here, I think, is highlighting the matter. There is no doubt that the committee is reflecting the Permanent Select Committee on Intelligence's concern about improving what we are doing relative to foreign language training and linguistics. There is little doubt that the Congress, the House of Representatives, has said very clearly in this bill in other sections, as well as this dialogue, that this is a priority. We expect the entire intelligence community to respond.

So, frankly, I want to be very complimentary of the gentleman's effort, but shifting the money here could make it very difficult to deal with the other body in a fashion that we hope to move forward with. So I am reserved relative to this amendment, but do very much appreciate my colleague's helping us highlight this important area.

Mr. REYES. Mr. Chairman, in deference to my colleague, I would close by saying I hope we can have a recorded vote, so that we can understand the importance of the issue. I hope the gentleman is in agreement.

Mr. Chairman, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

We certainly will but, frankly, I will end up opposing, asking for a ''no'' vote on that vote. I frankly do not like to see us end it that way, and we could very well end it that way, and maybe that does not help with the highlighting.

Mr. GIBBONS. Mr. Chairman, I rise in support of this amendment, and I commend my colleague on the Subcommittee on Human Intelligence, Analysis, and Counterintelligence for his work on this issue.

Today, our Nation is fortunate to have General Abizaid leading our troops in Central Command. General Abizaid is an expert on Middle Eastern affairs, and fluent in Arabic. He is the perfect man to have leading our troops in this region.

Unfortunately, people like General Abizaid are rare in the United States. Our Nation has neglected programs that build proficiency in those languages, and we are struggling to catch up. Last year, the GAO reported that the FBI had thousands of hours of audio tapes and pages of written material that have not been reviewed or translated due to the lack of qualified translators.

The GAO also noted that the State Department suffers from a language proficiency shortfall whereby Foreign Service officers are put in positions with lower-than-desired levels of proficiency. These shortfalls have not existed without cost. These shortfalls have weakened the fight against international terrorism and drug trafficking; and resulted in less effective representation of U.S. interests overseas.

The lack of trusted interpreters and human intelligence sources is slowing down the work to expose Saddam Hussein's weapons programs.

Most critically, the lack of skilled interpreters has slowed our efforts in the war on terrorism. This amendment will help alleviate these problems by focusing on the critical need to address the shortfall.

We cannot ignore this shortfall—the need for improved HUMINT is an emergency that I urge my colleagues to support with this amendment.

Mr. LEWIS of California. Mr. Chairman, I yield back the balance of my time.

Mr. REYES. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. REYES).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. REYES. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. REYES) will be postponed.

AMENDMENT OFFERED BY MR. RAMSTAD

Mr. RAMSTAD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RAMSTAD:

Page 3, line 13, insert after the dollar amount the following: ''(decreased by 98,000,000)''.

Page 7, line 7, insert after the dollar amount the following: ''(increased by 98,000,000)''.

□ 1000

The CHAIRMAN. Pursuant to the order of the House of Thursday, October 16, 2003, the gentleman from Minnesota (Mr. RAMSTAD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. RAMSTAD).

Mr. RAMSTAD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment to the supplemental appropriations bill to provide travel and transportation costs for our brave troops to return home during R&R breaks. I want to thank my friend, the gentleman from Kansas (Mr. MOORE), for his work on this important legislation. I would also like to thank the chairman and ranking member for their tireless work on the underlying legislation, which is so critical to our mission in Iraq.

Mr. Chairman, our military recently began employing its first Rest and Recuperation program during the Vietnam War. This means that soldiers who have served 12 straight months in Iraq qualify for R&R, and some 700 troops per day are currently returning to the United States to see their families. Unfortunately, once the troops reach our shores, they are too often stranded at the airport. That is because the airports to which they are flown are nowhere near their homes or families, and same-day airline fares are far too expensive for most of our troops to afford. Being stranded at the Baltimore Washington Airport will not provide much rest or relaxation to those who are making such great sacrifices to defend our freedom.

Anyone, Mr. Chairman, who has served in the military knows how important it is to get home, especially those serving in combat. The Ramstad-Moore amendment simply shifts $98 million in funds from the Iraq Freedom Fund to the Army's personnel account.

Mr. Chairman, an amendment stating Congress' intent to expand the R&R program to cover domestic travel costs was agreed to by unanimous consent during the other body's consideration of the Iraq supplemental. This amendment today would provide the funding necessary to pay for these costs and would put this body on record in support of this important initiative for our brave troops.

The Federal Government should clearly cover all travel and transportation costs necessary to return our brave troops to their homes, briefly reuniting wives and husbands, parents and children, friends and loved ones. Getting our brave troops home for rest and recuperation is the very least we can do to show our troops and their families that we appreciate their service and their great sacrifice, and I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I rise to claim the time in opposition, though it is my pleasure to say that I am highly inclined to support the Ramstad amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. RAMSTAD. Mr. Chairman, I yield myself such time as I may consume to thank the distinguished chairman for accepting this important amendment to show our troops that we truly do appreciate their important service to our country and their great sacrifice.

Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman has 2½ minutes remaining.

Mr. RAMSTAD. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Chairman, I want to thank my good friend, the gentleman from Minnesota (Mr. RAMSTAD), for his great work on this bill. This is a worthy bill that should be considered and adopted by this body, and I urge all of my colleagues to vote for the Ramstad-Moore amendment.

Mr. Chairman, back on October 1, I introduced House Resolution 387, a bipartisan resolution that now has 127 cosponsors, and basically it did exactly what the gentleman from Minnesota (Mr. RAMSTAD) has written into this amendment, and that is pay for the rest and recuperation travel, full travel cost, for all of our military personnel serving in Iraq and Afghanistan.

I heard a story on NPR about 3 weeks ago and was frankly stunned to hear that young people who had been serving in Afghanistan and Iraq were being brought home for R&R after serving their several months in Afghanistan or Iraq, and then being deposited in Baltimore or some other port city, and said, you are here, you have to pay for your own travel home and back.

I was stunned. In fact, I did not believe that was really true. I asked my staff to check, and found out in fact it was true, that they were required to pay their travel costs home and back. This is not the way we show honor and respect for the young people who serve our military and protect our country.

So I applaud again the gentleman from Minnesota (Mr. RAMSTAD) for his work on this, and I ask all of our colleagues to join with us in supporting this. Again, 127 have signed on a similar bill. There is broad bipartisan support in this body. And as the gentleman from Minnesota (Mr. RAMSTAD) said, the other body has already passed a similar amendment by voice vote.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume to say that I am prepared to accept the amendment and to yield back.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I simply would say that we certainly have no objection to this amendment on this side. We have had several other amendments, so it is about time it is accepted.

Ms. BORDALLO. Mr. Chairman, I rise to voice my support to the Ramstad-Moore amendment, which would allow troops on rest and recreation leave to return from Iraq to their home of record. This amendment benefits every member of the military serving in Operation Iraqi Freedom and Operation Enduring Freedom from across the United States, its territories and possessions. I am pleased that this amendment will enable servicemen and women from Guam to return home, even if only for a few days. This amendment will make a great improvement in the morale of our troops because they will be re-united with friends and family who are hoping and praying for their safe return. On behalf of the children that will be reunited with a parent and the couples that will see each other for the first time in months, I strongly urge my colleagues to adopt this amendment.

Mr. LEWIS of California. Mr. Chairman, I yield back the balance of my time.

Mr. RAMSTAD. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. RAMSTAD).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment Offered by Ms. JACKSON-LEE of Texas:

Page 30, line 1, after the dollar amount insert ''(reduced by $100,000,000)''.

Page 30, line 5, after the dollar amount insert ''(reduced by $300,000,000)''.

Page 30, line 10, after the dollar amount insert ''(increased by $300,000,000)''.

Page 33, lines 19 and 20, after each dollar amount insert ''(increased by $70,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of Thursday, October 16, 2003, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think it is important as we proceed with this debate for the framework to be established that this is the largest supplemental in the history of our country. If we were to follow the instructions of the Federalist Papers, where this body was the place of speech and discourse and debate, our Members would be engaged in this very serious debate for an extended period of time.

Our Founding Fathers established this place of democracy so that we could represent our constituents. In a town hall meeting just a few days ago, my constituents asked about issues such as accountability and issues as to how this money will impact both the peace and harmony of the world we have come to know and come to love. They were concerned about some very important issues: their children, the 19- and 20-year-olds that we have on the front lines.

Over this past weekend, I had the opportunity to meet with many of our troops that are experiencing an R&R from the Mideast. Mr. Chairman, I was aghast at some of the issues that they were concerned about. And I respect the appropriators, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY), and I know the gentleman from California (Mr. LEWIS) and the gentleman from Pennsylvania (Mr. MURTHA) have worked very hard, as has the gentleman from Arizona (Mr. KOLBE) and the gentlewoman from New York (Mrs. LOWEY); but it disturbs me not having the ability to offer important amendments. I hope I can work with both the authorizers and the appropriators so that we would have the opportunity to address the questions that I heard out of the mouths of these young men and women.

This young man, Mr. Chairman, is playing the song ''Amazing Grace.'' These young people are saying that it is important to understand what they are dealing with. Carpenters and electricians are being used as police officers without any training. Reservists and National Guard are not getting their pay on time. And they asked me the simple question of why they cannot rotate in a period of 7 to 8 months, as opposed to not knowing when they would leave. So I was going to offer an amendment that would ensure that if this is passed that no monies are expended until the Reservists and the National Guard monies are back on track and are being paid.

Secretary Wolfowitz said that we had enough money in Iraq so that we should not have had to have this supplemental of $20 billion; so the least we can do, if we are not using the Iraqi oil money, is to at least make sure our young troops are paid on time; that our young troops as well are able to come home in an orderly time. And I am going to engage the authorizers. I do not want their commentary to me, their plea for help to go on deaf ears. I hope there is someone on the other side of the aisle paying attention. Of course, Mr. Chairman, whenever a Democrat says anything, it is of no value. Most of our amendments have been voted down, and there is not a collegial and collaborative method of looking at this.

The amendment I intend to offer this morning is very simple. It responds to the concerns about Afghanistan, Iraq and human rights and the rights of women. And it simply asks that we move money out of the Iraqi oil, which is $2.1 billion. And, Mr. Chairman, if we want to put a new face on America and Iraq, if we want people to understand our values and the importance of protecting human rights, we want to move beyond the graves of bones and not have those who move into positions of power disrespect the diversity that is in Iraq, then we must invest in human rights.

If we are going to make sure that the Taliban stays out, then we must invest in the teachers of Afghanistan. Those

are the women. We must enhance human rights. We know recently that in the human rights area in Afghanistan, we have found that there have been 2,000 complaints. It is imperative that we have this money.

Mr. Chairman, we continue to shortchange Afghanistan's reconstruction and security, and at the peril of jeopardizing the rights of Afghan women and girls and hopes for a peaceful, democratic Afghanistan. The funding levels in H.R. 3289 neither adequately make up for the small amounts of reconstruction funding thus far nor do they meet the country's needs. In particular I am concerned about the rights of women and girls in Afghanistan. I am also concerned about human rights efforts in Iraq.

This amendment increases the funds for Afghanistan Relief and Reconstruction by $70 million in order to adequately support the human rights needs of Afghan women and girls. This amendment also addresses the human rights needs in Iraq by shifting $300 million within the funds for Iraq Reconstruction to the areas of human rights, education, refugees and democracy and governance.

My visit to Afghanistan in March 2002 demonstrated that we cannot abandon Afghanistan and must take necessary steps to help the women and children of that nation. In 1989 America turned its back on Afghanistan after Soviet withdrawal. The events of September 11th have proven that we cannot afford to turn a blind eye on a country that is still susceptible to deterioration, yet that is what we have done.

After the military intervention by a US-led coalition that led to the end of the Taliban regime in November 2001 Colin Powell, US Secretary of State, declared that, ''The recovery of Afghanistan must entail the restoration of the rights of Afghan women. Indeed, it will not be possible without them. The rights of the women of Afghanistan will not be negotiable.''

We must honor our promises to the women of Afghanistan, that is why a significant portion of the $70 million my amendment designates to Afghanistan relief and reconstruction must go directly to the Afghan Independent Human Rights Commission. The Independent Human Rights Commission was established by the Bonn Agreement and is chaired by the courageous Dr. Sima Samar, the first Minister of Women's Affairs who was then forced from that position by fundamentalist forces. While there have been improvements since the fall of the Taliban, human rights violations continue to be rampant and the human right situation in Afghanistan has actually deteriorated over the past few months due to the lack of security. Since the Human Rights Commission was established in June 2002, it has received over 2,000 complaints of human rights violations, over 900 of these complaints have been since June 2003.

Under Dr. Samar's leadership, the Commission has established regional offices which create public awareness about women's rights and human rights and monitors rights violations, led human rights education programs, provided leadership for the inclusion of women's rights in the Afghan constitution, has established human rights training programs for police, and has intervened directly in numerous cases of human rights violations. As an independent agency, the Human Rights Commission is able to act on behalf of those whose rights are most vulnerable. We must strengthen the Human Rights Commission as a permanent institution within Afghanistan so that it can safeguard women's rights and human rights into the future. I urge that at least $10 million of the funds from this amendment be devoted to the Afghan Independent Human Rights Commission to carryout their brave work.

Girls' schools are under attack by fundamentalist extremists. In the past year, more than 30 girls schools have been burned down or violently attacked. At most of the sites of these attacks, leaflets have been distributed threatening the families of girls who attend school or the teachers who teach them. Flyers distributed at the site of one of the first attacks read ''Stop sending your women to offices and daughters to schools. It spreads indecency and vulgarity. Stand ready for the consequences if you do not heed the advice.'' Some families are now afraid to send their daughters to school.

Recently, mosques in Kabul warned that if women did not quit their work with NGOs that jihad would be waged. Women who do not wear burqas routinely face harassment and threats. Trafficking of young women is a major problem in Afghanistan. Warlords in some areas continue to impose Taliban-like restrictions on women. In Herat, women are still forced to wear the burqa, are sometimes pulled off of the street for forced chastity tests, and are not allowed to attend classes taught by men.

Even if the constitution adopted by the Loya Jirga in December contains women's rights provisions, the work for women's rights will be far from over. Security in the country must be dramatically improved and rule of law established for the constitution to be enforced. Massive human rights and women's rights public education programs are necessary to make people aware of their rights, to deter human rights violations, and to bring the violators of these rights to justice, which is one of the reasons that the work of the Afghan Independent Human Rights Commission is so essential.

Forced marriages are a major form of human rights violation faced by women. Under Taliban and also today, women routinely taken from their homes into forced marriages that are imposed against their will. Often these are underage marriages as well, with girls as young as 8 forced to marry old men. Some are cases where commanders force marriages on women in order to take control of land that the women have inherited.

Warring factions continue to fight, and in these areas of the country military commanders routinely rape women. In one case, women fled into a river and drowned father than suffer sexual violence at the hands of the commanders.

In the last two years only 1 percent of Afghanistan's reconstruction needs have been met. The country remains in shambles from two decades of war and lack of development. Most people in the country do not have access to electricity, health care, schools, and sanitation. Not only is the lack of reconstruction depriving people of very basic services, but it is contributing to instability in the country and a lack of confidence in the central government.

The transitional government in Afghanistan estimates that between $20–30 billion is needed over the next five years. In other post-conflict settings, an average of $250 per person was spent per year in aid. But in Afghanistan, donors spent only $64 per person in 2002.

The proposed $800 million Afghanistan reconstruction supplemental spending request represents less than 1 percent of the total $87 billion Iraq and Afghanistan package. The $20 billion request for Iraq reconstruction funding is 25 times as large as the Afghanistan request. Yet Afghanistan has approximately the same population size as Iraq and suffered more destruction over 23 year of war.

The administration has talked about modeling reconstruction efforts on the Marshall Plan. Yet funding proposed for Afghanistan in crucial areas is low or nonexistent—$49 million for health care, $191 million, for road construction and nothing specifically for human rights.

The mark to increase reconstruction funding for Afghanistan by $400 million is a step in the right direction. But still more must be done, especially for women and girls.

Women and girls continue to face severe hardship and violations of their rights in Afghanistan. Yet the Afghanistan request does not specify funds for programs to improve the status of women and to remedy the tremendous injustices they faced under the Taliban regime. My amendment proposes designating $70 million for women's programs in the area of political rights and human rights, education and training, and security, protection and shelters.

Some girls have gone back to school in Afghanistan, but the majority have not because there are not enough schools and those that do exist are in very bad shape. The Asian Development Bank estimates that an additional 13,851 primary schools need to be constructed, but the Administration request is only for 275 schools. Some 40% of schools in Afghanistan were completely destroyed during the war, another 15% were heavily damaged, and in many areas of the country there were no schools for girls.

We must provide direct support to help strengthen those women-led, permanent Afghan institutions whose mission it is to promote women's rights and human rights. That is why the Afghan Independent Human Rights Commission and the Ministry of Women's Affairs should get support from this bill. These are funds already authorized in the Afghan Freedom Support Act of 2002, but which still for the most part have not been appropriated. We must take bold and meaningful steps to keep our promise to the women and girls of Afghanistan.

Mr. Chairman, In addition to my desire to express vehement opposition to the supplemental appropriation request for $87 billion of H.R. 3289 and the need for better accounting of this request, I rise at this time in support of amendment number JACKSO.150 that I offered to the Rules Committee for this bill. The amendment reads as follows:

> Effective as of the end of the 45-day period beginning on the date of the enactment of this Act, none of the funds made available in this Act for the Department of Defense may be obligated or expended unless the backlog, as of the date of the enactment of this Act, in the payment to members of the reserve components of pay and allowances accrued by reason of active-duty service has been eliminated so that such payments are current and in accordance with regular disbursement cycles.

This language will give the Department of Defense a reasonable amount of time to make timely payment of compensation funds to reservist and National Guard personnel and

eliminate the backlog that causes these men and women financial hardship.

During my visit to the As-Sayliyah Central Command Base in Doha, Qatar last weekend, I heard first-hand accounts as to the extent of the delay in receiving pay experience by these ladies and gentlemen who protect our lives each day in the Middle East. These troops, many of who rely on military compensation to provide the lion's share of support for spouses and children. When the compensation is untimely or nonexistent, the troops suffer the compound effect of stress over delayed payment of personal bills and the problems that stem from the misallocation of duties, namely, ineffective directives and increased vulnerability to potential attacks.

Army reservists and National Guard members are fielding threatening phone calls from bill collectors because the federal government is not promptly reimbursing them for lodging costs and other expenses. Military officials have repeatedly confirmed that there are delays affecting thousands of reservists and Guard members, including those stationed at the U.S. Central Command in Tampa, FL. They said the scope of the war on terror has overwhelmed the Pentagon's check-writing office.

Our reservists receive repeated telephone calls demanding payment for overdue bills from the Bank of America, ironically the administrator of government-issued credit cards. A reservist at MacDill Air Force Base complained that bank representatives called at all hours—at home, at work and on a cell phone. A Pentagon official said that the backlog in compensation affects 23,000 reservists, both Army Reserve and members of the Army National Guard. The Pentagon is considering creating the Reserve Pay Center of Excellence in Cleveland to help resolve pay issues. Another official familiar with the back-pay issue at CentCom, the nerve center of the Iraq war said hundreds of Army reservists and members of the Army National Guard were having trouble getting reimbursed for travel pay.

A commander of the Army Reserve Forces learned of the problem in recent weeks during town hall meetings with reservists. Our soldiers surely do not need that kind of pressure.

An Army Reserve spokesman at Fort McPherson in Atlanta, Steve Stromball, blamed the money problem on the Defense Finance and Accounting Service, the accounting arm of the Defense Department. He said the accounting service's workload has tripled because of the number of reservists who have been mobilized to help fight the war on terror.

Since 9/11, 80,000 Army reservists have been mobilized. Over 78,238 members of the Army National Guard also have been deployed. At MacDill Air Force Base, where there are about 1,400 reservists from the various services, the problem appears to be especially acute for soldiers who live off base. The problem often boils down to rent payments. When reservists arrive at MacDill for assignments that range from six months to a year, they can get lodging on base at the MacDill Inn, which has 300 quarters assigned to military personnel. Often there is no room available, so reservists are assigned off-base housing. MacDill has contracts with 35 hotels and 10 to 15 apartment complexes.

Moreover, Reservists can choose to cover the rent themselves, but many charge it on government-issued Bank of America credit cards. The credit cards, used to cover business expenses, including rent, food and car rental, are issued depending upon how often reservists travel. However, the delay in compensation frequently leads to diminishing creditworthiness for these heroes. Each credit card has a limit of several thousand dollars and the entire balance must be paid off each month.

To cover the rent, reservists file a voucher for reimbursement and pay off the credit card balance when they get reimbursed. A transaction that used to take federal officials eight days to process, however, now takes as much as 23 days, according to a spokesman for the Defense Finance and Accounting Service. Some reservists have been unable to pay their credit card bills on time, triggering telephone calls from the bank and diminished creditworthiness. If payment is more than a month late, the bank freezes the credit card account. People who fight on the front line for our freedom and safety shouldn't experience this hardship.

Instead of creating hardship and compounded stress for our war heroes, we need to adequately and timely compensate them. It is bad enough that they must fight under extremely vulnerable conditions and with no known exit plan. The least we can do is pay them for their services.

Mr. Chairman, although the War in Iraq will cost all American taxpayers dearly, the toughest burden will fall on the shoulders of our troops serving overseas and their families here at home. This amendment states that none of the funds made available in this Act may be obligated or expended until personnel policies have been implemented to ensure that none of our troops or employees are being required to remain in Iraq for more than six months at a time. This amendment will help ensure that our troops and their families remain mentally fit and rested, and that military tours will remain a reasonable commitment in service to this nation.

I would like to commend your attention to an article in today's Washington Post, titled ''Many Troops Dissatisfied, Iraq Poll Finds.'' I know that a lot of you do not believe our nation's biggest newspapers, and feel that they are painting an unfairly gloomy picture of the situation in Iraq. But this article is just reporting on a study conducted in Iraq by the Stars and Stripes newspaper funded by the Defense Department. That study questioned 1,935 U.S. Service members serving in Iraq on their attitudes toward the war, and the jobs they are doing.

Of those, half responded that their unit's morale is low. In a statistic with ominous implications for the future of our military, 49 percent reported that they did not plan to reenlist. The most troubled of our soldiers were reservists, who used to be known as ''weekend warriors''—many of whom have families and careers put on hold almost indefinitely, as this War continues without a clear exit strategy.

The president has stated that the War on Terror will be a long and involved one. Therefore, must pace ourselves and our troops, and we must ensure that our armed services can continue to recruit good people in the future. This amendment will help do just that. As the Stars and Stripes confirmed, life in Iraq is extremely stressful for our soldiers risking their lives trying to make the best of a difficult situation. Keeping our soldiers on six-month rotations will give them time to decompress and unwind—to see friends and family, or just to get a change of scenery.

If we plan to continue to have a voluntary service military, we must make every reasonable effort to retain the soldiers we have and to make service more palatable to potential recruits. There are many brave American men and women who would be willing to commit to protecting this nation and its interest. However, we cannot expect them to make unreasonable sacrifices. A six-month tour in Iraq is a great commitment, and it is reasonable.

I hope my colleagues will support this amendment.

Mr. Chairman, I yields 10 seconds to the distinguished gentlewoman from California (Ms. MILLENDER-MCDONALD) in support of the amendment.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I thank the gentlewoman from Texas for yielding me this time, and I stand in accord with what the gentlewoman from Texas has said.

It is critical, Mr. Chairman, that we recognize the importance or the violation of human rights in Iraq and the women's rights in Afghanistan. For years, I have worked with a lot of Members of the House in working on women's rights in Afghanistan and ensuring that they have more of a governance, more education, and the same as in Iraq. So I urge everyone to support the gentlewoman's amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment, and I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself the balance of my time, and I plead with my colleagues to understand that this is a monumental decision that we are making. We need to change the face of America and Iraq and Afghanistan. We need to engage by ensuring that they understand the true values of Americans, our love for democracy, equality, and our love and respect for women's rights, our respect for human rights. It is important that we overcome the undermining of our world status after 9–11 by a preemptive attack against Iraq.

It is important as well that we respond to the needs of our young troops who have been willing to give the ultimate sacrifice and who have lost their lives on the front lines in Iraq, by ensuring that we pay them on time and that we have an exit strategy to bring our troops home. With that, Mr. Chairman, I ask that my colleagues vote for the Jackson-Lee amendment that invests in human rights and women's rights in Afghanistan and Iraq and further I ask that my amendment regarding troop pay for Reservists and the National Guard adjusted so their pay is received by them promptly and my amendment regarding a date certain for the troops to return home to the U.S. be immediately addressed.

Mr. KOLBE. Mr. Chairman, I yield I yield myself such time as I may consume, and I do rise in opposition to the amendment.

Mr. Chairman, let me begin with noting my disappointment in the remarks

of the gentlewoman from Texas (Ms. JACKSON-LEE) that Democratic amendments have not been accepted or not been listened to. We are now in our third day of debate on this bill. We have had a large number of amendments, most of which have come from the minority side, and a number of Democratic amendments have been accepted.

When the gentlewoman said it is not done in a collegial way, let me just note specifically in the area she is talking about, education in Iraq, that there is $90 million specifically set aside for education in Iraq that was not requested by the President, because the gentlewoman from New York (Mrs. LOWEY), the ranking Democrat on the subcommittee, came to me and talked to me about this issue. So we have these funds in there at the request of the gentlewoman from New York (Mrs. LOWEY), at the request of the minority, not because of the President's request, but because this body, this subcommittee, has worked in a collegial fashion.

Now, what the gentlewoman is suggesting is putting more money into that and more money into Afghanistan. But our committee, again not at the President's request, but recognizing the need for us to follow through with our commitment in Afghanistan and recognizing the deteriorating security conditions in Afghanistan, our subcommittee has increased the amount of assistance for Afghanistan by almost $400 million.

□ 1015

I have already noted that we specifically set aside $90 million for education in Iraq that was not requested by the administration.

As far as the areas where this would come out of, $100 million out of the IRRF fund, $300 million out of restoring the oil production in Iraq which, by the way, is the only way Iraq is ever going to generate enough funds that they can do their own reconstruction, that they can stand on their own feet, to take that $300 million out of there is to not only harm the infrastructure, the effort to reconstruct the infrastructure, but harm the immediate needs of Iraqi citizens to have heating oil and kerosene for cooking, the cooking and heating oil that is absolutely vital as we go into the winter months there in Iraq. It has to do not just with comfort for the people in Iraq but in many cases the very livelihoods, the very survival, particularly when children are involved.

I think the gentlewoman's intentions are good, but that is why we discussed this issue at length in the subcommittee and that is why we discussed it at the full committee level too. I think we have come with what, I think, is a fair and a balanced division of the funds as it is going to the various accounts in Iraq.

And so, Mr. Chairman, I think that this would upset that balance. I do not think it is the right way to go, though I respect the gentlewoman's intentions.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the gentleman for his very thoughtful explanation. This is the kind of debate I would like to see continue in this House. I respectfully, if you will, acknowledge our difference of opinion, but what my point was is that there were many, many amendments that we had on issues that were very important on this very historic and important vote and those were not allowed. But what I would like to simply ask the gentleman from California (Mr. LEWIS) is on the amendments that I did not ask on the payment of the National Guard, and all of us have had certainly constituents in our district who have been on the front lines and who are Reservists and National Guards. One of the issues they raise, and it may be a logistical issue, is getting their pay on time. I did not get a chance to offer an amendment that said, let us ensure that we put procedures in place so that our National Guards and Reservists get their pay on time. Can we work together or can we just ensure that the logistics will ensure, since it is authorized pay, that they will be able to get those payments?

Mr. KOLBE. Mr. Chairman, I yield to the gentleman from California.

Mr. LEWIS of California. I thank the gentleman for yielding, and the gentlewoman is much too young to remember this.

Ms. JACKSON-LEE of Texas. I thank the gentleman for his compliment.

Mr. LEWIS of California. During the big war, there was a word, a phrase, it is really a word, a snafu was common among all people who were in the service. The military has often screwed up, I must tell you, and it is ridiculous. Absolutely, we agree with the gentlewoman's position. We will do everything we can to improve that process. Your highlighting it here is very helpful.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I would urge the Members to reject this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) will be postponed.

AMENDMENT OFFERED BY MR. HOEFFEL

Mr. HOEFFEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOEFFEL:

In section 2212(b) (relating to report on military operations and reconstruction efforts), strike paragraphs (7) through (9) and insert the following:

(7) A description of progress made toward the establishment of an independent, sovereign, and democratic government for Iraq, including an estimated schedule for the drafting of a constitution and the holding of free and fair elections.

(8) A description of the extent of international participation in the stabilization and reconstruction of Iraq, including the amount and schedule for the provision of financial assistance by other countries and international organizations.

(9) The number of members of the Armed Forces (including national guard and reserve troops) deployed in connection with Operation Iraqi Freedom and Operation Enduring Freedom, an estimate of the period of time for which such forces will be deployed, and a description of progress made in replacing such forces with international or foreign peacekeeping units.

Mr. HOEFFEL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of Thursday, October 16, 2003, the gentleman from Pennsylvania (Mr. HOEFFEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I believe we need more information about our situation in Iraq. I would like to offer an amendment to add additional requests for information to a section of the bill that the Appropriations Committee added, appropriately so, an amendment offered by the gentleman from Maryland (Mr. HOYER) that requires the President to submit quarterly reports to Congress on military operations and reconstruction efforts in Iraq. I think the committee did the right thing. I think we should ask for more information. And so my amendment would add additional requirements to three sections of the reporting provision already in the bill.

One provision in the bill asks for a description of progress made toward the holding of free and fair elections. My amendment would add to that section a schedule for the transfer of power to the Iraqi people, including the drafting of an Iraqi constitution.

A second section already in the bill asks for a description of the extent of international participation in the stabilization and reconstruction of Iraq, including the amount of provision for financial assistance. I would add a schedule for the provision of financial assistance from other nations and from the United Nations be added as a requirement.

And, finally, a section of the bill asks for the number of Armed Forces deployed in connection with Operation Iraqi Freedom and Operation Enduring Freedom be reported quarterly. I would

add to that section an estimate on how long our troops, including the National Guard and Reserves, will remain in Iraq and the progress being made in replacing them with troops from other nations or from U.N. peacekeepers.

I think these reports on a quarterly basis would help us understand the situation in Iraq, would help this Congress fulfill our constitutional duties of oversight and would help us better exercise our power of the purse. I am concerned that we have not had an adequate and a concrete plan to win the peace in Iraq. Our soldiers performed brilliantly and bravely and the military victory was a rousing success. I am concerned that we are not winning the peace. And we have a number of national goals in Iraq. We need to stabilize the country; we need to support and better protect our troops; we need to establish a pluralistic society and a representative self-government; we need to internationalize the construction and the security in Iraq; we need to put Iraqis quickly back in charge of Iraq. For us to do our job appropriately and to exercise our oversight and exercise our power of the purse, we need more information. I would ask the House to approve this amendment that would give on a quarterly basis more information to the Congress.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does any Member seek time in opposition to the amendment?

Mr. KOLBE. Mr. Chairman, I rise to claim the time.

The CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

I will not oppose this amendment. This perfects some language that was adopted in the committee offered by the gentleman from New York (Mr. HINCHEY) on requiring quarterly reports to be made and placing some additional requirements in that report which, I think, is useful information for us to have. This substitutes some language in three of the paragraphs and adds to it, tightens that up, and, for the most part, I do not have any objection to it.

I do find a problem, and I just want the gentleman to know this because that is really an issue, I think, in the conference. I do have a problem with one issue in paragraph nine where it requires that the administration give the Congress an estimate of the period of time for which such forces will be deployed. That is probably not possible for them to do, to actually tell how long the forces are going to be deployed because we do not know the circumstances of what is going to happen in Iraq either with the democracy there or with external circumstances that might require them to be there longer than we would like. But other than that, I would think the language here is helpful, and we can deal with that issue in the conference. And so, Mr. Chairman, I am prepared to accept the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. HOEFFEL. Mr. Chairman, I yield myself such time as I may consume.

I thank the gentleman for his comments. Just two quick comments. I gave credit to the gentleman from Maryland (Mr. HOYER) for this amendment in committee. The gentleman gave credit to the gentleman from New York (Mr. HINCHEY). Whoever deserves the credit should get it, because the Committee on Appropriations did a good job with that. Regarding the requirement of an estimate of the period of time, I am asking for an estimate, not an ironclad statement of future requirements because I know that is difficult. And as part of my language also, a description of the progress of bringing other troops in, I think that is all part of trying to get quarterly reports to the Congress so we can better understand what is happening. I thank the gentleman for his cooperation and his leadership.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. HOEFFEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. TAUSCHER

Mrs. TAUSCHER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. TAUSCHER:

Page 3, line 13, after the dollar amount, insert the following: ''(increased by $300,000,000)''.

Page 19, after line 20, insert the following new section:

SEC. . ____. The total amount appropriated by this chapter is hereby reduced by $300,000,000.

Mrs. TAUSCHER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of Thursday, October 16, 2003, the gentlewoman from California (Mrs. TAUSCHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Chairman, I yield myself such time as I may consume.

I am offering an amendment with my friend and colleague from California (Mr. GEORGE MILLER) to transfer $300 million from the weapons inspectors in Iraq to pay for lifesaving equipment for the Army National Guard and Reserve troops currently serving there. Our amendment would leave the remaining $300 million to focus on finding weapons of mass destruction in Iraq, if there are any. Some 300,000 of our Guard and Reserve personnel have been called to active duty to fight terrorists in Africa and Asia and secure the peace in Afghanistan, the Balkans and Iraq. They are being called on to serve multiple tours and will continue to serve until we either stabilize Iraq or get international troops in there to share the burden. Yet our Guard and Reserve forces are working in Iraq without bulletproof jackets, armored vehicles and other basic lifesaving equipment. I am deeply concerned that if the demands of the Guard and Reserve do not ease up in the coming months, we will severely undermine our ability to attract new Reservists and keep ones that we have, which will prevent those who are currently serving in Iraq from returning to civilian life. If we are to depend on our brave citizen-soldiers to secure the peace in Iraq and prosecute the war on terrorism elsewhere, it is critical that they have the same equipment as everyone else.

I urge my colleagues to vote for this amendment to increase funds to protect the lives of our troops currently serving in Iraq.

Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I thank my colleague from California for introducing this amendment and making sure that it was in order. It raises a very important question. It is a matter of life and death for the members of our National Guard.

Currently we have a policy in place which makes a lot of sense in ordinary circumstances for the taxpayer and for the use of our equipment and, that is, that the Guard gets essentially hand-me-down equipment as we buy new equipment for the active forces to engage in combat. But now what we find out is because of our manpower problems and the longer deployments of the Guard and a deeper reaching into the Guard structure in this country to deploy people in Iraq, in Afghanistan, we are in the situation where we now have the Guard entering the field of combat with old and, in some cases, obsolete equipment, equipment that is not compatible, communications equipment that is not compatible, Humvees that are from the first generation that do not provide the kind of protection to the occupants of that vehicle that the newer Humvees do. Yet, now we find, as I have been told by Guard members on the phone from Baghdad, in letters from Baghdad, they are seeing modern equipment being rotated back to the United States as those units are rotated out and the Guard is still left with old, obsolete, unsafe equipment.

The National Guard must not be put into the theater of combat with less than the same equipment that the active Army is put into the field of combat with. We cannot treat them as second-class citizens. This is a policy that

makes sense in peacetime, but this is a policy that is now lethal to our Guard members. I would hope that the committee, in its deliberations, would be able to address this problem.

I thank the gentlewoman for yielding.

Mrs. TAUSCHER. Mr. Chairman, I yield 1½ minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I thank the gentlewoman from California and the gentleman from California for this amendment which would provide additional equipment to our troops and still leave our U.S. inspections team with adequate resources for the search. But there is a simple way for the United States to supplement our search efforts by bringing back the highly trained U.N. troops to help in the effort. We have all said the international community should share in the burden and share in the cost. We have an opportunity right now. The U.N. has a team of over 354 inspectors on the ground, trained, ready to go on short notice. What would it cost the United States? Nothing. They are paid for through the U.N. dues. They can also supplement our effort in another way. They can bring us something that money cannot buy, which is credibility. The fact of the matter is that this administration has lost much of its credibility with respect to claims it made of weapons of mass destruction.

□ 1030

If we want the international community and the American people to have faith in the findings, it is important that we bring in an independent inspection team to join our efforts. Only then can we convince the international community that any findings they make are legitimate and unbiased.

So I thank the gentlewoman for offering this important amendment. It is a win-win.

Mrs. TAUSCHER. Mr. Chairman, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from California (Mr. LEWIS) is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

I do not intend at this moment to use the 5 minutes, but I must say I absolutely understand the gentlewoman's presenting this amendment for, indeed, we spent time together in Iraq, I have been saying a whole month in one weekend in Iraq together. That is not because of our wonderful charm, but because of what we experienced there together, the reality that Saddam Hussein is the worst tyrant, clearly competing with Hitler and Stalin. We learned that he was capable of almost anything. I will never forget the gentlewoman, as we were together at the killing fields, urging me and others to join together in a moment of silence, thinking about the potential of mass destruction as a part of this guy's everyday existence as long as he was ruling that country.

Indeed, I do not know exactly what we might find. I am hesitant about reducing this amount of money. I am going to be willing to talk about it as we go forward, but, indeed, the things that David Kay is about in his work are very important for us as we look at the challenges of dealing with people like this. So it is with great reluctance that I resist and ask for a ''no'' vote on the gentlewoman's amendment.

Mr. Chairman, I reserve the balance of my time.

Mrs. TAUSCHER. Mr. Chairman, I yield myself such time as I may consume.

I want to thank the chairman of the Defense Subcommittee of the Committee on Appropriations for not only including me on the trip but for his eloquence and his leadership. I appreciate the fact that he recognizes the urgent needs of our Guard and Reserve. I know that he intends to work diligently to provide them with the money to get this new equipment. I do think that it would be wiser for us to have U.N. inspectors in there not only to have more credibility but also to share the burden. And I urge my colleagues to vote ''aye'' on this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

I just might mention that the gentlewoman's expression of international involvement is a very appropriate one, and I would highlight her remarks by mentioning that the U.N. voted unanimously yesterday, getting the U.N. really on board for the first time in helping us with this effort. In the meantime, moving this money around in this fashion when we have done so much as we have in O & M and the bill in general, I hesitate about it, and therefore I ask for a ''no'' vote. And I want to tell the gentlewoman I very much appreciate the work she has done with me.

I might mention, just to take the time, when we were together following our weekend, we actually sat down together for hours, our team of 17, and in the midst of it, one of our colleagues said, I am one, a liberal Democrat, who voted ''no'' to going to war, but after seeing what I see here about Saddam Hussein, I must say I have got to be ahead of my people. It is going to be unpopular at home.

It is time for us to lead, and therefore I am going to support this request of the President to carry forward this war on terrorism.

Mr. VAN HOLLEN. Mr. Chairman, we have an opportunity to immediately obtain the help of the international community in sharing the burden and cost of some of our efforts in Iraq.

As part of his $87 billion request, President Bush has asked for an additional $600 million to pay for our team of weapons inspectors in Iraq—known as the Iraq Survey Group—so that they may continue their search for weapons of mass destruction. This team of 1,200 inspectors, led by David Kay, has searched for WMD in Iraq for many months now. The President's request would increase that team to 1,400 inspectors.

I had an amendment prepared would allow us to greatly reduce the costs to the American taxpayer of conducting that search and dramatically increase the credibility of any findings made by the inspectors. The Republican majority refused to allow that amendment to come to a vote. I am pleased that Rep. Tauscher has offered this amendment. It provides for better equipment for our troops and leaves $300 million for our inspection team. We can supplement our team by bring back the U.N. inspectors. The President should immediately invite the existing team of United Nations' inspectors—known as UNMOVIC—to participate in the search for WMD in Iraq. The U.N. has a pool of inspectors who have 12 years of experience investigating Iraq's programs and many of whom speak Arabic. According to its most recent report, UNMOVIC has a roster of 354 trained experts available to serve in Iraq at short notice. This important resource should be put to use, allowing us to reduce the size and costs of our team of inspectors.

What would it cost us to engage these trained experts? Nothing. The costs of UNMOVIC are borne by the United Nations and paid for through the dues of the member nations.

Engaging the U.N. weapons inspectors in the search for WMD would also get us something that money can't buy—credibility. With respect to the existence of weapons of mass destruction in Iraq, the Bush Administration has lost its credibility with the American people and has undermined American credibility in the international community. Before the war, our Secretary of State told the United Nations that the Iraqis were attempting to import nuclear weapons material from Africa. The U.N. inspectors reviewed the evidence and determined the claims were based on forged documents. The U.S. conceded the point and, worse, it turns out that agencies within the U.S. government had already questioned the veracity of the documents. Our Secretary of Defense told the world that we knew the location of the weapons of mass destruction. We now know that was untrue. In the aftermath of the war, the President claimed that two mobile trailers found in Iraq were evidence of a biological weapons program. Our inspection team has recently had to retreat from that claim. Again and again, Administration officials from the President on down have made false claims about Iraqi WMD. Even the Economist magazine, which had been a booster of the war, has stated that the Bush Administration is seen around the world as having its own arsenal of WMD—Wielders of Mass Deception.

The only way to restore confidence in the search for WMD is to bring in an impartial team of international inspectors. David Kay, the leader of our team, is stuck in a fundamental contradiction. He wears two hats, serving as both fact finder and salesman for the Administration. No matter how high his personal integrity, this dual role undermines the credibility of any findings his team may make.

It is critical to the integrity of the process that independent U.N. weapons inspectors be invited to participate in the search and given

the opportunity to independently evaluate any claims made by David Kay and the Iraq Survey Group. The American people should not be asked to spend an additional $600 million to fund a search that is widely perceived to be an effort to provide cover for an Administration that has lost its credibility on this issue at home and abroad.

Mr. LEWIS of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentlewoman from California (Mrs. TAUSCHER).

The amendment was rejected.

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Rhode Island (Mr. LANGEVIN) for the purposes of colloquy.

Mr. LANGEVIN. Mr. Chairman, I thank the gentleman for yielding and the opportunity to address this critical issue on the floor today.

Mr. Chairman, as we are poised to invest billions of dollars in the reconstruction of Iraq and Afghanistan, I believe that it is imperative that we address the infrastructure needs of people with disabilities in the rebuilding process. Conflicts in other countries result in higher-than-average rates of disabilities for people, and the need for their consideration in the planning and design stages of new construction simply cannot be understated. Furthermore, given the history of discrimination and abuse of people with disabilities in Iraq, targeted programs through multi-inclusion of Iraqis with disabilities in public life and education will be necessary and, in fact, imperative. Including these matters, I believe, as a forethought will result in little up-front cost and save significant time and expense down the road. It is always more difficult and more costly to retrofit than it is to plan it in the earlier stages when construction is just being planned.

Finally, I believe that it is time to align our foreign policies with our national priorities, and currently foreign assistance funding is not required to be used in a manner that ensures access to people with disabilities. And this is inconsistent with our own civil rights laws, most notably the Americans with Disabilities Act.

Mr. Chairman, I was hoping and wanted to ask as this bill moves forward and goes to conference that the gentleman would be willing to work with me to perhaps ensure that those things are considered.

Mr. KOLBE. Mr. Chairman, I thank the gentleman from Rhode Island for bringing this issue to our attention, but most importantly for his strong leadership on this issue.

I agree with him that our foreign assistance dollars ought to be spent in a manner that is not only efficient but that is inclusive of all peoples including those with disabilities. I agree that the needs of people with disabilities ought to be a priority as we proceed with the reconstruction in Iraq and Afghanistan; and as we negotiate the terms of this spending bill, I certainly intend to keep the gentleman's comments today here in mind as we look at the report language and bill language. I thank the gentleman for his comments.

Mr. LANGEVIN. Mr. Chairman, I thank the gentleman and look forward to working with him.

AMENDMENT OFFERED BY MR. SHERMAN

Mr. SHERMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERMAN:

At the end of the bill (preceding the short title), add the following:

SEC. . None of the amounts made available and allocated for oil infrastructure under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' may be used to enter into any contract using procedures other than competitive procedures.

The CHAIRMAN. Pursuant to the order of the House of October 16, 2003, the gentleman from California (Mr. SHERMAN) and a Member opposed each will control 5 minutes of time on the amendment.

The Chair recognizes the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Chairman, I yield myself such time as I may consume.

The supplemental proposal before us today provides $2.1 billion for oil infrastructure improvements and reconstruction in Iraq. The public and the world are a bit skeptical as to how that money will be spent. The answer to that skepticism is in government contract law which provides for procedures for competitive bidding. However, there are on many occasions exceptions to the competitive bidding rules that have been employed by this administration.

The purpose of this amendment is to say that, with regard to the oil work, there will be no further exceptions at least for the money being spent under this bill.

This amendment does not affect our military procurement or our troops. It does not affect any emergency acquisitions of food or medicine or other humanitarian assistance. It deals only with the lucrative construction projects for the Iraqi oil system. And as to those projects, we should say no sole-source contracts.

Last night we debated a part of this issue. Congress demanded notification whenever there was sole-source contracting, and that is important as far as it goes. But with regard to these highly sensitive oil contracts, we need to go further and say no sole-sourcing at all. It is not just a matter of notification. There is no exigency, no national security justification for secrecy and sole-source contracting when we are talking about building oil wells in Iraq.

I am particularly concerned with the one company, Halliburton. This administration seems unable to contain its affection for this one corporation. Before the war, Halliburton won $1.4 billion for Iraq on a no-bid basis—before the hostilities even began and at a time when the administration was saying that hostilities were our last resort. The Halliburton Company greatly overcharged the American Government for its work in Kosovo. Recently, the gentleman from California (Mr. WAXMAN) and the gentleman from Michigan (Mr. DINGELL) brought to the attention of this House the fact that Halliburton was charging a $1.70 a gallon for gasoline in Iraq at a time and a place where others were selling it for only 70 cents. American taxpayers are being ripped off for over half the price. This amendment will make sure that the building of the Iraqi oil infrastructure is done legitimately, that American taxpayers and the entire world know that fair processes are being pursued.

Given the incredible justification for skepticism as to how oil contracts have been let by this administration, it is appropriate for us to impose ''regular order'' in dealing with these oil contracts.

Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I claim time in opposition, and I reserve the balance of my time.

Mr. SHERMAN. Mr. Chairman, I yield myself such time as I may consume.

Let me use this 1 minute to address another issue, and that is to commend the United States Senate for adopting an amendment yesterday similar to one debated here on this floor. That amendment says that half the money being used to rebuild Iraq will be in the form of loans. That is an important decision by the United States Senate. The Senate version of that amendment was, I think, crafted in a more sophisticated manner than we were able to offer here on this floor given the House rules. I think that amendment might have passed this House, and in any case I urge our conferees to recede to the Senate on the issue of a $9 billion loan, $9 billion gift to rebuild Iraq.

Mr. Chairman, I yield back the balance of my time.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

I do rise in opposition to this amendment. We already had a full debate on this issue last night, as a matter of fact. The bill that we have before us has provisions, rather extensive provisions, dealing with competition and providing for full and open competition. These were provisions that were worked out with the chairman of the Committee on Government Reform and the staff and, I believe, ranking members as well. Those provisions were amended last night here on this floor in the House. A perfecting amendment was added to it, which struck a particular exception on the notification. If it was a sole-source contract, it struck the exceptions for that. So notification

has to be given before those contracts are awarded.

This sets up a separate procedure that has no exception at all for it, even for an urgent situation. I am not sure if the gentleman has thought about what happens if there is a break in an oil line, what happens if there is a fire. They cannot go through a long bidding process for that. They have to take the money that is available and do an immediate contract. But even under those circumstances, there are procedures for competitive bidding and for open bidding, for making sure it is done in an open manner; and that is basically what the law that the Committee on Government Reform has the responsibility for is all about. That legislation, which is quite extensive, provides for open competition, provides for the bidding process, and it provides for the exceptions which are in there. And as I said last night on this floor, this body decided to eliminate at least one of those particular exceptions.

So I think we have thoroughly debated this issue, and I might say that the language as it is drafted here is not really, it seems to me, in legislative or legal form where it says ''enter into any contract using procedures other than competitive procedures.'' That ''other than competitive procedures'' is not a term which appears in the law anyplace, so we do not know exactly what ''competitive'' means there. ''Fully competitive'' is something that does appear in the law, but ''competitive'' does not.

□ 1045

So it is not at all clear what really the impact of this would be. Mr. Chairman, I oppose this amendment and urge its rejection.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SHERMAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. SHERMAN) will be postponed.

The CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. LEWIS of California) assumed the Chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

The Committee resumed its sitting.

Mr. OBEY. Mr. Chairman, I move to strike the last word, and I yield to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Chairman, I have with me a bulletproof vest. My colleagues can see that it is extremely heavy. It weighs about 16 pounds. I was horrified to learn that tens of thousands of our troops were sent out to battle without the proper armor and, to this day, they still lack necessary items, life-saving items like this bullet-proof vest.

Mr. Chairman, 44,000 troops do not have this bullet-proof vest that costs $1,500. The family members are writing the checks and sending these vests to their family members. So the taxpayers are paying twice. They are paying their dollars. We are not getting assistance from any foreign sources. The family members are writing checks, sending these vests to their family members to make sure that they have the necessary items to protect their lives. This is unacceptable.

This is an important issue. I want every American citizen to know that the President did not request one penny for these vests. He did not request one penny for these vests. Mr. Chairman, 44,000 soldiers in Iraq without body armor, and the President did not ask for a cent to protect these soldiers. I guess our brave men and women will have to wait until Halliburton, Halliburton, Halliburton starts making body armor before they can get the protection they need and deserve.

Congress approved $310 million in April to buy 300,000 bullet-proof vests for our troops; but, sadly, only 75 million of these dollars have gone to the officers, Army officers that are responsible for purchasing these vests.

Where is the accountability that this administration promised this Nation?

The Republicans keep telling us that this bill is all about the soldiers, and everyone in this Congress supports our soldiers. But how can a bill for our soldiers not include money for basic protection like body armor, boots, armored vehicles, Humvee tires, signal jammers, and chemical suits? We cannot even provide those brave men and women with simple, necessary items like drinking water, showers, tennis shoes, and even toothpaste. And women, they do not have personal items that they need. This is unacceptable.

Just 6 months ago, we appropriated $79 billion for the war effort; and yet relatives have to resort to sending body armor to protect their family members.

The American people who are writing the checks for Iraq do not want a grants program. Like anyone who lends money in the real world, they want their money back.

I would encourage every citizen, if it were me, to call their Senator or their Congressperson and let them know that they do not support a blank check slush fund for this administration.

Vote ''no'' on the bill and ''no'' for another blank check for the President and his campaign contributors. Mr. President, this account is overdrawn.

I was horrified to learn that tens of thousands of our troops were sent out to battle without proper armor. And to this day, they still lack many necessary items. I spoke with several soldiers who suffered injuries to their legs, and many who totally lost their legs when bullets crashed through their vehicles because the cars were not fortified with armored plates. I met with soldiers who suffered chest injuries because they did not have bulletproof vests.

This is a very important issue, and I want the American public to clearly understand this point. Even though we have 44,000 soldiers in Iraq today without proper bulletproof vests, the President asked for absolutely nothing to protect these troops. Let me repeat that. We have 44,000 soldiers in Iraq without body armor, and the President didn't ask for a single cent to protect these soldiers. I guess these brave men and women will have to wait until Hailburton starts making body armor before they can get the protection they need and deserve.

Congress approved $310 million in April to buy 300,000 bulletproof vests for our troops. But sadly, only $75 million of that money has gone to the Army office that is responsible for purchasing these vests. Where is the accountability that this Administration promised this Nation.

The Republicans keep telling us this bill is all about the soldiers, and everyone in this Congress supports our soldiers. But how can a bill for our soldiers not include money for basic protections like Body Armor, Boots, Camouflage, Rucksacks, Armored Vehicles, Tank Tracks, Humvee Tires, Signal Jammers, and Chemical Suits. We can't even provide these brave men and women with simple necessities like drinking water, showers, tennis shoes, and even toothpaste.

Just 6 months ago, we appropriated $79 billion dollars for the war effort, and yet relatives have resorted to buying body armor in the U.S. and shipping it to troops in Iraq. What happened to this money Mr. President. These families and this Congress want and deserve to know.

The American people who are writing the check for Iraq do not want a grant program. Like anyone who lends money in the real world, they want their money back. I would encourage every citizen to call their Senators and Congressperson to let them know that you do not support another Blank Check slush fund for this administration.

Vote no on this bill, and no on another blank check for the President and his campaign contributors. Mr. President, this account is already overdrawn.

I was shocked to find out that the Services did not fully meet immunization and other predeployment requirements. Based on GAO review of deployments from four installations, between 14 and 46 percent of servicemembers were missing at least one of their required immunizations prior to deployment. As many as 36 percent of the servicemembers were missing two or more of

their required immunizations, such as influenza and hepatitis. We cannot send our servicemembers to war without first making certain that they are protected from in theater disease threats.

Mr. OBEY. Mr. Chairman, reclaiming my time, I was amazed to hear a Member of the other body on radio yesterday say despite all of the discussion about this problem, that he had not yet heard about the shortage of body armor. I think that when the American public understands what has not been provided, they are going to be very, very angry.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind all Members to direct their comments to the Chair and not to the President of the United States.

AMENDMENT OFFERED BY MR. WEINER

Mr. WEINER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WEINER:

Page 51, after line 11, insert the following:

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 3007. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Libya, North Korea, Iran, Saudi Arabia, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

Mr. WEINER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of October 16, 2003, the gentleman from New York (Mr. WEINER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I yield myself such time as I may consume.

I am offering an amendment that I doubt will provide much controversy for this House. It is something that mirrors language that was inserted in the Foreign Operations Appropriations bill this year. It essentially says that no funds allocated in this bill should go to the countries Libya, North Korea, Iran, Syria, and Saudi Arabia. The only change from section 507 of past bills that we have done is that we add Saudi Arabia to that list. It should be no mystery to anyone in this House why we would be taking this action.

First of all, let me make it very clear that there is no direct funding allocated to Saudi Arabia, just many, many pots of money that could conceivably fund that kingdom. I could go through the list; it is quite substantial. We have a Saudi Arabian Government that supports terrorism, supports it overseas, funds homicide bombers in Israel. We have a Saudi Government that exports the type of hatred that leads to terror with Wahabbism throughout the world. We have a Saudi Arabian Government that was directly connected to September 11. Simply put, there is no reason there should be a single dime of U.S. taxpayer dollars going to that kingdom.

Putting it on a purely economic level, one that I think will appeal to just about everyone in this House, why would we offer even a hint of a suggestion that we would provide funding to the richest nation on Earth at the time when we are struggling to pay our bills as well?

The legislation is excruciatingly simple. It simply says no funds, no authority can go to these rogue nations and adds Saudi Arabia to that list, where they rightfully deserve to be.

Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise in strong support of the Weiner amendment.

This week this Congress sent a strong message to Syria bypassing the Syria Accountability and Lebanese Sovereignty Restoration Act. We must ensure the United States does not provide funding to the nations that finance terrorism around this world. I am specifically speaking today about Saudi Arabia.

The Saudis claim to be our allies; but at the same time, they offer assistance in our war on terrorism, they are funding the terrorists who desire to attack us. Saudi blood money does not only threaten the United States, but also our good friend and ally, the State of Israel.

Saudi Arabia provides money for Palestinian organizations that kill innocent Israelis on what feels like almost a daily basis. In fact, if I were told tomorrow that the Saudis were helping support the terrorists that killed three Americans recently in the Gaza Strip, I would not be surprised.

Mr. Chairman, we cannot decide that one country funding terrorism is any different from another. I urge all of my colleagues to pass this amendment and send Saudi Arabia the message that this Congress will not stand for their support of hate and terrorism anymore. We must hold the Saudi family accountable for their actions.

Mr. WEINER. Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I claim the time in opposition. I do oppose this amendment, and I will have some comments at the end.

Mr. Chairman, I yield 1 minute to the distinguished gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I rise in opposition to my friend's amendment, and I will be precise in why.

I sit on several committees that deal with foreign nations. I would tell my friend, he knows I am a very strong supporter of Israel. I flew there, flew Mirage there. But I would tell my friend also that Saudi Arabia, since May, has done a total turnaround. There are 15,000 members in the royal family. Some of those are helping some of our enemies, possibly so; but there are no direct links that have been caught yet. And I believe that there are more people in Saudi Arabia who want to be the friend of the United States than those who oppose us. I believe that.

I think the wrong message to send them is to slap them right smack upside the face when we are trying to get them to help us. So I know the gentleman's amendment is well-intentioned, and I understand why, and I supported the Syrian one; but I think this is wrong.

Mr. KOLBE. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, I appreciate my colleague yielding me this time. I would simply rise to say that this is a very delicate foreign affairs matter. An amendment like this was presented when the Foreign Operations bill was before us and was defeated on the House floor. We have had this debate before; and, frankly, this supplemental is hardly a time and place for us to readjust very sensitive, very important foreign affairs questions.

So I would urge that the House in this case just reserve itself, vote ''no'' on the amendment, and have the gentleman know that we intend to discuss this matter in a very serious way in the months and years ahead. I appreciate the gentleman's effort.

Mr. WEINER. Mr. Chairman, I yield myself such time as I may consume.

Let me just address some of the brief comments that have been made so far. First of all, if I had a dime or a dinar for every time I have heard that the Saudis were thinking about changing, I would be a very wealthy man.

The fact of the matter is, the Saudis talk a very good game. Whenever there is a flash point of terrorism that comes back to them, they say, oh, we have changed. They have become professionals at dividing up the royal family and having a handful go talk about peace while a handful talk about terror. Let me just say they are not just talking and this is not just a thing of the past. As recently as 6 months ago, it was revealed that the Saudi royal family was paying bounties to terrorists, bounties to terrorists.

I would also point out to my distinguished friend from California who said that the timing is not right, well, to be honest with my colleagues, that is exactly the same argument that was made on this floor during the Foreign Operations Appropriations bill. The timing is now.

I would point out that we cast the vote on that amendment which was narrowly defeated early in the morning of the day that the report came out on

who was behind the terrorist attack on September 11. And while the 28 pages were not released, and I have not seen them, let me say this: the Saudi Arabians had a role in the attack on our country on September 11. Every arrow points that way. Frankly, now that we have that information, we should act upon it.

Mr. Chairman, I reserve the balance of my time.

Mr. WEINER. Mr. Chairman, I yield 30 seconds to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Chairman, I thank the gentleman for yielding me this time. I rise to urge support for this amendment.

Mr. Chairman, today we are going to vote to provide $87 billion to Iraq to fight terrorism and protect against weapons of mass destruction; but if we ask the Government of Saudi Arabia, Mr. Chairman, what weapons of mass destruction are, they will tell us that this is a weapon of mass destruction, that this breeds terrorism, a Barbie doll. The Saudi Government recently said that the Barbie doll is a Jewish-influenced toy.

□ 1100

Mr. Chairman, dolls do not kill innocent civilians. Plastic toys are not terrorists.

We should pass this amendment and stop subsidizing terror and violence, intolerance and anti-Semitism.

Mr. WEINER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me just conclude by saying this: This is an opportunity for all of us in this Chamber to express in the strongest possible terms, and, frankly, it is not that strong, it may wind up costing a net zero dollars to the Saudis, but in strong terms we can show how fundamentally upset we are at the way that Saudi Arabia has acted with two faces. One is the side that they show us in the TV commercials and the meetings and the negotiations and in the well-orchestrated press conferences. On the other side are the facts.

We all too often in this part of the world judge people based on what they say rather than what they do. And the Saudis should see what we do in this House. No more aid to the Saudi Arabians.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I quite agree with the gentleman from New York that we should be upset with many of the actions of the Saudi Arabian government, but I do not think this is the right approach.

As the gentleman pointed out, this was tried in the foreign assistance bill earlier this year, the foreign operations bill earlier this year, and it was defeated. But there is a major change, a major difference between that time and this time. That was the foreign assistance bill for the entire world; this deals with Iraq reconstruction and our military.

And this refers to assistance, not just foreign assistance which that bill dealt with, but assistance. So it also would deal with anything in the Defense Department. And if anything in this bill could in any way be characterized as cooperation or coordination between the Defense Department and Saudi Arabia over a radar, over aircraft, anything that would be cooperation, that would be funded out of this, that would be prohibited.

Mr. Chairman, I think the impact of this amendment is broader than, perhaps, what the gentleman from New York (Mr. WEINER) intended it to be, but that is the affect of it. It does mean that no assistance of any sort, including defense assistance, can be used.

Now, the reason that we have that provision in the regular Foreign Operations bill is to set up a list of terrorist states that are not eligible for any kind of foreign assistance. Again, this bill is not about that. This bill is strictly about Iraq and Afghanistan. It is a clever way, I commend the gentleman from New York (Mr. WEINER) for his amendment as a clever way of getting a backdoor way into the list of terrorist states, but I think it is a wrong approach.

The administration has written a letter which says that they strongly oppose the efforts to add the Kingdom of Saudi Arabia to the list of state sponsors of terrorism and urges the House to reject this amendment that is offered by the gentleman from New York (Mr. WEINER). ''It would severely,'' they go on to say, ''undermine our counterterrorism cooperation with Saudi Arabia at precisely the moment when it is moving to a new level of effectiveness.''

Mr. Chairman, similarly, the Defense Department has sent a memorandum saying that they are strongly opposed to this because it would prohibit any kind of cooperation under the terms of this bill with the Saudi Arabian Defense Department.

I would urge this body to reject this amendment. I think it is not the right time, nor the right place, to be doing this. I hope that we will vote no.

Mrs. LOWEY. Mr. Chairman, I thank Mr. WEINER for his leadership and persistence on this critical issue, and rise in strong support of his amendment.

I do not say this lightly—Saudi Arabia is an ally of the United States; they have come to our aid in Gulf military actions several times. The U.S. has worked hard to get Saudi cooperation to apprehend terrorist suspects, share intelligence, and professionalize their counterterrorism efforts, and I support those efforts.

However, there can be no doubt now that Saudi Arabia has two faces. On the one hand, Saudi Arabia stood—they said—in shock and solidarity with the U.S. when our citizens were murdered by an Al Qaeda gang comprised primarily of Saudi citizens. They have allowed the U.S. military to again use Saudi air fields as staging grounds for the emission in Iraq.

But on the other, the Council of Foreign Relations reports that Saudis and Saudi charities are a major source—the ''most important'' source, according to CFR—for Al Qaeda, and states plainly that Saudi officials have turned a ''blind eye'' to this reality. Senior U.S. officials criticize Saudi Arabia for being uncooperative in terrorism investigations, Saudi citizens shower the families of Al Qaeda terrorists with money, and the ruling family in Saudi Arabia seems to have come no closer to acknowledging its own complicity in terrorist financing.

Further evidence of Saudi Arabia's support for terrorism came from Congress itself. Our investigative report on the September 11th attacks contained a great deal of information on Saudi Arabia in both its classified and unclassified sections. 28 pages remain classified, but according to the New York Times, the section states that ''senior officials of Saudi Arabia have funneled hundreds of millions of dollars to charitable groups and other organizations that may have helped finance the September 11 2001 attacks.''

In the past, and this Congress, have been hesitant to call the Saudis on their actions in support of terrorism. But I have come to the conclusion that the U.S. government must stop shielding the Saudis from the criticism and the penalties their actions warrant.

Saudi Arabia and its citizens have proven to be major supporters of terrorism against the United States and its citizens around the world. That is clear. Fighting terrorism must be our first priority, and our actions must match our priorities.

I urge all my colleagues to support this amendment, and I yield back the balance of my time.

Mr. KOLBE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WEINER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. WEINER) will be postponed.

AMENDMENT OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. VELÁZQUEZ:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to fund any contract in contravention of section 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6)).

The CHAIRMAN. Pursuant to the order of the House of Thursday, October 16, 2003, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself such time as I may consume.

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Chairman, today we are voting on an $87 billion spending bill that is solely funded by American taxpayers and with nothing in this legislation to ensure that U.S. small businesses have an opportunity to compete for the rebuild contracts. This funding will once again be funneled to large corporations.

The amendment I am offering today on behalf of myself and the gentleman from Illinois (Mr. DAVIS) will give small businesses a chance. It will require that all large companies submit a subcontracting plan prior to being awarded an Iraq reconstruction contract.

We have already spent $79 billion on war efforts in Iraq. And with this $87 billion funding request, President Bush is once again abandoning the Federal Government's longstanding commitment to ensure small businesses can compete in the Federal marketplace.

The administration has awarded billions of dollars in mega contracts to a handful of well-connected U.S. corporations. These contracts were not open to fair competition. They were doled out in secret backroom negotiations. Bechtel alone received a $680 million construction contract. Halliburton received a $1 billion logistical support contract, and recently received a noncompetitive contract to rebuild Iraq's oil infrastructure worth up to $7 billion. These companies have very close ties to the White House. And these secret closed-door deals further damage our international credibility and endanger our rebuilding efforts.

If we are going to spend this money we need to ensure that some of these funds are also available to small businesses. And that is exactly what my amendment will do.

Mr. Chairman, there are 23 million small businesses in the United States. They represent 99 percent of all employers, create three out of four new jobs, employ more than half of all private sector workers, and make up half of our gross domestic product.

The financial commitments the administration makes in Iraq directly impact the viability of our economy here at home. This $87 billion spending measure will put this Nation even deeper in debt.

We have heard a lot today about the costs of this bill. And I feel that we do have a responsibility. But if we are going to spend the money, we should make every effort possible to ensure it assists our struggling economy here at home. We can do that by ensuring small businesses get a fair chance to participate in these contracts.

My amendment will require large businesses to make every effort possible to subcontract with small companies in this reconstruction effort while ensuring that taxpayers are getting their money's worth.

Under current law, large contractors in the United States are required to submit subcontracting plans prior to receiving contract awards. And that is what I am proposing for corporations seeking contracts in Iraq.

This is a simple amendment. It does not prevent the government from entering into contracts with large corporations or limit the size of these awards. It ensures that large corporations are subject to the same self-contracting requirements for Iraq contracts as they are for contracts here at home.

If we are going to spend this money, we need to recognize that funding it only to large corporations will not only hurt small businesses and likely squander taxpayer dollars. It will also hinder our ability to get our economy back on track.

This amendment is a vote for a fair and open Federal marketplace. It is a vote to protect taxpayer dollars from waste and abuse, and it is a vote to give America's small businesses a chance to compete and succeed.

I urge passage of this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I intend to accept this amendment. We just saw it for the first time this morning, and it is problematic. It raises some concerns in that it requires everybody that is a contractor in Iraq to comply with all sections of the Small Business Act. That would mean that a subcontractor in Iraq has to have a small business plan. I think there are some real problems with this, but we have not had a chance to really examine it that closely.

And, Mr. Chairman, in the interest of expediting the business of the House, my intention would be to accept this and review it in conference and review it with the gentlewoman from New York (Ms. VELÁZQUEZ) in conference. So I am prepared to accept the amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, I want to thank the gentleman from Arizona (Mr. KOLBE) for accepting this amendment. And I will work with him and look forward to working with him in addressing some of the concerns.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DEUTSCH

Mr. DEUTSCH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DEUTSCH:

At the end of the bill (before the short title), insert the following:

SEC. 3007. None of the funds made available under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' may be provided until September 30, 2004.

The CHAIRMAN. Pursuant to the order of the House of Thursday, October 16, 2003, the gentleman from Florida (Mr. DEUTSCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, yesterday eight of the Republican Members in the United States Senate voted not to have the $20 billion grant that is in our bill as a grant. And I have had the opportunity to listen to part of that debate. That debate was similar to some of the things that I mentioned on this floor in the substance of our debate but was not able to convince enough of our colleagues.

This amendment is an attempt to do that and give people a second chance. The question is why should we give a grant to construction in Iraq? And I think we need to focus on this very specifically, why we should not, and why eight Republican colleagues in the Senate, after intense lobbying by the President, refused to do that. I think there is a very simple reason for it, and I think we need to focus on that reason.

Iraq has the second largest oil reserves in the world. Trillions, not billions anymore, nor hundreds of billions, but trillions of dollars. It is not a relatively large country. Less than 30 million people. They have a natural resource to build themselves. But even more significantly than their natural resources, during the years of Saddam Hussein, even today with American troops in Iraq, and, clearly, once we leave, by all indications Iraq would be part of OPEC.

Now, what has OPEC done to America and the citizens of America, our constituents? OPEC has put, effectively, the largest tax on the citizens of both the United States and the rest of the world, but of the United States, the largest tax in the history of the world. That is who Iraq is. They are those people that have taxed American citizens again in the hundreds of billions, if not trillions of dollars, by OPEC monopoly power.

And if we think about that for a second, as illogical as it sounds that we as Americans and the American taxpayers and the citizens of this country who, all of us know, are struggling every week, every month to make their ends meet, whether it is a senior citizen that literally cannot afford prescription drugs, or the parent who unfortunately cannot send their kid to college, or the person who has lost their house because of a foreclosure that they cannot meet their payments or someone who has canceled their vacations, OPEC has directly, adversely affected every person in the United States and continues to do that.

And by our actions, we are strengthening OPEC if we pass this legislation as part of a proposal that does not include not only a loan part of the proposal, but a loan part of the proposal that would, in fact, increase the production capacity of Iraq to 6 billion barrels of oil a day.

□ 1115

That is probably the best thing that this Congress can do for Iraq is to help them increase the capacity of their oil fields to 6 million barrels a day, to give them the ability, as opposed to what this legislation does, which is literally the country with the second largest oil reserves in the world, we have importation of oil at these exorbitant prices through sole-source contracting that is going on now. We have the opportunity. We have a moment in time on this House floor right now to pass an amendment that would lead to the effort of requiring the World Bank as part of a loan effort to increase the production capacity of oil fields in Iraq, which they have the ability to do, to 6 million barrels a day. If we do that, if we do that, OPEC will end. OPEC will end. We have the opportunity.

We talk about tax cuts in this Congress, and we debate them, and we talk about what good they can do and what problems they create. Well, let me state there is one tax cut that everyone in this Chamber should agree with and that is the tax cut to stop the hundreds of billions of dollars, trillions of dollars of taxes that OPEC is taxing our constituents, and we have the opportunity to stop that today with this amendment.

Mr. KOLBE. Mr. Chairman, I claim the time in opposition to the amendment.

Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if we were to take the Deutsch amendment, we could just finish today and come back a year from now or 10 months from now and we could have this debate again because that is exactly what the gentleman from Florida (Mr. DEUTSCH) would have us do. The gentleman would say that none of the funds in here for the reconstruction are available until September 30 of next year, which is more than 11 months away.

Now, we have already had confirmation from Ambassador Bremer in the hearings that the funds that are existing now for reconstruction in Iraq will expire in January, roughly January, December to January, that is, all the contracts that are under way now will run out of money in January. That means there will be nothing for clean water. There will be nothing for the sewers, sewage systems. There will be nothing for the food programs. None of this will be there.

The gentleman is suggesting that we should have this gap from roughly just January to next September of 9 months where no reconstruction is done.

Now, if you really want to make sure that people start throwing rocks and shooting bullets at our troops, I guess that is the surest way to make sure that happens is by cutting off all the reconstruction for the next year. I cannot imagine what the thought or the idea behind it is, but I cannot imagine anything that would be worse for us.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman.

As the gentleman knows, I have taken the position that we should not be providing all grants. I have taken the position we should not be providing all loans. We ought to have an intelligent and balanced mix. I certainly would like to see changes in the reconstruction program; but clearly to eliminate all funding for reconstruction, especially recognizing the fact that we did attack Iraq and did cause certain damage, I think is clearly unacceptable.

Mr. KOLBE. Mr. Chairman, I thank the gentleman from Wisconsin for his comments.

Mr. DEUTSCH. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Florida.

Mr. DEUTSCH. Mr. Chairman, I appreciate the gentleman's courtesy.

Mr. Chairman, as the gentleman knows, my comments were directly related to the issue of oil production capacity in Iraq and, in fact, Iraq's participation in OPEC. And this was the only way that I could get at that issue in terms of the mandatory process.

I would be happy to withdraw this amendment; and I would hope that in the conference process that we are about to enter that there is an acknowledgment that OPEC membership and limitation on production capacity is problematic for the United States of America, and we need to focus on that.

Mr. KOLBE. Reclaiming my time, if that indeed is what the gentleman is after, which is certainly not apparent at all in reading this amendment here, we have already dealt with that in an amendment that was accepted. The DeFazio amendment prohibits any of U.S. funds being used to support OPEC membership by Iraq.

Mr. DEUTSCH. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Florida.

Mr. DEUTSCH. Mr. Chairman, the DeFazio amendment only deals with our money, not their money. There is every indication that Iraq will remain part of OPEC, will remain part of a monopoly that taxes Americans to the tune of hundreds of billions of dollars.

Mr. KOLBE. Reclaiming my time, I understand what the gentleman is after. As I said, there is not a clue in reading this amendment that that is his intent, other than what the gentleman has just told us here, because that is not, of course, what the impact of this amendment will be. We ought to pay attention to the impact, not just the words. The impact is to stop all reconstruction. Let me repeat that. All reconstruction would cease from now until next September. That is the only thing it says. It does not say anything unless they do not participate in OPEC. It does not say anything about that, so it would not have any effect actually on Iraqi membership or participation or expenditure of funds in OPEC.

Mr. Chairman, nothing could be worse for us than to do that. Whether or not Iraq decides to participate in OPEC with their own dollars is going to be something the Governing Council is going to have to do. And that will be done out of their oil revenues that they generate and goes into an account which is controlled by the Iraqi Governing Council. So that is not something that we are going to make that decision.

I do agree that our dollars certainly should not go to support Iraq's participation in that oil cartel. But again, Mr. Chairman, to close, let me say this amendment has nothing to do with that. It does not have anything to do with Iraqi participation in OPEC. The effect of this amendment is to stop all reconstruction, to cease all reconstruction, all money spent on reconstruction in Iraq. Everything that would be spent on humanitarian needs, everything spent to rebuild the water systems, the sewage systems, the education, to start the constitution, to develop those groups that will be writing the constitution, all of that would cease from now, when the current amounts of money run out, until September 30 of next year. It would be catastrophic to our forces and national security policy. It would be absolutely disastrous for our national security.

Mr. Chairman, I urge the rejection of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTSCH).

The amendment was rejected.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by the gentleman from Wisconsin (Mr. KIND); amendment by the gentleman from Michigan (Mr. STUPAK); amendment by the gentleman from Texas (Mr. REYES); amendment by the gentlewoman from Texas (Ms. JACKSON-LEE); amendment by the gentleman from California (Mr. SHERMAN); amendment by the gentleman from New York (Mr. WIENER).

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT OFFERED BY MR. KIND

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. KIND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the remainder of the series will be conducted as 5-minute votes.

The vote was taken by electronic device, and there were—ayes 156, noes 267, answered ''present'' 1, not voting 10, as follows:

[Roll No. 553]

AYES—156

Abercrombie
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Cardin
Cardoza
Carson (IN)
Clyburn
Conyers
Costello
Cummings
Davis (AL)
Davis (IL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Doyle
Duncan
Emanuel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Goode
Gordon
Green (TX)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hostettler
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lynch
Majette
Maloney
Manzullo
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Mollohan
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Petri
Rahall
Rangel
Reyes
Rodriguez
Ross
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda T.
Sanders
Schakowsky
Scott (VA)
Serrano
Sherman
Slaughter
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (NM)
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—267

Ackerman
Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Bereuter
Berman
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dooley (CA)
Doolittle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
English
Etheridge
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Janklow
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Matheson
McCotter
McCrery
McHugh
McInnis
McNulty
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Oxley
Pascrell
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Loretta
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Stearns
Sullivan
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Udall (CO)
Upton
Van Hollen
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Kucinich

NOT VOTING—10

Becerra
Capps
Clay
Culberson
Gephardt
Jones (OH)
Marshall
McKeon
Putnam
Souder

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1145

Mrs. MYRICK and Messrs. GINGREY, HAYWORTH and RUPPERSBERGER changed their vote from ''aye'' to ''no.''

Mr. OLVER changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. STUPAK

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. STUPAK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 213, noes 213, not voting 8, as follows:

[Roll No. 554]

AYES—213

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fletcher
Ford
Frank (MA)
Frost
Gonzalez
Goode
Gordon
Green (TX)
Green (WI)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Whitfield
Woolsey
Wu
Wynn

NOES—213

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goodlatte
Goss
Granger
Graves
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Oxley
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Stearns
Sullivan
Sweeney
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Capps
Clay
Gephardt
Jones (OH)
Marshall
McKeon
Putnam
Souder

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1157

Messrs. HOYER, DICKS and LIPINSKI changed their vote from ''no'' to ''aye.''

Messrs. TOOMEY, PORTER and RENZI changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. REYES

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. REYES) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 206, noes 221, not voting 8, as follows:

[Roll No. 555]

AYES—206

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Barton (TX)
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gibbons
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOES—221

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boucher
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Lynch
Manzullo
McCotter
McCrery
McHugh
McInnis
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Capps
Clay
Gephardt
Jones (OH)
Marshall
McKeon
Putnam
Souder

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1205

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote

on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 271, not voting 8, as follows:

[Roll No. 556]

AYES—156

Abercrombie
Ackerman
Allen
Baca
Baldwin
Ballance
Becerra
Bell
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown (OH)
Brown, Corrine
Capuano
Cardin
Carson (IN)
Clyburn
Conyers
Crowley
Cummings
Davis (AL)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Doggett
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Majette
Maloney
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Roybal-Allard
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanders
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Velazquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—271

Aderholt
Akin
Alexander
Andrews
Bachus
Baird
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Berman
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Lynch
Manzullo
Matheson
McCotter
McCrery
McHugh
McInnis
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Sanchez, Loretta
Sandlin
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Capps
Clay
Gephardt
Jones (OH)
Marshall
McKeon
Putnam
Souder

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1212

Mr. SIMMONS changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SHERMAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SHERMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 248, noes 179, not voting 8, as follows:

[Roll No. 557]

AYES—248

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Bartlett (MD)
Beauprez
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Buyer
Capito
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Chabot
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Duncan
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Frost
Gallegly
Gonzalez
Gordon
Green (TX)
Green (WI)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hayworth
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pickering
Platts
Pomeroy
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Renzi
Reyes
Rodriguez
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Shuster
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stenholm
Strickland

Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Walden (OR)
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—179

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Barton (TX)
Bass
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Calvert
Camp
Cannon
Cantor
Carter
Castle
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Dunn
Ehlers
Emerson
English
Everett
Feeney
Flake
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Greenwood
Gutknecht
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hobson
Hoekstra
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
Manzullo
McCrery
McInnis
Mica
Miller (FL)
Miller (MI)
Murphy
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Oxley
Pearce
Pence
Peterson (PA)
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Royce
Ryun (KS)
Saxton
Schrock
Sessions
Shadegg
Sherwood
Shimkus
Simmons
Simpson
Smith (MI)
Smith (TX)
Sullivan
Sweeney
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner (OH)
Vitter
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Capps
Clay
Gephardt
Jones (OH)
Marshall
McKeon
Putnam
Souder

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1225

Mr. OSE changed his vote from ''aye'' to ''no.''

Messrs. RUPPERSBERGER, JONES of North Carolina, FERGUSON, FORBES, JOHNSON of Illinois, PICKERING, NEUGEBAUER, SHUSTER, FOSSELLA, and Mrs. CAPITO changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Mr. OBEY. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman may inquire.

Mr. OBEY. Mr. Chairman, in light of all the vote switching that just occurred on the last amendment, has everybody who needed to gotten to the well on that vote yet?

The CHAIRMAN. The gentlemen has failed to state a parliamentary inquiry.

AMENDMENT OFFERED BY MR. WEINER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. WEINER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 233, not voting 9, as follows:

[Roll No. 558]

AYES—193

Andrews
Baca
Baird
Ballance
Barrett (SC)
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Cantor
Capuano
Cardin
Cardoza
Carson (OK)
Case
Chabot
Clyburn
Coble
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Doggett
Doyle
Edwards
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Frank (MA)
Franks (AZ)
Frost
Garrett (NJ)
Gonzalez
Goode
Gordon
Graves
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hayworth
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Kennedy (RI)
Kildee
Kind
Kingston
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, George
Moore
Moran (KS)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Renzi
Reyes
Rodriguez
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (VA)
Shays
Sherman
Simmons
Solis
Stearns
Stenholm
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Towns
Udall (CO)
Udall (NM)
Van Hollen
Wamp
Waters
Watson
Waxman
Weiner
Weldon (FL)
Wexler
Woolsey
Wu
Wynn

NOES—233

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Bachus
Baker
Baldwin
Ballenger
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Capito
Carson (IN)
Carter
Castle
Chocola
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Dooley (CA)
Doolittle
Dreier
Duncan
Dunn
Ehlers
English
Everett
Feeney
Flake
Fletcher
Forbes
Fossella
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goodlatte
Goss
Granger
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kilpatrick
King (IA)
King (NY)
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lee
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McDermott
McGovern
McHugh
McInnis
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moran (VA)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rush
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schrock
Scott (GA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Stark
Sullivan
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner (OH)
Turner (TX)
Upton
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Watt
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Capps
Clay
Gephardt
Jones (OH)
Marshall
McKeon
Putnam
Souder
Spratt

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1233

So the amendment was rejected.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Ms. JACKSON-LEE of Texas. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, with the knowledge that there are over some 120 amendments, my understanding is that there will be an announcement that the committee now rise and a proposed rule.

My inquiry is, is this the end of the Committee of the Whole, and does this mean that the amendments of Democrats who wanted to impact on the $87 billion, over 100 amendments will now be denied and issues dealing with our troops in Iraq, will not be able to be responded to by these amendments?

The CHAIRMAN. The Chair is about to entertain a simple motion to rise. The Chair is not able to respond to the gentlewoman's inquiry with respect to future events that may take place in the House.

Mr. KOLBE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction for Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes, had come to no resolution thereon.

PARLIAMENTARY INQUIRY

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state it.

Ms. JACKSON-LEE of Texas. Mr. Speaker, my understanding is that we have called for the committee to rise and we are now in the full House under H.R. 3289.

My inquiry is, are we about to enter into a discussion on a rule that will supersede the submitting, if you will, of amendments by Members of this body? My understanding is that we passed an open rule, and we had at least 100 or more amendments offered by Members from both sides of the aisle, many of them dealing with the quality-of-life issues of our troops, many of them dealing with the mental health issues with respect to the huge numbers of suicides, many of them dealing with bulletproof vests, but focusing on the intent of H.R. 3289, which is a supplemental that funds the actions in Iraq with respect to our troops, but also deals with the Iraqi reconstruction.

My concern is whether or not debate is now going to cease because of this newly presented rule and the basis upon which the House now moves to implement a rule that supersedes the original rule that allowed us to have the opportunity to present our amendments.

I believe the American people deserve an answer, Mr. Speaker.

The SPEAKER pro tempore. The Chair cannot give an advisory opinion on a hypothetical situation which may arise. The gentlewoman raises a proper question for debate during the debate on the rule.

Ms. JACKSON-LEE of Texas. May I inquire as to the next step of the proceedings of this House with respect to H.R. 3289? Are we about to enter into a discussion on a rule eliminating debate?

The SPEAKER pro tempore. The Chair is prepared to recognize a member of the Committee on Rules to call up a rule.

Ms. JACKSON-LEE of Texas. I would appreciate very much if we would be able to get a answer. Is the Chair yielding to the Committee on Rules?

The SPEAKER pro tempore. The Chair is prepared to recognize a member of the Committee on Rules.

Ms. JACKSON-LEE of Texas. Will we get an answer at that point whether debate will cease?

The SPEAKER pro tempore. That is a proper question for debate on the rule.

Ms. JACKSON-LEE of Texas. And we will get a proper answer as to whether debate will cease and desist? But the intent of the rule is to cease and desist our debate and to cut off debate on these amendments.

The SPEAKER pro tempore. That is a proper question for the debate on the rule.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3289, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 401 ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 401

Resolved, That, during further consideration of the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes in the Committee of the Whole, the bill shall be considered as read and no further motion or amendment shall be in order.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 401 provides that H.R. 3289, the Emergency Supplemental Appropriations Act for Defense and the Reconstruction of Iraq and Afghanistan, shall be considered as read, and that no further motion or amendment shall be in order.

Mr. Speaker, the House began debate 3 days ago on this emergency appropriations bill that provides for the needs and protection of our troops in Iraq. The unanimous consent agreement provided for 5 hours of general debate that began on Wednesday. The House resumed debate yesterday morning with discussion and consideration of amendments lasting well into last night. The House began a third day of debate this morning with consideration of 13 amendments.

After hours and days of debate, delay of a final vote on the emergency supplemental bill means a delay in getting the men and women in our military the resources and the equipment that they need. This rule, H. Res. 401, would end the delay and give our troops the funding they require and the support that they deserve.

I urge my colleagues to support both the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FROST asked and was given permission to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, this rule is a travesty, but certainly no surprise. In the years since the Republican Party took control of this body, their leadership has made a concerted effort to strip away the rights of Members of the House of Representatives, bit by bit by bit. This rule is just more of the same, and every Member of this House who believes in the small ''d'' democratic process should vote to defeat it.

The Republican Party's leadership has been nothing short of disingenuous about the debate on this supplemental.

Mr. Speaker, this has been anything but an open process. There have been some very important discussions on the floor, but those discussions have been truncated. Over 120 amendments were noticed to this bill, yet, despite the fact that there is obviously so much interest on the part of Members of the House in this $87 billion bill, the Republican leadership is now cutting off the last opportunity to bring over half of those amendments to the floor.

Mr. Speaker, I voted in favor of the resolution authorizing the President's action in Iraq. I still believe my vote was the right vote to take. But, if I recall correctly, one of the many reasons the President and the Secretary of Defense and the Secretary of State gave the American people about why we should take military action against the regime of Saddam Hussein was to bring democracy to the Iraqi people.

Quite frankly, I think it is time we bring democracy back to the United States House of Representatives. The way the Republican Party runs this House makes a mockery of the President's laudable goal of bringing democracy to Iraq and its people.

Mr. Speaker, in September the President requested $87.5 billion in emergency funding for the continuing military operations in Iraq as well as to fund reconstruction projects in that country. He made the request and expected the Congress to rush it back to him ready to be signed into law.

We have no authorization for legislation for these funds. In fact, the committees with jurisdiction over the programs funded here have not even been given the chance to add their views to the bill.

On Wednesday, the Committee on Rules reported a so-called open rule, but I have to point out that the Republican Party's version of an open rule is one that does not allow Members the right to amend this bill in a way that affects the policies it moves forward. In fact, the chairman of the Committee on Rules told the committee that an open rule could and should waive all points of order against the committee bill, but not against Member amendments. And why? Why can legislative language offered by other Members be made in order? Because, Mr. Speaker, as the chairman said, ''We are considering this in the same manner which the Democrats did before 1995.''

Mr. Speaker, that is not the case. In fact, if we just take the emergency supplemental for fiscal year 1994, the Committee on Rules, controlled by the Democrats, reported a rule for that supplemental that waived all points of order against two Republican amendments. The gentleman from California (Mr. DREIER) expressed his opposition to the rule at that time because two other Republican amendments were not allowed to be considered under the rule. We may have cut off those two amendments during the consideration of that supplemental, but we did waive points of order against other Republican amendments because, as my chairman so ably pointed out on Wednesday evening, ''We are the Committee on Rules. We do have the authority to do that.'' So I have to ask, why did the Republican Party's leadership not grant waivers to at least some of the thoughtful and constructive policy amendments brought to the Committee on Rules on Wednesday?

As reported by the Committee on Appropriations, the funds for reconstruction in Iraq are $1.4 billion more than were contained in the entire foreign operations appropriation passed by the House and $500 million more than the Senate's foreign operations bill. That represents every single foreign assistance program this country participates in for the entire fiscal year. Yet the Committee on International Relations was not given an opportunity to consider the President's request in a legislative forum and amendments that sought to impose policy in this bill were denied the opportunity to be voted on during this debate.

The Committee on Appropriations has reported funds for the military operations in Iraq and Afghanistan that amount to 56 percent of the funds for all operations and maintenance in the Department of Defense for fiscal year 2004.

□ 1245

I strongly support this funding, but certainly the Committee on Armed Services should have been given an opportunity to fully examine the request and report legislation that would set some policy about how this money is to be spent. Perhaps amendments offered by the members of that committee who have great expertise in these matters might have added substantive policy limits to ensure that these funds are going to be used in the best interests of the men and women in uniform who are on the front lines in Iraq and Afghanistan right now.

Yesterday I heard far too many Members on the other side of the aisle come to the floor and impugn the motives and perhaps the patriotism of Members who sought to reprioritize the funds in this bill. Mr. Speaker, those kinds of remarks are a shameful blemish on this institution. Every Member of this body is entitled to hold his own opinions. We are not elected to march in lockstep with the dictates of the Republican Party's leadership.

No, indeed, Mr. Speaker. We are all here to do what we think is best for the United States of America and its citizens. I hold a different view on going to war in Iraq than do many of my colleagues on this side of the aisle. I cannot and I do not hold them in any less regard for holding views that differ from mine. I believe that a vibrant and vital democracy requires that all of these views be heard, not hidden or muffled to escape the withering attacks of ideologues. I also believe that these views should be brought to this floor and discussed in a civil atmosphere, not subjected to the partisan pot shots that have been lobbed by the other side of the Chamber during this debate.

This rule shuts off debate, pure and simple. This rule cuts Members out of the discussion. By denying Members waivers to bring up amendments that address policy in addition to money, Members were shut out of the process in the first rule. But at least there was a chance for Members to bring up those issues before a point of order would be lodged against them. Now, the autocratic Republican Party leadership, for whatever reason, be it to go home for the weekend or to leave on a CODEL, or perhaps even to cut off debate so that the American people could not find out what the Congress is up to, has brought to the floor a rule that says, That's all, folks. Well, Mr. Speaker, that is just wrong.

In one last attempt to try to give the House an opportunity to set policy, it is my intention to oppose the previous question in order to give the House one last chance to discuss a matter that is of grave concern to millions of Americans who are deeply alarmed about using so many American tax dollars to rebuild Iraq. If the previous question is defeated, I would amend this rule to allow the House to vote on an amendment adopted by the Senate, by the other body, yesterday. That amendment, which is similar to the amendment offered by the gentleman from Wisconsin (Mr. OBEY) yesterday in his substitute, is identical to the amendment offered by the senior Senator from Texas, a Republican, and would require half of the reconstruction funds of this bill to be funded through the World Bank. That passed in the United States Senate yesterday on a vote of 51 to 47. Under this rule, we will not even be permitted to vote on that measure on the floor today.

The House should go on record on this language; and if the previous question is defeated, it will have the opportunity to do so. Otherwise, it is, That's all, folks. What a mockery we will make of ourselves.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Missouri (Mr. BLUNT), the majority whip.

Mr. BLUNT. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of the rule. We have had hours of debate on this legislation. It started 3 days ago. There have been plenty of opportunities to discuss what needs to happen and what this House needs to do. Our appropriators have done a great job. They have asked the hard questions. The gentleman from California (Chairman LEWIS) and the gentleman from Florida (Chairman YOUNG) in the subcommittee and in the full committee have asked questions. We have not given the President everything he asked for, because part of our job is to put the difficult questions to the administration and try our best to do the right thing.

We all know the right thing here is to continue to work for peace and freedom in Iraq. The international community is beginning to respond. This is exactly the moment when this House should step forward, when our country should step forward and show we have a commitment that will not stop. The

message we send to others in the international community who can help needs to be sent today. The message we send to the donor conference to meet later this month is important that we send and we send it strongly and clearly.

Iraq is not a nation that needs to be saddled down with debt that they cannot deal with. The President has asked us to make a commitment not just to bullets and ammunition, but to the basic services that keep our troops alive. I had someone from St. Louis in my office the other day; and as he was leaving, talking about a totally different topic, he pulled out a picture of his son in his pilot's outfit who is in Iraq and said, all of the money the President asked for will keep my kid alive.

So this is a country where people have not had basic services for 25 or 30 years. But for the last 25 or 30 years when they came up and they were mad in the morning and they got out on the streets, the tyrants that worked for Saddam Hussein just killed them or put them in jail. We do not do that any longer. We can make a commitment to the fundamental infrastructure of this society. We can make a commitment to our troops. We need to do that here today.

Afghanistan and Iraq are now central to the war on terrorism. This is a war that we all knew months ago would not be over in a short period of time. We have to engage the terrorists where they are. We have to show the kind of resolve that the world respects and people in all parts of the world respect.

Mr. Speaker, it is not just the American soldier and sailor, Marine and airman who is a target in Iraq; it is anyone who wants to bring stability to that country. It is policemen in their headquarters. It is Iraqi policemen lined up to get their paychecks. It is a Muslim cleric who sends signals he wants to work with us for peace and stability. We need to do what we can to win this war on terror, and an important part of that is to show our commitment to those who live in the center of this most dangerous part of the world.

The committee has brought a product that allows us to do that. We do not need to continue to debate this for more than 3 days. This debate has gone on for hours. I urge not only support of this rule, but quick and speedy action that sends a message to the world; and that action needs to happen today.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman from Texas for yielding me this time.

My friend who just spoke and I are going to vote together on final passage of this bill, but my friend and I disagree on the process that we are pursuing to accomplish the objectives of which he speaks. He speaks of the objectives and not the process because he feels comfortable defending the end result, but obviously not comfortable discussing the process. Why?

This bill that we are considering is larger than 10 of the 13 appropriation bills. As a matter of fact, it is almost 100 times larger than the District of Columbia appropriation bill which we spent in debate in committee and in hearings 10 times longer to consider. Hear me. The District of Columbia bill is 1/100ths of the dollars that we are appropriating in this bill, yet we spent 10 times the time of Congress and Members and allowing the public to have input as we have on this bill.

Now, we passed a bill, I tell the gentleman from Missouri, just a few months ago, almost $70 billion. It tragically has not made our men and women safe, as the gentleman says this bill will. I hope the gentleman is right. But we have over 100 amendments and a number particularly that are very substantive in nature that ought to be considered on their merits, because it may make the bill better. It may make the men and women in our armed services safer. It may more cheaply accomplish the objective of reconstruction in Iraq that will pursue our progress and make our success more probable.

So I say to my colleagues that we ought to reject this rule, this gag rule that shuts down the consideration on one of the largest bills we will pass this year for just a few more hours to give Members, elected by 600,000 Americans, the opportunity to offer their alternatives.

Now, in committee, we considered some of those alternatives; but that committee is but a portion of the House of Representatives. In particular, I say to my colleagues, the ranking member who would be the chairman of this committee if his party, my party, were in control, so he is not just a back-bencher, has a very substantive alternative that got a lot of votes in committee. And what it says is, yes, we need to take responsibility. And, yes, we need to sacrifice. But guess what? We who are here at home, safe in our sanctuary, ought to make a little sacrifice too, and we ought to pay for this bill and not pass it along to our children and to our grandchildren. That is responsible. That is fair. That is the moral position, in my opinion, we ought to be taking.

But the gentleman from Wisconsin who has that amendment is being precluded from offering that amendment, along with 30 or 40 other Members who have substantive, important proposals to bring before this House, the people's House, the people's representatives, to consider the alternatives available. Is that not sad? Does it not undermine our democracy and our product?

Let us reject this rule. Let us vote against the previous question. Let us consider in full the proposals made by the Members elected to this House by the American public.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. RANGEL).

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, I rise in opposition to this rule. We are talking a lot about a reconstruction of Iraq, our commitment to bring democracy in this area; and all I can see is war, war, war and read about the numbers of Americans that are in harm's way that are losing their lives. All we are saying is that we have the responsibility to share with our constituents why we are making this second down payment on a war which we have no idea as to when, if ever, it is going to conclude, how many lives are going to be lost, where is it going to be spread. Most of us accept the fact that the decision to unilaterally attack Iraq was made before 9–11, but how many other countries are on the list? Where do we go from here?

It just seems to me that somewhere along the line we were looking for Osama bin Laden and then we were looking for Saddam Hussein. God knows how long the President's list is. We should be able to ask these questions. We should not leave here until every Member of this House feels satisfied that they have explored the direction in which our country is going.

It bothers me that what we are talking about today is rebuilding a country that we started bombing. I do not remember coming here to rebuild Iraq, Baghdad, or any other place in the Middle East, and yet we are supposed to feel guilty if we do not fulfill this obligation, as though our mail is coming in from the GIs and the Marines that are overseas saying, for God's sakes, send some money to rebuild Iraq if you love me, because the quicker you rebuild Iraq, the quicker I will be able to get home. That is not my mail. My mail is, I want to come home because, guess what? They started the draft. No, not the draft that I advocated. But if you volunteer to serve this country, either in the active service or in the Reserves or in the National Guard, you are being drafted. Your time is being extended. They are taking you away from your home and your family. And these families are not talking about rebuilding Iraq; they want their lives rebuilt.

So give us some time to better understand the President's position, and we might find out where he is going to take us from Baghdad.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, it seems to me that the 17 years I have been in Congress, most of that time on the Committee on Rules, that things have changed in such an incredible way, I can hardly recognize it. I remember the times when just the defense budget alone, we

would take testimony from the beginning of the morning until late at night for days at a time, hundreds of amendments. We thought that was just fine. It was wonderful. We wanted everybody to get a chance to talk about what was one of the most important things we do in the country, and certainly one of the most expensive.

But it seems to me lately that because we can only work 2 days a week in Washington, next week I think we are going to be here a day and a half, that we have to condense everything. It is sort of the Reader's Digest version of the House of Representatives.

□ 1300

And so we cut out everybody's rights to speak. We make sure that nobody has a chance to be in any way distasteful by saying something that another person may not like.

We are elected by the people of the country to come down here and speak for them, nobody here, nobody in the gallery, nobody else can get up on this floor and speak except those of us they sent here to do it for them. And yet we are being stifled at every turn. And, believe me, I have never seen anything so egregious to us as what happened last night at about 1 a.m. in the morning when they said that this, the largest bill, the money we pass and what many of us believe is a debacle, and for reconstruction and so much malfeasance going on that it almost rivals Teapot Dome, that we will not be able to discuss it, and we will not be able to do much about it.

I want to close with a quote that is one of my very favorites here. Quote, ''I rise in strong opposition to this rule. It is unfair, undemocratic and elitist, disenfranchising nearly every Member of Congress and the voters whom they were elected to represent.'' This description was from the gentleman from California (Mr. DREIER) the chairman, of a rule from 1994, and, boy, is it applicable today.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I rise in strong opposition to this rule. Once again, the Republican leadership that runs this House is attempting to stifle debate. Once again, they are trying to rush important legislation through without adequate deliberation. And, once again, they are wrong. And I urge my colleagues on both sides of the aisle to reject their tactics.

It saddens me to say this, but the United States House of Representatives has become a place where trivial issues are debated passionately and important ones barely at all. And this is an important issue. We are talking about the war in Iraq. We are talking about an enormous, complicated $87 billion supplemental appropriations bill. We are talking about providing the resources our soldiers need to do their jobs in Iraq and Afghanistan. And we are talking about the financial health of our Nation and about the priorities of this Congress.

Now, at least we were talking about those things until the Republican leadership decided just after midnight last night that they did not want to listen anymore. The Committee on Rules is intended to be a place where debate is structured. It can, and it should be, a tool to manage the House. But under this leadership, the Committee on Rules has become a weapon, a weapon that does not manage debate but smothers it.

Now, here is the situation: Yesterday, we passed what the chairman of the Committee on Rules, the gentleman from California (Mr. DREIER), and other Republican leaders described as an open rule. In reality, the rule was not all that open since it did not allow us to offer very thoughtful and important amendments. Amendments to pay for the $87 billion without passing the debt on to our kids, amendments to require the administration to actually come up with a plan for winning the peace in Iraq. Those amendments and so many others, Republican and Democrat, were not made in order. But they said even though we could not vote on our amendments, we could at least talk about them. They called it an open rule. So let us go with that.

Now, we are told by the Republican leadership that the Republican leadership is tired. They do not want to debate. They do not want to vote past 2 or 3 today. They are tired or they have trips to take or planes to catch or somewhere else to be.

With all due respect, Mr. Speaker, too bad. This is one of the most important pieces of legislation we will consider this year, and we need to get it right. Is this the new standard for appropriations bills? You use an open rule that really is not open until you get sleepy, and then you shut off debate and go home? You muzzle Members of Congress and the people they represent?

There has been a lot of rhetoric in this Chamber this week about establishing democracy in Iraq. I want to say to the Republican leadership that you are setting a lousy example for the Iraqi people to follow. We spent one day authorizing this war, one day as legislatures of parliaments from London to Berlin, to Ankara to Santiago spent significant and meaningful time discussing the issue of war and peace. The United States House of Representatives rushed to a war resolution in a single day.

We did not ask the tough questions, we did not get the straight answers. I do not think there is a Member in this House who really believes that we met our responsibilities, and here we go again.

Now, the leadership tells us you have had 3 days. Well, I do not care if it takes 3 weeks. Let us stay here all weekend for the soldiers in Iraq, for their families, for the people we represent, we cannot afford to get this wrong.

Let me say to my colleagues on the other side of the aisle, many of you had important amendments and thoughtful things to say. If this rule passes, you will be silenced. You know this is wrong. Please take a stand. Do not be a cheap date. Vote no. Because if you do not, this is going to happen again and again and again. Reject this rule and let us get back to work.

Mr. FROST. Mr. Speaker, I have an inquiry of the other side. Is the other side going to just play rope-a-dope here and not have any speakers? I guess the answer to that is yes.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank my good friend, the gentleman from Texas (Mr. FROST), the ranking member, for yielding the time.

Mr. Speaker, I rise today in strong opposition to this rule. Not only does this second rule prohibit further amendments to the supplemental, but it also shortchanges the substance of debate on a bill that costs $87 billion: $200 million per congressional district that will not be used to build schools, provide health care or improve the Nation's infrastructure.

My objection to this rule is as much about substance as it is about process. It is as much about the needs of the American people as it is about the needs of the Iraqi people. It is as much about democracy as it is about tyranny. As we deliberate an $87 billion supplemental appropriations request from the President, House Republicans are saying that we cannot ask questions. We cannot ask what the money is going to be used for and how we are going to pay for it. We cannot ask because the Republicans do not know. They do not know because the President will not tell them.

Mr. Speaker, if we allow the dictatorial Republican majority to decide what is worthy to debate, then the House will quickly become an insignificant Constitutional trophy sitting on the President's mantle.

Do my colleagues realize that the other body has been debating this bill for 15 days? Some Senators have spoken more, each one, more than all of the Members of the House, while the House has not spent 15 hours, and we have more than four times as many Members.

So I echo what Mr. RUSH said last night: It ain't Christmas, it ain't New Years, and it ain't Easter. Why not work through the weekend and all the Members be heard? American troops will be working this weekend. Why cannot Congress? Our soldiers are fighting and dying, three last night, while Republicans are cutting and running.

When Democrats ask questions about cost, strategy, and accountability, Republicans label us as unpatriotic. As I see it, the only unpatriotic thing about

this debate is the majority's abandonment of the House's Constitutional responsibility to, as Mr. Madison put it, have a will of its own.

As written, H.R. 3289 gives the President carte blanche to spend nearly $87 billion before he has explained how he spent $79 billion we appropriated a few months ago. As I said yesterday, we have seen what happens when we relinquish our oversight authority and fail to hold this administration accountable ahead of time for its actions.

Last night, when America was sleeping, Republicans on the Committee on Rules dredged out the familiar formula of pushing their self-serving agenda by oppressing debate, deliberation and dialogue. There is an acronym in the United States Armed Forces that best describes what Republicans are saying to the American people today: The soldiers say BOHICA, B-O-H-I-C-A. Bend over, here it comes again.

Mr. FROST. Mr. Speaker, I gather in this time of the World Series that my friend on the other side is the designated ''sitter.''

Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, this legislation before us provides $87 billion to pay for the consequences of our war against Iraq, and the $20 billion reconstruction section provides $872 per capita aid to every single person in Iraq; 872 bucks. That is the size of this package. That ought to merit a lot more debate than we have had.

The bill before us got to the floor only because the majority went to the Committee on Rules and made a number of exceptions to the House rules so that this bill could come to the floor. And then the leadership guarantees that they are not going to lose any votes, the Republican leadership, by denying to the alternative to their proposal, those same exceptions to the rule.

That is what you did yesterday. Then yesterday you said any Member who had a germane amendment was given the grand total of 5 minutes to discuss it before the hammer came down. And now today, you are saying that the rest of the Members, who have not yet been able to even offer an amendment for consideration, are going to be denied the opportunity to do so.

Now, this happens in this Chamber, in Washington D.C., the capital of the greatest democracy in the world, supposedly, at the same time we are all supposed to swoon at the thought of how quickly Iraq is going to become a beacon of democracy and the second imitation of New Hampshire on the Presidential primary circuit.

Well, I am sorry, I agree with the gentleman from Massachusetts (Mr. MCGOVERN), what a lousy example you are setting for the Iraqis. You got a rigged game in this House. And any time you see an amendment you cannot beat, you solve it the easy way. You say we cannot even vote on it. Incredible. Where is your fairness? Where is your guts? If you cannot beat us fair and square, you should not be in this Chamber at all.

Now, last night eight of your Republican colleagues in the Senate voted for a proposal that provided a good portion of this aid in the form of loans. It does not matter whether you agree with that or not, we ought to be able to vote on that same proposition. But you do not think you can beat it, and so you are denying us the opportunity to even vote on it. Where is your guts?

So, Mr. Speaker, the only way we have a chance of a snowball in you know where of getting a vote on an amendment to protect the interest of the taxpayers is for us to vote down this antidemocratic rule so that we have an opportunity to change it. And that is why you need to vote against the previous question on this rule so that while we are prattling on about how much democracy we are going to bring to Iraq, we occasionally provide a little in this Chamber.

Mr. FROST. Mr. Speaker I would inquire as to the time remaining.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Texas (Mr. FROST) has 3½ minutes remaining. The gentleman from Washington (Mr. HASTINGS) has 26 minutes remaining.

Mr. FROST. Mr. Speaker, I gather the other side is not intending to use any time at this point.

Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to the rule because it blocks amendments such as the one I would like to introduce which would increase the pay by $1,000 a month for anybody who is serving in excess of 6 months in Iraq.

Extended deployment strains all families, especially Reservists and those in the National Guard who have seen their deployments extended to 12 months. USA Today recently reported that one-third of Reservists and National Guard members suffered a cut in pay when called to active duty, especially those called up on short notice, those who have made personal business arrangements for a 6-month leave only to be told later that it is going to be a full year.

The cost of this amendment would be a drop in the bucket. If you figure that a third of those over there will be on extended deployment, that would cost about $50 million a month, $600 million a year, less than 1 percent of the cost of this bill.

□ 1315

Moreover, the amendment will not cost anything if the deployments are limited to 6 months, and at the same time it discourages the 12-month deployment.

Mr. Speaker, I ask that the rule be defeated so that amendments like this can be considered. Defeat the rule and allow other amendments.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank our distinguished ranking member of the Committee on Rules for yielding me time and the fight he and the other members of the Committee on Rules are making in that venue for openness on the floor of this House.

Mr. Speaker, this is a solemn and serious matter that we have before the House today. And the question is what is the best way for us to provide for our troops, help with the reconstruction in Iraq, and accomplish our mission so that we can bring our troops home safely and soon. We know that it is not about cutting and running. We take our responsibilities seriously that we have inherited in Iraq, and it is not about cutting and running. It is about accomplishing our mission. But cutting and running is what is happening here in this House of Representatives.

The debate on these issues relating to the $87 billion supplemental is just too painful for the Republicans to hear. The fact that there was no plan for postwar Iraq is just too painful for them to listen to.

The amendments that have been thoughtfully considered and presented here by our colleagues on both sides of the aisle point out the shortcomings of this supplemental to begin with. The gentleman from Minnesota (Mr. RAMSTAD) had an excellent amendment earlier talking about paying for transportation for our men and women in uniform, that we would pay for that. Why would that not have been in the President's proposal to begin with? Why is it not the law now? The list goes on and on.

We said it over and over again that, without the intervention of the gentleman from Pennsylvania (Mr. MURTHA) and the cooperation of the gentleman from California (Mr. LEWIS), our troops would still not have funding for Kevlar in their jackets, jammers to stop the detonation of explosive devices, spare parts for their equipment, and armor for their Humvees. They still do not have it. It will hopefully be in this package. But it was not there in the summer after we gave the administration $63 billion, and it was not in the President's proposal. And that is why these amendments are important, but they again show the concern for the troops was much less than it should be on the part of the administration.

So we come to the floor with this very important matter, a matter relating to war, how we support our troops, how we reconstruct and bring stability to Iraq so that we can accomplish our mission. And we are told that we have an open rule, that the discussion will consider what people propose. And immediately the rule becomes restrictive in terms of what it will allow to be brought to the floor for a vote.

It is beneath the dignity of this House for us to have a debate on the war and not allow the proposal of the Democrats, the Democratic substitute,

to come to this floor. And the main reason it could not come to this floor is because it paid for, it paid for what we would do for the troops and the reconstruction of Iraq. So it is against the rules here to be fiscally responsible to pay for the proposals that we are putting forth.

The gentleman from Florida (Mr. HASTINGS) put forth some saying that he heard in the Army. I cannot repeat it and I would not repeat it if I could, but I want to go to the Marines. The Marines have an expression, ''Proper Preparation Prevents Poor Performance.''

Our men and women were properly prepared and they performed their duties excellently, but there was no planning for after the military action, which still continues but which the President declared over May 1. There is no plan. There has been no plan. And to quote General Zinni, ''The level of sacrifice has not been met by the level of planning.''

How can we ask our troops to make those sacrifices when we are not really willing to have a plan? And if there was a plan, it is a failure. And if there is a plan, nobody knows what it is. And if there is a plan, it did not take into consideration the risks in postwar Iraq and, therefore, properly protect our troops. It misunderstood the conditions in Iraq and the challenges that we would face, again, endangering our troops. And it misrepresented what the cost would be to the American people.

Again, we have heard Secretary Wolfowitz's statement about how quickly Iraq would be able to provide for its own reconstruction. So that is why there is some level of disapproval of what is happening here. It is an open rule except we will restrict what we can hear and besides, we are sick and tired of hearing what is wrong with this policy.

That is cutting and running. We are opposed to it in anything we undertake.

We are professional people. We have the privilege of representing the American people. They have serious questions about this, and we are cutting and running and stifling debate.

So I hope that the opportunity that is presented under this rule, under the consideration of the previous question, will enable this House to vote on what happened in the Senate in a bipartisan way last night, which basically said that the American people should not be taking all the risks as far as their troops are concerned and paying all the bills. And this amendment specifically addresses the bills. It says if those oil fields get gushing, this is what it means, if these oil fields get gushing and Iraq amasses resources, then and only then would they pay back the loan. If they cannot, there is consideration for that. It could not be more fair. It could not be more reasonable. It should be voted upon by this body. But it is really unfortunate because time is what we were sent here to use for the American people; and if we cut and run, if we cut and run on a matter of this solemnity and this seriousness to the American people, shame on us.

I urge our colleagues to support the motion that the gentleman from Texas (Mr. FROST) will be making in regard to the previous question.

Mr. FROST. Mr. Speaker, we have only one concluding speaker, and I would ask if the other side intends to close. If they have any other speakers, do they intend to close after our concluding speech.

Mr. HASTINGS of Washington. Mr. Speaker, I would advise the gentleman to use his speaker.

Mr. FROST. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge Members to oppose the previous question. If the previous question is defeated, I would offer an amendment to the rule. This will give Members an opportunity to vote on an amendment by the ranking member, the gentleman from Wisconsin (Mr. OBEY), which is identical to the bipartisan amendment passed in the other body last night by a vote of 51 to 47. That amendment will require that a portion of the money for reconstruction efforts will be in the form of a loan.

The amendment provides $5 billion as a grant to rebuild Iraqi security services, and it provides $5.2 billion as a grant for water, power and other critical infrastructure facilities. Congressional notification would be required for any projects in excess of $250 million; $10 million would be considered as a loan but would convert to a grant upon 90 percent forgiveness of prewar debt by other countries.

I want to stress that a ''no'' vote will not prevent us from voting on this supplemental. But a ''no'' vote will allow Members to vote on the identical language that will be included in the Senate bill.

Mr. Speaker, I ask unanimous consent that the text of this amendment be printed in the RECORD immediately before the vote on the previous question.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FROST. Mr. Speaker, I urge a vote ''no'' on the previous question so we can have an opportunity to vote on the Senate loan amendment.

Mr. Speaker, I yield back balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as has been mentioned in different forms earlier in this debate, this is serious business. It is serious business. And I believe knowing that we are engaged in this war on terrorism, which we have been now for over 2 years, we have to respond in a timely manner to those Americans that we put at risk. And I would remind my colleagues that three-fourths of this bill, or slightly more, goes to support our troops. And we have focused on other parts. Probably that is good for the debate, but we should not lose sight of the fact that three-fourths of this goes directly to our troops.

Now, we have some difference of opinion between the other House with their supplemental budget. The quicker we can get this into conference, the quicker we can get a bill passed; and the quicker we can get the President to sign it to support our troops, frankly, the better off we are.

I would just make one observation that I found rather interesting, because we spent a great deal of time debating before I was here on the Gulf War resolution. I was not here. But I understand that was a debate that was inspiring for the Congress. That really, when we look at that from a historical standpoint, is why we are here today, because of whatever reasons and agreements were made following the Gulf War, Saddam remained in power.

Now we are in a situation where we have to complete that. We had a long debate when we decided to go to war in Iraq this year, properly the right thing to do. And now we have debated this supplemental to support our troops for into the third day.

From a historical standpoint, I would just like to remind Members that sometimes this body moves extremely fast on important issues. Right after December 7, 1941, when we declared war on Japan and Germany, the U.S. House of Representatives allocated 40 minutes for each of those resolutions. I think it is important for us to get this done as quickly as we possibly can. So I urge my colleagues to vote for the previous question.

Mr. Speaker, I oppose this new rule to recklessly cease debate and eliminate all opportunity for amendments on behalf of the American people. I now will speak to H.R. 3289 before us. The task of stabilizing and reconstructing Iraq may end up being one of the greatest challenges of our generation. Although we are getting rosy reports of progress in Iraq from the administration, the fact that we have 130,000 troops in the area and are now being handed an $87 billion tab paints a fully different picture. It is now obvious that the administration grossly underestimated the cost and difficulty of stabilizing Iraq, almost to the same extent that they overestimated the threat posed to the American people by Saddam Hussein. Even the so-called ''soft costs'' of the war and its aftermath are enough to cripple some nations.

This is not revisionist history; at least a hundred of us in Congress, millions of citizens who took to the streets, and even a handful of brave souls in the administration itself, tried to warn the administration of what it was getting into with its pre-emptive strike on Iraq. We were ignored, and those in the administration—the Shinseki's and the Lindsey's have been encouraged to move on. But the problems in Iraq have not gone away so gracefully. We are now at an important crossroads. We can continue to beat this dead horse with the same policies of isolation from our allies around the world and partisanship here in the

United States or, we can start working together—employing the collective wisdom of all of us here and around the Nation with the experience and expertise to be of service in this endeavor—and who are committed to our troops, and to fulfilling the promise the President made to the people of Iraq and Afghanistan and to the world.

As this debate comes to the Halls of Congress, the people who marched us into this war will try to paint this vote as a vote for or against our troops. This is absolutely a false picture. For one thing, our military is extremely well funded. As I just described, including the Iraq supplementals, the Defense budget will be approaching $500 billion. Furthermore, Iraq is not an indigent nation.

If they wanted to, they could take better care of our troops. Secretary Rumsfeld wants to spend billions of dollars on a Star Wars defense system, while we are getting reports that our soldiers risking their lives in Iraq don't have adequate body armor, or clean water supplies, or basic human necessities like feminine hygiene products for our women soldiers. Six months after this battle started, we still have soldiers without kevlar body armor and water purifiers. What did they do with the first $79 billion war supplemental? We now have a new request for money, but we still have not heard details of how they spent the first money, what progress has been made, and what challenges remain.

I visited the As-Sayliyah Central Command Base in Doha, Qatar last weekend and heard the concerns of the troops from their own mouths. I heard testimony about how a ground soldier, watched his partner and the operator of a military vehicle get tossed out as the vehicle was thrown airborne by a land mine. ''Why did you hit this mine,'' I asked. ''It was just one of those mines that was missed in the sweep . . .,'' said the soldier. Because there isn't enough personnel or specialists to assign to technical tasks, unskilled or untrained technicians frequently get asked to do jobs that they have not mastered enough to guarantee the lives of those who must traverse the sands of Baghdad. The soldier misses his wife and newborn baby dearly. Because there hasn't been a change in the personnel on the front lines in several months, many reservists and active duty servicemen and women have spent a longer time in Iraq than was promised by the Administration. May 1, 2003 was supposed to have been a day of hope and homecoming; instead, it was a sham. Some of these troops feel like ''sitting ducks'' out in the foreign terrain. They don't speak Arabic. They don't know Tikrit like they know their hometowns. When I asked them if they have seen any troops of other coalition nations, they responded, ''what coalition troops?'' They need support and they need continuous relief.

The President and his friends in Leadership in Congress did not listen to the warnings of the Congressional Black Caucus, or our international allies, or hundreds of thousands of like-minded citizens who took to the streets. Some of my Democratic colleagues voted for this war, because they believed in the institution of the Presidency, and thought they had to give this administration the benefit of the doubt. I did not. Regardless, now the President has cut open this patient, and the patient is laying on the surgical table. The President has made a promise to the people of Iraq and to the world that we will leave the patient better than we found it—and it is up to our American soldiers and the American taxpayers to fulfill that promise.

Much of the toughest burden will fall on the shoulders of the families of our troops overseas. Therefore, I have submitted amendments that speak to alleviation of this burden. (1) I firmly believe that before any further funds are sent to Iraq to rebuild that country, we need to ensure that our men and women in the armed forces—reservists as well as active servicemen and women are receiving the money and services that they deserve and in a timely fashion. Dr. Jones, who works under Lt. Col. Corbett shared this concern with me during my visit. (2) I also believe that the Pentagon needs to develop a plan to ensure that none of our troops or government employees must remain stationed in Iraq for more than 6 months at a time. (3) Furthermore, the administration must announce a definite and clear exit plan for the troops to give them real hope and a notion that an end to the fighting is truly near. (4) There should also be more trained military policemen and women stationed in Iraq to mitigate the vulnerabilities experienced by these men and women. (5) Similarly, they need proper job allocation so that lives are not lost due to erroneous assignment of duties. (6) Moreover, as to the national guard servicepersons, the scheduled end of deployment should be honored rather than making them continue fighting until their respective units are released. Despite their frustrations, I encouraged them with the following phrase, ''you are as much defenders as you are peace-keepers'' to let them know that their work truly matters the most for the people of Iraq as well as the people at home in the United States.

I sincerely wish the President had not put us in this situation, but he and his administration did. And now we have to deal with it. If we are going to deal with it, I feel at this point it is critical to take some of the control away from the people who have made horrible misjudgments at every step of the way, who misled the American people and the Congress about the need for war, and who ignored warnings from inside and outside the administration. Either they knew the truth, chose to mislead us, or they did not take the time to adequately assess and plan for the true situation. Either way, senior members of this administration were not doing their jobs.

That is why before any appropriations are sent to rebuild Iraq, the Congress and the American people need to see an independent investigation in progress, looking deeply into several questions: whether U.S. intelligence reports were manipulated in order to misrepresent the threat Saddam Hussein posed to American interests; whether the costs and dangers of invading and occupying Iraq were deliberately understated; whether American officials who offered differing views of Iraq became the victims of inappropriate or illegal retaliation; and whether one or more individuals within the administration is or are responsible for the leak of classified information regarding intelligence reports and the veracity of accounts as to the purchase of ''yellowcake'' for nuclear weapons production.

If any of these allegations are proved true, those responsible must be held accountable. I am concerned that there has been a methodical and undemocratic effort to mislead and intimidate the American people and the world in order to march us into this war. And now we are being given an $87 billion bill to pay for that effort.

As we move forward in Iraq, unfortunately, we have severely limited options. Because people like Secretary Rumsfeld have used reckless speech that has angered and exasperated our allies, many of our most staunch allies are now reluctant to get involved in stabilizing and reconstructing Iraq. While our State Department has been reaching out around the world with a hand of cooperation and partnership, Mr. Rumsfeld has proudly displayed his arrogance and disdain for anyone not walking lockstep with him.

Too much is at stake to distance ourselves from those whose help we need. People from democracies around the world are now being asked to trust this administration with the lives of their sons and daughters in the military, by sending them to fight under a U.S. command whose leaders show them blatant disrespect. They are being encouraged to send their hard-earned money to reconstruct Iraq under the authority of this administration that gives the largest contracts to its political supporters, that seems to have no credible plan for the future, and that ignores the advice of even the most trusted experts on the world stage. It is not surprising that they are not stepping up with money and troops.

I think the problem is basically a lack of trust. I can't blame them. I do not trust this administration to do the right thing in Iraq either. I do not intend to vote to send another dime to Iraq until the President takes some dramatic steps to restore credibility to his Administration:

First, I want to see new faces in top positions, starting with Donald Rumsfeld. We need people who choose integrity over politics and respect over arrogance. Second, I want to see a full accounting of how they spent the first $79 billion, and exactly how they came up with this $87 billion figure. Our sources say that the armed services were barely consulted on those numbers—that some critical needs were totally left out, and others grossly exaggerated. We need honest accounting. And third, once we have a true picture of what funds are necessary to support our troops, Congress should be able to vote on that funding alone—separate from the money needed for reconstruction of Iraq. That ''bifurcated vote'' will allow us to quickly get money to protect our brave soldiers, but will also give us the time we need to thoughtfully craft a plan for reconstruction—a plan that will include our allies, and the World Bank, nongovernment organizations (NGOs), and oil and natural resources from Iraq itself.

Those are the three things I want to see before I can consider giving any more money to this administration for the United States effort in Iraq. This does not mean that I do not want to support our troops. And this does not mean that I want to break the president's promise to the Iraqi people and to the world that he would make things better in Iraq.

Instead, it is a call for action. I want to get the appropriate amount of money to the people who deserve it—but right now I am not confident that $87 billion is the right amount or that it would be spent in a way that would help our troops, help the Iraqi people, stabilize the region, or prevent terrorism.

Mr. Speaker, there are just too many questions and not enough answers. Why do we need $950 million for recruiting and training of

police forces in Iraq, when we need more money for police and firefighters in Houston, New York, Washington, DC, and Philadelphia? Why do we need $209 million for prison and detention facilities, and $100 million for construction of a new prison in Iraq, when our Federal prisons are overcrowded and severely underfunded. Too many questions, and not enough answers, Mr. Speaker. Do we really need $100 million for a witness protection program, and $5.65 billion to repair and rehabilitate the infrastructure in Iraq, when a few months ago the whole Eastern seaboard was without power? Are we really serious?

Finally, Mr. Speaker, are we really serious about supplying Iraq with $793 million for health care programs, when we still have children without health insurance, elderly without health insurance, and our poor citizens without health insurance. There are just too many questions, and not enough answers.

There will be many thoughtful amendments offered that could ensure that the funds that we do not bankrupt our Treasury, while failing our troops and the people who need our help. I urge all of my colleagues to put politics and pride aside and consider them, so that together we can get our efforts in the Middle East back on track.

I have several amendments that I think will help get our policies back on track.

My first amendment states that none of the funds made available in this act may be obligated or expended until Government personnel policies have been implemented to ensure that no members of the Armed Forces or Government employees are being required to be stationed in Iraq continuously for a period greater than 6 months. The President has stated that the war on terror will be a long and involved one. Therefore we must pace ourselves, and we must ensure that our armed services can continue to recruit good people in the future. This amendment will help ensure that our troops and their families remain mentally fit and rested, and that military tours will remain a reasonable commitment in service to this Nation.

The second states that of the funds made available in this act may be obligated or expended until all Reserve and National Guard personnel are paid in full.

The third amendment requires that none of the funds made available in this act may be obligated or expended until the President has submitted to Congress a report setting forth in detail the strategy and projected timetable for withdrawing U.S. forces in Iraq. Without goals, I am concerned that our efforts in Iraq could drift indefinitely. Congress and the American people must know what lies ahead, so that we can plan appropriately.

The fourth is a sense of the House of Representatives that, before any appropriation under this act is obligated, a special counsel should be appointed to investigate the propriety and legality of actions by the administration in connection with the unauthorized release of classified information. We have a complex mission ahead of us in the Middle East. To succeed we will need to take advantage of every single national security asset at our disposal. Recently, one of our top CIA operatives was ''outed'' by White House employees, thus compromising her work and even the lives of her sources and acquaintances overseas. If we do not show the appropriate immediate vigorous response, we could undermine our efforts in the Middle East, by discouraging people to come to American officials with assistance or information.

Finally, I have two amendments that will help refocus some of our energy and resources on Afghanistan. The supplemental continues to shortchange Afghanistan's reconstruction and security, and it does this at the peril of jeopardizing the rights of Afghan women and girls and hopes for a peaceful, democratic Afghanistan. The proposed funding levels neither adequately make up for the small amounts of reconstruction funding thus far nor do they meet the country's needs.

In the last 2 years only 1 percent of Afghanistan's reconstruction needs have been met. The country remains in shambles from two decades of war and lack of development. Most people in the country do not have access to electricity, health care, schools, and sanitation. Not only is the lack of reconstruction depriving people of very basic services, but it is contributing to instability in the country and a lack of confidence in the central government.

The transitional government in Afghanistan estimates that between $20 to 30 billion is needed over the next five years. In other post-conflict settings, an average of $250 per person was spent per year in aid. But in Afghanistan, donors spent only $64 per person in 2002.

The proposed $800 million Afghanistan reconstruction supplemental spending request represents less than 1 percent of the total $87 billion Iraq and Afghanistan package. The $20 billion request for Iraq reconstruction funding is 25 times as large as the Afghanistan request. Yet Afghanistan has approximately the same population size as Iraq and suffered more destruction over 23 years of war.

House Chairman YOUNG's mark to increase reconstruction funding for Afghanistan by $400 million is a step in the right direction. But still more must be done. My first Afghanistan amendment will shift $20 million from the Iraq budget toward Afghanistan to be used for developing electricity-generation and transmission infrastructure. If Afghanistan is ever going to thrive and progress, it will need consistent sources of energy, to power its factories, hospitals and homes. These funds will help.

The other amendment will improve the plight of Afghan women and girls. Women and girls continue to face severe hardship and violations of their rights in Afghanistan. Yet the Afghanistan request does not specify funds for programs to improve the status of women and to remedy the tremendous injustices they faced under the Taliban regime. My amendment proposes designating $300 million for women's programs in the area of political rights and human rights, health care, education and training, and security, protection and shelters. I also propose earmarks of $10 million of the Afghan Independent Human Rights Commission and $24 million for the Ministry of Women's Affairs. We must provide direct support to help strengthen those women-led, permanent Afghan institutions whose mission it is to promote women's rights and human rights. These are funds already authorized in the Afghan Freedom Support Act of 2002, but which still for the most part have not been appropriated.

Some girls have gone back to school in Afghanistan, but the majority have not because there are not enough schools and those that do exist are in very bad shape. The Asian Development Bank estimates that an additional 13,851 primary schools need to be constructed, but the administration request is only for 275 schools. Some 40 percent of schools in Afghanistan were completely destroyed during the war, another 15 percent were heavily damaged, and in many areas of the country there were no schools for girls.

What's more, the advances in girls' education that have been made are under attack. In the past year, fundamentalist extremists have burned down, bombed, and otherwise violently attacked more than 30 girls schools. At most of the sites of these attacks, leaflets have been distributed threatening the families of girls who attend school or the teachers who teach them. Flyers distributed at the site of one of the first attacks read ''Stop sending your women to offices and daughters to schools. It spreads indecency and vulgarity. Stand ready for the consequences if you do not heed the advice.'' Some families are now afraid to send their daughters to school. Our Nation promised to help free Afghan women; we cannot allow the extremists to take back these newly won freedoms.

I hope my colleagues will support these amendments. We must look toward a brighter future in Iraq, and work together to make that vision happen.

Ms. LEE. Mr. Speaker, and thank you to my colleague on the Rules Committee for your leadership and for yielding me the time.

Mr. Speaker, I rise in strong opposition to this rule to gag the strong, growing, and justified opposition to this $87 billion blank check bill and to prohibit its amendment.

Mr. Speaker, if the Republican majority had not issued this draconian, unfair rule to prohibit amendments to this wrong, blank check to President Bush, I would have offered a very important amendment that deserves this body's consideration.

My amendment was simple. It would have added $1 billion to our global AIDS initiative this year, in order to reach the original $3 billion authorization that this Congress and the President approved in May.

If the President can ask for a blank check of $87 billion, for the life of me I don't understand why he won't ask for this $1 billion.

He promised it, he traveled to African and touted his commitment, but in what has become his MO (modis operandi) he has mislead us again.

And in failing to live up to his commitment on AIDS, he is also neglecting a vital matter of national security.

Make no mistake about it, in Sub-Saharan Africa, the region worst hit by AIDS, the disease has contributed to the destabilization of whole communities, tearing at the very fabric of society by killing mothers, fathers, teachers, farmers, health professionals, business-people, and soldiers, and undermining the governing authority and political stability of entire nations. In short, AIDS is creating chaos.

Secretary of State Colin Powell has already described the global AIDS pandemic as something far worse than terrorism. And even our own national intelligence council has already concluded that a wholesale political, social, and economic collapse is very likely to occur in those countries that are already severely affected by AIDS.

Millions of lives are hanging in the balance, and we have the power to save them. We

cannot allow further delay, and AIDS will not wait for us to act. I urge the Republican leadership and the administration to wake up to this reality.

And I urge all members to join me in voting ''no'' on this rule which denies us the opportunity for continued debate on this and denies members the opportunity to offer important amendments, like the one I would have offered today.

The material previously referred to by Mr. FROST is as follows:

Strike all after the resolved clause and insert:

That during further consideration of the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes, in the Committee of the Whole, it shall be in order to consider the amendment specified in section 2 of this resolution if offered by Representative Obey of Wisconsin or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent.

SEC. 2. The amendment referred to in the first section of this resolution is as follows:

At the appropriate place in the bill add the following new section:

SEC. . (a) Of the amounts appropriated under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND''—

(1) the $5,136,000,000 allocated for security, including public safety requirements, national security, and justice shall be used to rebuild Iraq's security services;

(2) $5,168,000,000 shall be available for the purposes, other than security, set out under such subheading; and

(3) $10,000,000,000 shall be available to the President to use as loans to Iraq for the purposes, other than security, set out under such subheading until the date on which the President submits the certification described in subsection (c).

(b) The President shall submit a notification to Congress if, of the amounts referred to in paragraphs (1) and (2) of subsection (a), an amount in excess of $250,000,000 is used for any single purpose in Iraq.

(c)(1) The certification referred to in subsection (a)(3) is a certification submitted to Congress by the President stating that not less than 90 percent of the total amount of the bilateral debt incurred by the regime of Saddam Hussein has been forgiven by the countries owed such debt.

(2) On the date that the President submits the certification described in paragraph (1)—

(A) the unobligated balance of the $10,000,000,000 referred to in subsection (a)(3) may be obligated and expended with no requirement that such amount be provided as loans to Iraq; and

(B) the President may waive repayment of any amount made as a loan under subsection (a)(3) prior to such date.

(d) The head of the Coalition Provisional Authority shall ensure that the amounts appropriated under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND'', are expended, whether by the United States or by the Governing Counsel in Iraq, for the purposes set out under such subheading and in a manner that the head of the Coalition Provisional Authority does not find objectionable.

(e) It is the sense of Congress that each country that is owed bilateral debt by Iraq that was incurred by the regime of Saddam Hussein should—

(1) forgive such debt; and

(2) provide robust amounts of reconstruction aid to Iraq during the conference of donors scheduled to begin on October 23, 2003, in Madrid, Spain and during other conferences of donors of foreign aid.

(f) In this section:

(1) The term ''amounts appropriated under the subheading 'IRAQ RELIEF AND RECONSTRUCTION FUND' '' means the amounts appropriated by chapter 2 of this title under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT''.

(2) The term ''Coalition Provisional Authority'' means the entity charged by the President with directing reconstruction efforts in Iraq.

Mr. HASTINGS of Washington. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 221, nays 199, answered ''present'' 1, not voting 13, as follows:

[Roll No. 559]

YEAS—221

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—199

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clyburn
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns

Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—1

Paul

NOT VOTING—13

Blunt
Boehlert
Brown-Waite, Ginny
Capps
Clay
Conyers
Johnson, E. B.
Jones (OH)
Marshall
McKeon
Putnam
Souder
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1346

Messrs. HILL, CARDOZA, RODRIGUEZ, FORD, NEAL of Massachusetts and WEINER and Ms. MILLENDER-McDONALD changed their vote from ''yea'' to ''nay.''

Mr. PETERSON of Pennsylvania changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I missed rollcall No. 559, because I was unavoidably detained. Had I been present, I would have voted ''Nay.''

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FROST. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 221, noes 201, not voting 12, as follows:

[Roll No. 560]

AYES—221

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—201

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu

NOT VOTING—12

Boehlert
Brown-Waite, Ginny
Capps
Clay
Johnson (CT)
Jones (OH)
Marshall
McKeon
Pryce (OH)
Putnam
Souder
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1354

Mr. DICKS and Mr. RUPPERSBERGER changed their vote from ''aye'' to ''no.''

Mr. OXLEY changed his vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

The SPEAKER pro tempore. Pursuant to House Resolution 396 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3289.

□ 1355

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment by the gentleman from New York (Mr. WEINER) had been disposed of and the bill had been read through page 2, line 2.

Pursuant to House Resolution 401, the bill is considered read for amendment and no further motion or amendment is in order.

The text of the remainder of the bill is as follows:

TITLE I—NATIONAL SECURITY

CHAPTER 1

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $12,188,870,000: *Provided*,

That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $816,100,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $753,190,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $3,384,700,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $24,355,664,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $1,934,058,000, of which up to $80,000,000 may be transferred to the Department of Homeland Security for Coast Guard Operations: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $1,198,981,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $5,598,368,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $4,485,452,000, of which—

(1) not to exceed $15,000,000 may be used for the CINC Initiative Fund account, to be used primarily in Iraq and Afghanistan; and

(2) not to exceed $1,300,000,000, to remain available until expended, may be used, notwithstanding any other provision of law, for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical and military support provided, or to be provided, to United States military operations in connection with military action in Iraq and the global war on terrorism: *Provided,* That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further,* That the Secretary of Defense shall provide quarterly reports to the Committees on Appropriations on the use of these funds: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $16,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $53,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $214,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For an additional amount for ''Overseas Humanitarian, Disaster, and Civic Aid'', $35,500,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For ''Iraq Freedom Fund'', $1,988,600,000, to remain available for transfer until September 30, 2005, for the purposes authorized under this heading in Public Law 108–11: *Provided,* That the Secretary of Defense may transfer the funds provided herein to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; military construction; the Defense Health Program; and working capital funds: *Provided further,* That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees of any such transfer: *Provided further,* That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

PROCUREMENT

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $101,600,000, to remain available until September 30, 2006: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $1,250,287,000, to remain available until September 30, 2006: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $158,600,000, to remain available until September 30, 2006: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $76,357,000, to remain available until September 30, 2006: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $123,397,000, to remain available until September 30, 2006: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $53,972,000, to remain available until September 30, 2006: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $20,450,000, to remain available until September 30, 2006: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $3,418,006,000, to remain available until September 30, 2006: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $418,635,000, to remain available until September 30, 2006: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $34,000,000, to remain available until September 30, 2005: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $39,070,000, to remain available until September 30, 2005: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $195,817,000, to remain available until September 30, 2005: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $600,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for ''National Defense Sealift Fund'', $24,000,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $658,380,000 for Operation and maintenance: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $73,000,000: *Provided,* That these funds may be used for such activities related to Afghanistan: *Provided further,* That the Secretary of Defense may transfer the funds provided herein only to appropriations for military personnel; operation and maintenance; procurement; and research, development, test and evaluation: *Provided further,* That the funds transferred shall be merged with and be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further,* That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Intelligence Community Management Account'', $21,500,000, to remain available until September 30, 2005; of which $3,000,000 may be transferred to and merged with the Department of Energy, ''Other Defense Activities'', and $15,500,000 may be transferred to and merged with the Federal Bureau of Investigation, ''Salaries and Expenses'': *Provided,* That all such amounts are designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 1101. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to $3,000,000,000 of the funds made available to the Department of Defense in this chapter: *Provided,* That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: *Provided further,* That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2004, except for the fourth proviso: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 1102. Funds appropriated in this Act, or made available by the transfer of funds in or pursuant to this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 1103. Sections 1318 and 1319 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 571), shall remain in effect during fiscal year 2004.–

SEC. 1104. From October 1, 2003, through September 30, 2004, (a) the rates of pay authorized by section 310(a) of title 37, United States Code, shall be $225; and (b) the rates of pay authorized by section 427(a)(1) of title 37, United States Code, shall be $250.

SEC. 1105. DEFENSE EMERGENCY RESPONSE FUND CLOSE-OUT AUTHORITY.—(a) Section 1313 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 569), is amended by inserting ''unobligated'' before ''balances''.

(b) Effective November 1, 2003, adjustments to obligations that before such date would have been properly chargeable to the Defense Emergency Response Fund shall be charged to any current appropriations account of the Department of Defense available for the same purpose.

SEC. 1106. During the current year, funds made available in this Act to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq: *Provided,* That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 1107. Notwithstanding any other provision of law, from funds made available in this Act to the Department of Defense under ''Operation and Maintenance, Defense-Wide'', not to exceed $100,000,000 may be used by the Secretary of Defense, with the concurrence of the Secretary of State, to provide assistance only to the New Iraqi Army and the Afghan National Army to enhance their capability to combat terrorism and to support U.S. military operations in Iraq and Afghanistan: *Provided,* That such assistance may include the provision of equipment, supplies, services, training and funding: *Provided further,* That the authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations: *Provided further,* That the Secretary of Defense shall notify the congressional defense committees not less than 15 days before providing assistance under the authority of this section.

SEC. 1108. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2004 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior notification to the congressional defense committees.

SEC. 1109. In addition to amounts made available elsewhere in this Act, there is hereby appropriated to the Department of Defense $413,300,000, to be used only for recovery and repair of damage due to natural disasters including Hurricane Isabel, to be distributed as follows:

''Operation and Maintenance, Army'', $73,600,000;

''Operation and Maintenance, Navy'', $126,400,000;

''Operation and Maintenance, Marine Corps'', $9,200,000;

''Operation and Maintenance, Air Force'', $201,900,000; and

''Other Procurement, Air Force'', $2,200,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 1110. During the current fiscal year, from funds made available in this Act to the Department of Defense for operation and maintenance, not to exceed $180,000,000 may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, established by the Administrator of the Coalition Provisional Authority for the purpose of enabling military

commanders in Iraq to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi people, and to establish and fund a similar program to assist the people of Afghanistan: *Provided,* That the Secretary of Defense shall provide quarterly reports, beginning on January 15, 2004, to the congressional defense committees regarding the source of funds and the allocation and use of funds made available pursuant to the authority provided in this section.

SEC. 1111. Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing an Analysis of Alternatives for replacing the capabilities of the existing Air Force fleet of KC–135 tanker aircraft.

CHAPTER 2

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $23,183,000, for costs related to Hurricane Isabel damage: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

CHAPTER 3

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $185,100,000, to remain available until September 30, 2008: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY CONSTRUCTION, NAVY

For an additional amount for ''Military Construction, Navy'', $45,530,000, to remain available until September 30, 2008: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $292,550,000, to remain available until September 30, 2008: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Family Housing Operation and Maintenance, Army'', $8,151,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For an additional amount for ''Family Housing Operation and Maintenance, Navy and Marine Corps'', $6,280,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Family Housing Operation and Maintenance, Air Force'', $6,981,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

GENERAL PROVISION—THIS CHAPTER

SEC. 1301. (a) TEMPORARY AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR MILITARY CONSTRUCTION PROJECTS.—During fiscal year 2004, the Secretary of Defense may use this section as authority to obligate appropriated funds available for operation and maintenance to carry out a construction project outside the United States that the Secretary determines meets each of the following conditions:

(1) The construction is necessary to meet urgent military operational requirements of a temporary nature involving the use of the Armed Forces in support of Operation Iraqi Freedom or the Global War on Terrorism.

(2) The construction is not carried out at a military installation where the United States is reasonably expected to have a long-term presence.

(3) The United States has no intention of using the construction after the operational requirements have been satisfied.

(4) The level of construction is the minimum necessary to meet the temporary operational requirements.

(b) LIMITATION ON USE OF AUTHORITY.—The total cost of the construction projects carried out under the authority of this section using, in whole or in part, appropriated funds available for operation and maintenance shall not exceed $500,000,000 in fiscal year 2004.

(c) QUARTERLY REPORT.—(1) Not later than 30 days after the end of each fiscal-year quarter of fiscal year 2004, the Secretary of Defense shall submit to the congressional committees specified in subsection (e) a report on the worldwide obligation and expenditure during that quarter of appropriated funds available for operation and maintenance for construction projects.

(2) The report shall include with regard to each project the following:

(A) Certification that the conditions specified in subsection (a) are satisfied with regard to the construction project.

(B) A description of the purpose for which appropriated funds available for operation and maintenance are being obligated.

(C) Relevant documentation detailing the construction project.

(D) An estimate of the total cost of the construction project.

(E) The total amount obligated for the construction project as of the date of the submission of the report.

(d) RELATION TO OTHER AUTHORITIES.—The temporary authority provided by this section, and the limited authority provided by section 2805(c) of title 10, United States Code, to use appropriated funds available for operation and maintenance to carry out a construction project are the only authorities available to the Secretary of Defense and the Secretaries of the military departments to use appropriated funds available for operation and maintenance to carry out construction projects.

(e) CONGRESSIONAL COMMITTEES.—The congressional committees referred to in this section are the following:

(1) The Committee on Armed Services and the Subcommittees on Defense and Military Construction of the Committee on Appropriations of the Senate.

(2) The Committee on Armed Services and the Subcommittees on Defense and Military Construction of the Committee on Appropriations of the House of Representatives.

TITLE II—IRAQ AND AFGHANISTAN RECONSTRUCTION AND INTERNATIONAL ASSISTANCE

CHAPTER 1

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

GENERAL LEGAL ACTIVITIES

For necessary expenses for ''Salaries and Expenses, General Legal Activities'', $15,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING RESCISSION)

For necessary expenses for ''Diplomatic and Consular Programs'', $156,300,000, of which $35,800,000 shall remain available until expended. Of the funds appropriated under this heading in the Emergency Wartime Supplemental Appropriations Act, 2003, $35,800,000 are rescinded. All such amounts are designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for ''Embassy Security, Construction, and Maintenance'', $43,900,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for ''Emergencies in the Diplomatic and Consular Service'', $50,000,000, to remain available until expended, which may be transferred to, and merged with, the appropriations for ''Diplomatic and Consular Programs'': *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses for ''Contributions for International Peacekeeping Activities'', $245,000,000, to remain available until expended: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses for ''International Broadcasting Operations'', for activities related to the Middle East Television Network broadcasting to Iraq, $40,000,000: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

GENERAL PROVISION—THIS CHAPTER

SEC. 2101. Funds appropriated under this chapter for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, and section 15 of the State Department Basic Authorities Act of 1956, as amended.

CHAPTER 2

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses for ''Operating Expenses of the United States Agency for International Development'', $40,000,000, for direct support of operations in Afghanistan, to remain available until September 30, 2005: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OTHER BILATERAL ECONOMIC ASSISTANCE

IRAQ RELIEF AND RECONSTRUCTION FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the purposes of the Foreign Assistance Act of 1961, for security, relief, rehabilitation and reconstruction in Iraq, $18,649,000,000, to remain available until September 30, 2005, to be allocated as follows: $3,243,000,000 for security and law enforcement; $1,318,000,000 for justice, public safety infrastructure, and civil society; $5,560,000,000 for the electric sector; $2,100,000,000 for oil infrastructure; $4,332,000,000 for water resources and sanitation; $500,000,000 for transportation and telecommunications; $370,000,000 for roads, bridges, and construction; $793,000,000 for health care; $153,000,000 for private sector development; and $280,000,000 for education, refugees, human rights, democracy, and governance: *Provided,* That the President may reallocate up to 10 percent of any of the preceding allocations, except that the total for the allocation receiving such funds may not be increased by more than 20 percent: *Provided further,* That such reallocations shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 and notifications shall be transmitted at least 15 days in advance of the obligation of funds: *Provided further,* That an annual spending plan for reconstruction programs under the preceding allocations, including project-by-project detail, shall be submitted by the President to the Committees on Appropriations not later than January 1, 2004, and shall be updated and submitted every 180 days thereafter: *Provided further,* That funds appropriated under this heading shall be apportioned only to the Coalition Provisional Authority in Iraq, the Department of State, the Department of Health and Human Services, the Department of Treasury, the Department of Defense, and the United States Agency for International Development: *Provided further,* That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That of the amount appropriated in this paragraph, not less than $35,000,000 shall be made available for administrative expenses of the Department of State Bureau of International Narcotics and Law Enforcement Affairs and the United States Agency for International Development for support of the reconstruction activities in Iraq: *Provided further,* That up to 1 percent of the amount appropriated in this paragraph may be transferred to ''Operating Expenses of the Coalition Provisional Authority'', and that any such transfer shall be in accordance with the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961: *Provided further,* That contributions of funds for the purposes provided herein from any person, foreign government, or international organization, may be credited to this Fund and used for such purposes: *Provided further,* That the Committees on Appropriations shall be notified quarterly of any collections pursuant to the previous proviso: *Provided further,* That the Coalition Provisional Authority shall work, in conjunction with relevant Iraqi officials, to ensure that a new Iraqi constitution preserves full rights to religious freedom: *Provided further,* That, notwithstanding any other provision of law, 10 percent of the total amount of funds apportioned to the United States Agency for International Development under this heading that are made available on a subcontract basis shall be reserved for contracts with small business concerns, including small business concerns owned and controlled by veterans, small business concerns owned and controlled by service-disabled veterans, HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women (as such terms are defined for purposes of the Small Business Act): *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATING EXPENSES OF THE COALITION PROVISIONAL AUTHORITY

For necessary expenses of the Coalition Provisional Authority in Iraq, established pursuant to United Nations Security Council resolutions including Resolution 1483, for personnel costs, transportation, supply, equipment, facilities, communications, logistics requirements, studies, physical security, media support, promulgation and enforcement of regulations, and other activities needed to oversee and manage the relief and reconstruction of Iraq and the transition to democracy, $858,000,000, to remain available until September 30, 2005: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

ECONOMIC SUPPORT FUND

For necessary expenses for ''Economic Support Fund'', $872,000,000, to remain available until December 31, 2004: *Provided,* That not less than $672,000,000 is available only for accelerated assistance for Afghanistan: *Provided further,* That not to exceed $30,000,000 may be used for activities related to disarmament, demobilization, and reintegration of militia combatants, including registration of such combatants, notwithstanding section 531(e) of the Foreign Assistance Act of 1961: *Provided further,* That not to exceed $2,000,000 may be used to provide additional policy experts in Afghan ministries and that not more than five senior advisors to the United States Ambassador may be deployed in Afghanistan: *Provided further,* That not less than $17,250,000 is available only for security requirements that directly support United States and Coalition personnel who are implementing assistance programs in Afghanistan, including the provision of adequate dedicated air transport and support for civilian personnel at provincial reconstruction team sites: *Provided further,* That upon the receipt by the Speaker of the House of Representatives and the President of the Senate of a determination by the President that the Government of Pakistan is fully cooperating with the United States in the global war on terrorism, not to exceed $200,000,000 appropriated under this heading may be used for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for Pakistan: *Provided further,* That amounts that are made available under the previous proviso for the cost of modifying direct loans and guarantees shall not be considered ''assistance'' for the purposes of provisions of law limiting assistance to a country: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for International Disaster and Famine Assistance utilizing the general authorities of section 491 of the Foreign Assistance Act of 1961, to respond to or prevent unforeseen complex foreign crises, especially in Sudan and Liberia, $100,000,000, and by transfer not to exceed 1 percent of the funds appropriated under any other heading in this chapter, to remain available to the Secretary of State until September 30, 2005: *Provided,* That funds appropriated under this heading may be made available only pursuant to a determination by the President, after consultation with the appropriate congressional committees, that it is in the national interest and essential to efforts to reduce international terrorism to furnish assistance on such terms and conditions as he may determine for such purposes, including support for peace and humanitarian intervention operations: *Provided further,* That none of these funds shall be available to respond to natural disasters: *Provided further,* That funds made available under this heading to respond to or prevent unforeseen complex foreign crises shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses for ''International Narcotics Control and Law Enforcement'', $170,000,000, to remain available until December 31, 2004, for accelerated assistance for Afghanistan: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', $35,000,000, for accelerated assistance for Afghanistan: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for the ''Foreign Military Financing Program'', $297,000,000, for accelerated assistance for Afghanistan: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

PEACEKEEPING OPERATIONS

For necessary expenses for ''Peacekeeping Operations'', $50,000,000, to support the global war on terrorism: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2201. None of the funds appropriated by this Act or any unexpended funds provided in Public Law 108–11 may be used to repay, in whole or in part, principal or interest on any loan or guarantee agreement entered into by the Government of Iraq with any private or public sector entity including with the government of any country (including any agency of such government or any entity owned in whole or in part by the government of such country) or with any international financial institution, prior to May 1, 2003: *Provided*, That for the purpose of this section, the term ''international financial institution'' shall mean those institutions contained in section 530(b) of division E of Public Law 108–7.

SEC. 2202. Notwithstanding any other provision of law, none of the funds appropriated by this Act under the heading ''Iraq Relief and Reconstruction Fund'' and made available under the same heading in Public Law 108–11 may be used to enter into any Federal contract (including any follow-on contract) unless—

(1) the contract is entered into in accordance with title III of the Federal Property and Administrative Services Act (41 U.S.C. 251 et seq.); and

(2) in any case in which procedures other than competitive procedures are to be used to enter into such a contract—

(A) if such procedures are to be used by reason of the application of a paragraph (other than paragraph (2)) under section 303(c) of such Act (41 U.S.C. 253(c)), the head of the executive agency entering into the contract shall submit to the committees described in subsection (b), not later than 7 calendar days before award of the contract—

(i) notification of the use of such other procedures; and

(ii) the justification for such use; and

(B) if such procedures are to be used by reason of the application of paragraph (2) of section 303(c) of such Act (41 U.S.C. 253(c)(2)), the head of the executive agency entering into the contract shall submit to the committees described in subsection (b), not later than 7 calendar days after approval of the justification for the use of such other procedures under section 303(f)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(1)(B))—

(i) notification of the use of such other procedures; and

(ii) the justification for such use.

(b) COMMITTEES.—The committees referred to in subsection (a)(2) are—

(1) the Committees on Government Reform, on International Relations, and on Appropriations of the House of Representatives; and

(2) the Committees on Governmental Affairs, on Foreign Relations, and on Appropriations of the Senate.

(c) APPLICABILITY.—This section shall not apply to contracts entered into before the date of the enactment of this Act or after September 30, 2010.

SEC. 2203. PUBLIC DISCLOSURE OF NON-COMPETITIVE CONTRACTING FOR THE RECONSTRUCTION OF INFRASTRUCTURE IN IRAQ.

(a) DISCLOSURE REQUIRED.—

(1) PUBLICATION AND PUBLIC AVAILABILITY.—The head of an executive agency of the United States that enters into a contract for assistance for Iraq, using funds described in paragraph (3), through the use of procedures other than competitive procedures shall publish in the Federal Register or Commerce Business Daily and otherwise make available to the public, not later than 7 days before the date on which the contract is entered into, except in the case of urgent and compelling contracts issued pursuant to paragraph (2) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(2)), the following information:

(A) The amount of the contract.

(B) A brief description of the scope of the contract.

(C) A discussion of how the executive agency identified, and solicited offers from, potential contractors to perform the contract, together with a list of the potential contractors that were issued solicitations for the offers.

(D) The justification and approval documents (as required under section 303(f)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(1)) on which was based the determination to use procedures other than competitive procedures.

(2) FUNDS.—The funds referred to in paragraph (1) are—

(A) any funds available to carry out sections 103 through 106 and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2151d; 2346 et seq.); and

(B) any funds appropriated by Public Law 108–11 under the heading ''Iraq Relief and Reconstruction Fund'' (in chapter 5 of title I; 117 Stat. 573).

(3) APPLICABILITY.—Paragraph (1) shall not apply to contracts entered into before the date of the enactment of this Act or after September 30, 2010.

(b) CLASSIFIED INFORMATION.—

(1) AUTHORITY TO WITHHOLD.—The head of an executive agency may—

(A) withhold from publication and disclosure under subsection (a) any document that is classified for restricted access in accordance with a Executive order in the interest of national defense or foreign policy; and

(B) redact any part so classified that is in a document not so classified before publication and disclosure of the document under subsection (a).

(2) AVAILABILITY TO CONGRESS.—In any case in which the head of an executive agency withholds information under paragraph (1), the head of such executive agency shall make available an unredacted version of the document containing that information to the chairman and ranking member of each of the following committees of Congress:

(A) The Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives.

(B) The Committees on Appropriations of the Senate and House of Representatives.

(C) Each committee that the head of the executive agency determines has legislative jurisdiction for the operations of such department or agency to which the information related.

(c) RELATIONSHIP TO OTHER DISCLOSURE LAWS.—Nothing in this section shall be construed as affecting obligations to disclose United States Government information under any other provision of law.

(d) DEFINITIONS.—In this section, the terms ''competitive procedures'' and ''executive agency'' have the meanings given such terms in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

SEC. 2204. Section 1503 of Public Law 108–11 is amended—

(1) by striking ''equipment'' and inserting in lieu thereof ''equipment, including equipment''; and

(2) by striking ''2004'' and inserting in lieu thereof ''2005''.

SEC. 2205. Section 1504 of Public Law 108–11 is amended by striking ''controlled'' and inserting ''or small arms controlled''.

SEC. 2206. Section 202(b) of the Afghanistan Freedom Support Act of 2002 (Public Law 107–327) is amended by striking ''$300,000,000'' and inserting in lieu thereof ''$450,000,000''.

SEC. 2207. (a) Until January 2005, the Coalition Provisional Authority (CPA) shall, on a monthly basis, submit a report to the Committees on Appropriations and International Relations of the House of Representatives and the Committees on Appropriations and Foreign Relations of the Senate that details, for the preceding month, Iraqi oil production and oil revenues, and uses of such revenues.

(b) The first report required by subsection (a) shall be submitted not later than 30 days after enactment of this Act.

(c) The reports required by this section shall also be made publicly available, including through the CPA's Internet website.

SEC. 2208. Any reference in this chapter to the ''Coalition Provisional Authority in Iraq'' shall be deemed to include any successor United States Government entity with the same or substantially the same authorities and responsibilities as the Coalition Provisional Authority in Iraq.

SEC. 2209. Assistance or other financing under chapter 2 of this title may be provided for Iraq and Afghanistan notwithstanding any other provision of law not contained in this Act that restricts assistance to foreign countries and section 660 of the Foreign Assistance Act of 1961: *Provided*, That funds made available for Iraq pursuant to this section shall be subject to the regular reprogramming notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961, except that notification shall be transmitted at least 5 days in advance of obligation.

SEC. 2210. Funds made available in chapter 2 of this title are made available notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956, as amended.

SEC. 2211. Notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq: *Provided*, That funds made available pursuant to the authority of this section shall be subject to the regular reprogramming notification procedures of the Committees on Appropriations.

REPORT ON MILITARY OPERATIONS AND RECONSTRUCTION EFFORTS IN IRAQ AND AFGHANISTAN

SEC. 2212. (a) REPORT.—The President shall prepare and transmit to Congress on a quarterly basis a report on United States military operations and reconstruction efforts in Iraq and Afghanistan.

(b) CONTENTS.—The report shall, at a minimum, contain the following information:

(1) A full accounting of amounts appropriated under this Act or any other Act that were expended during the preceding quarter for military operations and reconstruction efforts in Iraq and Afghanistan.

(2) A description of progress made in reconstruction efforts in Iraq and Afghanistan, particularly efforts relating to public safety, defense and law enforcement, energy infrastructure, water, sewer, roads, and other public works, transportation and telecommunications infrastructure, medical and hospital services, and private sector development.

(3) A description of progress made to reduce attacks against members of the United States Armed Forces in Iraq and Afghanistan.

(4) An analysis of the impact that military operations in Iraq and Afghanistan have had on overall readiness of the Armed Forces.

(5) An analysis of the impact that the extended deployment of members of the Armed Forces in connection with Operation Iraqi Freedom and Operation Enduring Freedom is having on recruiting and retention efforts in the active and reserve components.

(6) An estimate of the cost of repairing or replacing the combat vehicles, aircraft, and other equipment damaged or destroyed by combat, by prolonged use in Iraq and Afghanistan, or by exposure to the extreme climatic and terrain conditions in Iraq and Afghanistan.

(7) A description of progress made toward holding of free and fair elections in Iraq.

(8) A description of the extent of international participation in the stabilization and reconstruction of Iraq and the amount of financial assistance that the United States has secured from the international community during the preceding quarter.

(9) The number of members of the Armed Forces deployed in connection with Operation Iraqi Freedom and Operation Enduring Freedom.

SEC. 2213. (a) REVIEW OF CONTRACTING PROCEDURES.—The Comptroller General shall review each covered contract and task or delivery order entered into during a review period to determine whether the procedures used to enter into the contracts and orders were in compliance with the requirements of this Act and other applicable laws and regulations.

(b) REPORT.—At the end of each review period, the Comptroller General shall submit to Congress a report on the results of the review.

(c) REVIEW PERIOD.—A review under subsection (a) shall be carried each quarter of a fiscal year, beginning with the first quarter beginning after the date of the enactment of this Act.

(d) COVERED CONTRACTS AND ORDERS.—This section applies to any contract or task or delivery order entered into using funds appropriated by this Act for foreign assistance if—

(1) in the case of a contract, the contract is in an amount in excess of the simplified acquisition threshold (as defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403), and

(2) in the case of a task or delivery order, the order is in an amount in excess of $1,000,000.

TITLE III—GENERAL PROVISIONS—THIS ACT

SEC. 3001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 3002. None of the funds made available in this or any other Act for fiscal year 2004 may be used for any defense or reconstruction activities in Iraq or Afghanistan coordinated by any officer of the United States Government whose office is not subject to appointment by the President by and with the advice and consent of the Senate.

SEC. 3003. For purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) of the Elementary and Secondary Education Act (20 U.S.C. 7703(a)), children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or due to the death of a military parent or legal guardian while on active duty, are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at the same school that they attended prior to their change in eligibility status.

SEC. 3004. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country participating with coalition forces in Afghanistan or Iraq if the Secretary of State or the Secretary Defense has credible evidence that such unit has committed gross violations of human rights, unless the appropriate Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: *Provided,* That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: *Provided further,* That in the event that funds are withheld from any unit pursuant to this section, the appropriate Secretary shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

SEC. 3005. None of the funds in this Act, or any other appropriations Act, may be used to execute the Lateral Repatriation Program, or any other program under which citizens or nationals of Mexico are removed by land from the United States by returning them to a location other than the United States port of entry closest to the location where they were apprehended or last imprisoned, or, in the case of an alien who is removed upon being acquitted of a criminal charge, the port of entry closest to the courthouse where the acquittal occurs. If the Secretary of Homeland Security determines that compliance with the preceding sentence is not feasible, the Secretary shall notify the Committees on the Judiciary and on Appropriations of the House of Representatives and of the Senate.

SEC. 3006. None of the funds in this Act, or any other appropriations Act, may be used for the issuance of Form I–20A by the San Antonio Office of Detention and Removal of the Bureau of Immigration and Customs Enforcement and the Border Patrol sectors served by said office.

This Act may be cited as the ''Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004''.

The CHAIRMAN. Are there any points of order?

POINT OF ORDER

Mr. SENSENBRENNER. Mr. Chairman, I make a point of order that section 3005 fails to comply with clause 2 of rule XXI. By addressing funds in all appropriations acts, it implicates funds other than those in the pending bill and therefore constitutes legislation on an appropriations bill in violation of the rule.

I ask for a ruling by the Chair on the point of order.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. YOUNG of Florida. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained. The section is stricken from the bill.

POINT OF ORDER

Mr. SENSENBRENNER. Mr. Chairman, I make a point of order that section 3006 fails to comply with clause 2 of rule XXI. By addressing funds in all appropriations acts, it implicates funds other than those in the pending bill and therefore constitutes legislation on an appropriations bill in violation of the rule.

I ask the Chair for a ruling on the point of order.

The CHAIRMAN. Does the gentleman from Florida (Mr. YOUNG) wish to be heard on the point of order?

Mr. YOUNG of Florida. Mr. Chairman, I reluctantly concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained. The section is stricken from the bill.

Mr. KANJORSKI. Mr. Chairman, as I did a year ago this month, I rise to address this chamber with a heavy heart. Over the past several days, we have engaged in a debate worthy of this institution's history. These deliberations have focused on providing additional funding for the Administration's Iraqi policy. Specifically, the resolution we are considering today would provide approximately $86.9 billion in emergency funding for U.S. military operations in Iraq and Afghanistan, $18.6 billion of which would be used for ongoing reconstruction efforts in Iraq.

The debate over the President's policy in Iraq runs deeper than the discussions over the monetary size of this bill. At this moment, before us is the question of how we, as Members of Congress charged with the responsibility to represent our diverse constituencies, should fulfill our constitutional responsibilities. This is an obligation that I take very seriously.

After careful consideration of all sides of today's debate, I have decided to vote against the House's initial supplementary appropriations bill. I do so for three primary reasons. First, this proposal would continue to support a foreign policy that lacks a clear objective and fails to identify a well-reasoned plan for removing our troops from the region. Second, it would unfairly burden American taxpayers and future generations. Third, I look forward to a second opportunity to address this issue and vote on an improved bill based on negotiations with the Senate. I further believe that the Congress can, and should, take this time to reevaluate the Administration's approach to Iraq and recommit itself to our constitutional duties.

During these debates, many have stressed the importance of supporting our troops who find themselves in harm's way. I share these concerns. The fact of the matter is that Members of Congress on both sides of this debate recognize our responsibility to support our troops in Iraq and Afghanistan. These brave American men and women are serving their country with great distinction and this Congress must ensure that they have the equipment, training, resources and amenities necessary to carry out their duties. I therefore very strongly support the more than $60 billion contained in this bill designated for supporting our troops.

Moreover, a vote on this bill is not about whether one political party or one individual Member of Congress supports our armed services. Instead, this debate is a question about how we can most effectively support our troops in Iraq and Afghanistan, encourage regional stability over the long term, and ensure the appropriate use of taxpayer dollars. In a larger context, we must also seek whether this Congress will continue to unquestionable accept the Bush Administration's foreign policy approach to Iraq.

Given the chain of events of the past year, I believe that during this debate we should carefully review and studiously scrutinize the Administration's policy on Iraq. Last fall, President Bush and officials within his Administration made the argument to the Congress, to the American people, and to the world community that the threat to the United States posed by Iraq was imminent. They went to great lengths to present information to Members of this House, including personal presentations to me, about Iraq's imminent capabilities to use weapons of mass destruction against our citizens. Based on the evidence presented at that time, particularly pertaining to Iraq's use of mobile facilities to hide its biological weapons research and especially relating to Iraq's ability to use unmanned aerial vehicles to deliver these weapons to specific targets within the United States, I voted to grant the President the specific powers laid out in the congressional resolution authorizing the use of military force in Iraq.

Following the failure of the Administration to reach consensus on a unified course of action in the United Nations, the onset of hostilities authorized under that resolution, and the President's subsequent declaration of the end of the major combat operations, the Administration has thus far failed to locate any specified weapons of mass destruction in Iraq and the means to deliver them. Moreover, it has uncovered no conclusive evidence of mobile facilities to the best of my knowledge. At this point, the evidence to support the Administration's fundamental premise for going to war—that Iraq posed an imminent threat to our country's national security—has not emerged.

Given these facts and circumstances, my vote today signals my unwillingness at this time to blindly accept the Administration's policy position on proceeding in Iraq. Until this point, I have given the President the benefit of the doubt. I supported the resolution passed by this House authorizing the use of force. When the President came before this Congress last spring requesting $63 billion in emergency funding for operations in Iraq, I joined an overwhelming number of my colleagues in supporting his request. At this time, I must demand accountability from this President in his management of the Iraqi effort and the use of U.S. taxpayer dollars that underwrite it.

One potential approach for promoting fiscal accountability and ensuring that the Iraqis and Americans support our rebuilding effort over the long term is to demand that American taxpayers have the opportunity to recover their investments in Iraq's reconstruction. Iraq is a country with considerable financial and natural resources. It could harness this capital to pay for the rebuilding of its infrastructure and the completion of new projects. In light of this reality, I presently believe that we should provide the reconstruction funds contained in this emergency spending measure in the form of a loan, not an outright grant.

Additionally, before proposing this emergency spending legislation Bush Administration officials had repeatedly heretofore stated that Iraq possessed the financial capability to self-finance its reconstruction efforts. For instance, in February then-White House Press Secretary Ari Fleischer said, ''Iraq has tremendous resources that belong to the Iraqi people. And so there are a variety of means that Iraq has to be able to shoulder much of the burden for their own reconstruction.'' Additionally, when speaking about Iraq's reconstruction before the Senate Appropriations Committee in March Defense Secretary Donald Rumsfeld stated, ''I don't believe that the United States has the responsibility for reconstruction, in a sense. [Reconstruction] funds can come from those various sources I mentioned: frozen assets, oil revenues and a variety of other things, including the Oil for Food, which has a very substantial number of billions of dollars in it.''

In contrast to these statements, Administration officials in recent weeks have now argued that Iraq cannot incur additional debt and that the only way to promote stability in Iraq is through the issuance of an outright grant. For example, during his testimony before the House Appropriations Committee just last month, Secretary Rumsfeld averred, ''Iraq is in no position to pay its current debt service, let alone take on more additional debt. If we want to encourage Iraqi self reliance, so that Iraqis can fund their own reconstruction and so that American troops can go home, it would not be helpful to saddle Iraq with more debt it could not be reasonably expected to pay.'' The rhetorical about-face regarding this element of the Bush Administration's policy toward Iraq has been unmistakable and undisputed.

Yet these same Administration officials have been remiss in explaining why reality in postwar Iraq has not conformed to their original rhetoric. Is this a question of miscalculation, insufficient planning, or arrogance? Is this perhaps a question of a fundamental misunderstanding of the level of sacrifice required to implement a policy? The Congress has a responsibility to ask these questions and to probe the assumptions underlying the Administration's approach to Iraq in light of this significant, and as yet unexplained, foreign policy turnaround.

While I fully recognize the potential logistical difficulties in accessing Iraq's resources to pay for reconstruction efforts, I remain confident that Iraq ultimately will overcome these problems and have the financial capacity to repay these loans to the American people. In the unlikely event that Iraq's financial potential does not emerge, this Congress also can revisit this issue and forgive the loans at a later moment in time. It is, moreover, my understanding that our counterparts in the Senate are actively considering this issue as well, and they have already included a provision in their bill converting at least a portion of the funds appropriated from a grant to a forgivable loan, an approach which I consider fitting.

A vote in favor of this emergency spending legislation at this time would essentially send a message that I am satisfied with its content and the policies it supports. Simply stated: I am not. I, therefore, must fulfill my constitutional obligations to discharge the duties of my office, which include oversight of the executive branch, to the best of my abilities. As a result, I will vote against this bill.

Just one example of the need to scrutinize this Administration's implementation of reconstruction efforts is the repairs made to an Iraqi cement factory. Rather than spending the $15 million U.S. engineers estimated it would cost to transform the factory into a state-of-the-art facility, our troops worked with Iraqis to make the factory operational at a cost of just $80,000.

Moreover, voting against the initial House proposal at this time will, in my view, strengthen the Senate's position as we move into negotiations between the House and Senate on this important legislation and, hopefully, develop a realistic consensus for future action in Iraq. Furthermore, our vote today constitutes just the first step in the legislative process, and it is my strong hope that the coming deliberations on this bill will incorporate a forgivable loan provision or some similar stipulation. Observers should consequently construe my vote following the initial debate in the House over this matter as both evidence of my deep skepticism of the President's current Iraqi policy as well as my position that reconstruction funding should be allocated in the form of a loan to the Iraqi people.

The completion of today's proceedings brings to a close the initial debate over this legislation. It, however, should not end congressional evaluation of the President's Iraqi policy. Moving forward, this Congress must demand accountability from the President and officials in his Administration on these matters. Specifically, we should require the President to outline his objectives in Iraq, detail a logical plan and timetable for achieving those goals, and present long-term estimates of the costs of his proposed policies. We must accomplish these tasks while supporting the needs of our troops and their families.

The American commitment in Iraq has been thus far an open-ended affair, characterized by daily reports of troops under siege. Now my good friend and colleague from Pennsylvania (Mr. MURTHA) has brought to the attention of this House evidence that our troops are, in some cases, lacking the equipment they need and the amenities they deserve while selected favored corporations receive contract awards without participating in a competitive bidding process. In the face of all of these inconsistencies, the Administration additionally has to date failed to locate the imminent threats that served as the basis for war. The Congress consequently should take this opportunity to question these developments and ensure that this legislation and any subsequent allocation of federal funds include appropriate accountability measures.

The Constitution vests all legislative powers in us. As Members of this great institution, we

should take that responsibility seriously. While the President can, and does, submit legislative proposals for consideration, we have an obligation to our nation's founders, ourselves, and, most importantly, our constituents to deliberate on these matters, make necessary adjustments to them, and enact laws. I have worked with the President in an effort to remove the perceived threat in Iraq and bring greater stability to the region and the world. The developments of the past few months, however, should serve as evidence of the Administration's ineffective planning effort and misunderstanding of the challenges facing our troops. As this Congress works to support our troops, we must now hold the Bush Administration to account and demand that it provide a justification for its further use of taxpayer dollars to support these endeavors. Anything less would represent a failure of this Congress to meet its constitutional responsibilities and its leaders to provide clear direction for the future.

Mr. MATSUI. Mr. Chairman, in October 2002, I voted against the war in Iraq because there were other viable options the Bush Administration should have pursued before sending our troops into harm's way. The Administration then moved too hastily in invading Iraq without a clear vision for how to bring our troops home. We were prepared to win the war, but we were not prepared to keep the peace.

In April of this year, we approved $60 billion the Administration requested for the wars in Iraq and Afghanistan.

Now, just five months later, the President is asking for an additional $87 billion without accounting for how the original funds were spent.

I cannot in good conscience vote for this request. The Bush Administration has not presented a coherent, credible plan to the American people to address any of the challenges facing our soldiers in Iraq.

I supported an alternative plan offered by Representative DAVID OBEY (D–WI), which was voted on yesterday. His proposal gives our troops the equipment they need to conduct their mission in Iraq, requires the Administration to account for how they are spending the supplemental funds, and ensures international funding and cooperation.

The Obey proposal requires the Administration to account for the funds from the previous war supplemental and for how additional funding will be used to support both the military and reconstruction efforts. Congress should not agree to provide the Administration additional funds without knowing how they will be spent.

In addition, by internationalizing reconstruction efforts in Iraq, the Obey proposal ensures American taxpayers do not shoulder this burden alone.

We have all heard about the deplorable conditions our soldiers are operating in as they carry out their important mission in Iraq. Our troops lack even the most basic equipment, such as bullet-proof Kevlar vests, to keep themselves safe. The drinking water is impure at nine out of the ten American bases in Iraq, because the Bush Administration did not provide needed water purification equipment. When they are given much-needed leave for a visit back to the United States, they have to buy their own tickets from their point of entry to their homes, creating a significant financial burden on the troops and their families.

This is how the Bush Administration treats our soldiers in combat and their $87 billion proposal does nothing to fix this. Our troops deserve better.

Mr. SANDLIN. Mr. Chairman, I rise today to express my full ongoing support for the brave men and women engaged in the war on terrorism. In this great nation, we made a solemn commitment to strike from the face of this earth those fanatics who threaten our freedom and our civilization with acts of unrestrained barbarity. It is our firm resolve to achieve a stable and lasting peace, and, accordingly, we must devote the necessary resources to achieve that noble aim.

Since the tragic events of September 11, 2001, we as a nation along with our allies have been engaged in a broad and violent battle against terror—against radicals who target and kill innocent men, women and children in a misguided struggle with the West, with freedom, with equality, with democracy. This battle continues today on many fronts, including, most prominently, Iraq and Afghanistan.

Accordingly, Mr. Chairman, we are called upon today to fulfill our constitutional responsibility to appropriate monies for our national defense. In reviewing the President's $87 billion request, I believe our first priority must be to provide our forces in Iraq the resources they need in order to complete their security mission throughout the country, prevent militias from taking hold, and enhance troop safety and security while they are performing their vitally important mission.

Mr. Chairman, I want to make clear at the outset that, while I have grave concerns about the lack of accountability provided for in this legislation, I plan to support the legislation, because it is critically important that we do not leave the war on terror unfinished and our troops on the ground in Iraq less than safe and secure.

On that point, I want to commend the members of the Appropriations Committee for making two critically important improvements to the President's request. The parents and families of the brave men and women who are now in harm's way in defense of our freedom will doubtless be relieved that this bill requires the Department of Defense to provide Kevlar flak jacket inserts—basic body armor—to our troops. In addition, I am pleased that the Appropriations Committee included specific direction requiring the provision of portable jammers to block the radio signals used to detonate the remote-controlled bombs that have been repeatedly used to kill and wound our troops.

For reasons that defy comprehension, the current civilian leaders at the Pentagon failed to provide adequate supplies of these two types of equipment even after it became terribly apparent this summer that shortages were costing American lives. I was recently appalled to read multiple press reports describing how parents and spouses of our troops found it necessary to purchase body armor to protect their loved ones whom we placed in peril. How is it that we can spend tens of billions of dollars to fight a war on terror while not providing for the basic safety and security of the brave men and women that we have placed in harm's way? I just don't understand. I doubt those families do either.

In addition to perpetuating an unaccounted for and unexplained policy, this bill is also inadequate to meet the needs of our nation's armed services. The Administration failed to consult with the uniformed leadership of the Pentagon in preparing its request. As a consequence, this bill only provides a tenth—10 percent—of the Army's stated needs for spare parts, reconditioning and depot maintenance for critically important heavy machinery. As a result, thousands of pieces of equipment, such as Bradley fighting vehicles and M1 tanks, equipment that the uniformed leadership of our armed services designate as vital to our military success, will sit idle in unusable condition throughout this year and well into the next. In my district, despite the ongoing war effort and the Army's need, my constituents—men and women who have devoted most of their working lives to maintaining our military's equipment needs—at Red River Army Depot are still not working at full capacity.

To allow some of our military's most effective equipment to lay fallow is foolish and short-sighted. The men and women working for our national security at the Red River Army Depot and other depot facilities across the country stand ready—as they have for decades—to ensure that our military has all its heavy equipment needs met, and we should do no less. Let us resolve to give our military all that its uniformed leadership says it needs, not less.

Mr. Chairman, the Republican leadership of this House frequently comes to the floor of this great body to denounce waste, fraud and abuse. Yet it has acted with a single-minded passion to thwart every effort by members of this House to seek an accounting of our nation's ongoing operations in Iraq.

I understand as well as any members of this House the dangers that we confront in the war on terror. There is no question that the United States faces daunting and unprecedented challenges in combating an enemy unlike any other we have ever confronted before. Nevertheless, the Congress of the United States has a sacred and constitutional obligation to ensure that the American taxpayers' money is spend wisely and well. The United States Congress is not the President's personal ATM and should not be treated that way.

Mr. Chairman, this bill does not provide the necessary accountability. The taxpayers of this nation sent us here to deliberate and debate, to discuss and dissect so that we can arrive at policies and practices that produce the best return on our nation's investment—at home or abroad. However, Mr. Chairman, the Republican leadership of this House is determined to quell any debate or discussion.

The Republican leadership of this House insists that to question the wisdom of this legislation or of this Administration's policy is to commit acts bordering on traitorous. Such accusations are mean-spirited and disingenuous. We have no less than a constitutional obligation to carefully consider each and every component part of this legislation and of this Administration's policy in Iraq. It is our responsibility. The founding fathers of this great nation gave us an important power, the power of the purse. To fail to exercise that power, including the necessary oversight, is to fail the people who elected us. There is nothing unpatriotic about questioning his legislation or the Administration's policy. As a matter of fact, it would be unpatriotic not to do so.

As members of this House, we are obliged to ensure that the legislation that we pass,

that becomes law, does what it purports to do and does it effectively and efficiently. Unfortunately, the leadership of this House seems to have a different view of our obligations as members of Congress than the Constitution contemplates.

Accordingly, one has to ask, Why? Why does the leadership of this House refuse to permit a full-throated debate of both the monies being spent on our ongoing operations in Iraq and the policy underlying the provision of those resources? Why are we in Congress not entitled to have the Administration's plans and proposals explained to us in detail—not the broad brush explanations that this Administration insists we must accept?

The legislation we debate today allocates $87 billion to our operations in Iraq. Yet the Administration has not offered—and the Republican leadership of this House has not allowed—a full and complete explanation of how these dollars will be spent. That is not acceptable. I have every confidence that if we called upon each taxpaying family in this country to write a check directly to the government to pay for our efforts in Iraq, they would demand to know exactly where their money was going. Our constituents would not sign a blank check, and neither should we.

Moreover, Mr. Chairman, the supplemental appropriations provided in this bill are borrowed money. This legislation, however, noble its purpose, piles another $87 billion on to our already crippling national debt—a debt that will be paid by our children and grandchildren, by the brave men and women now serving in Iraq and their children and grandchildren. Personally, I am certain that the taxpaying families in my district will demand to know exactly how their money and that of their children and grandchildren is used, and I demand to know the details for them.

Mr. Chairman, I cannot understand why there is an $18.6 billion gift in this bill devoted to building Iraq's infrastructure, when the Administration cannot even find the monies to fully and appropriately equip our own military personnel. I cannot understand why the taxpayers of the United States need to provide $18.6 billion in grants to Iraq, a country with the world's second largest oil reserves. Nevertheless, the President insists that loans are out of the question.

Again, Mr. Chairman, I ask, Why? The Administration says that loans to Iraq are not workable, because Iraq has an unbearable debt load already. The Administration believes we should borrow $18.6 billion from the American taxpayer to build highways, hospitals, schools, houses, and community centers in Iraq, because Iraq has too much debt. Is this the same Iraq that the Administration said could pay for its own reconstruction six months ago? It certainly makes you wonder.

I object to borrowing $18.6 billion from the American taxpayer to build infrastructure in Iraq, when we neglect our own citizens here at home.

The Administration expresses considerable concern about the debt burden of the Iraqis but ignores the continuing fiscal crisis that confronts our own government. It is reported that Iraq has $100 billion in outstanding debts from the Saddam era, which is less than one quarter of the amount the Administration has piled onto our national debt in this year alone. The vast majority—at least 75 percent—of Iraq's debts are owed to its oil-rich neighbors—poor struggling nations such as Saudi Arabia and Kuwait. Mr. Chairman, it is farcical for this House to accept the proposition that Iraq is unable to bear any additional debt—despite being the world's second most oil-rich nation—because it owes approximately $75 billion to its oil-rich neighbors.

Mr. Chairman, I am firmly committed to fighting through to victory over terror. The American people are resolved to secure themselves against the threat to our freedom and democracy represented by a few violent fanatics. I support and share that resolve. Nevertheless, I continue to question the wisdom of this Administration's plan to conduct the war on terror. Our troops are in the field. They are in harm's way. This Congress must not do anything to compromise the safety and security of these brave men and women.

Mr. Chairman, I will support the bill before the House today, but not without serious concerns. As we continue the war on terror, I would hope that the members of this House from both sides of the aisle will insist on true and complete accountability from this Administration for the expenditure of these funds. It is our right and obligation to do so. Failure to do that is failing the American people.

Mr. BECERRA. Mr. Chairman, last year, during debate on the resolution granting the President the authorization he sought to commence a war against Iraq, I was concerned that the Administration was ignoring the fact that actions and words have consequences. The consequences of our actions then are exactly what we are trying to address through H.R. 3289 today. We took the burden of a notoriously ill-advised, preemptive war and placed it on the shoulders of our young men and women in the military to carry virtually alone. Now we are asking the American taxpayers to take on the burden almost exclusively of rebuilding an entire nation, while our own nation finds its schools in disrepair, forty-four million Americans without health care, and our homeland security needs under-funded.

If this were a spending package focused on supporting and protecting our troops, this would be an easy vote for me. Nearly 5 months after the Commander-in-Chief declared, ''mission accomplished,'' too many of our troops are dying daily. I do not think these young men and women in the armed forces, National Guard, and Reserves expected to still be there so long after our President's proud and premature declaration of success in Iraq. Our soldiers are sacrificing too much: some their lives, and others their valued role as a parent, breadwinner, or caregiver to their families and their communities.

I would support whatever it takes to bring these young men and women home as quickly as possible, and to ensure their success and safety in their mission while they are away.

But even the portion of the bill that would support our military's ''post-war'' efforts in Iraq is deficient. We know from reports that weapons caches are poorly secured and that our troops are lacking absolutely vital equipment such as body armor. The bill also would leave 80 percent of our troops in Iraq without the ability to ensure a clean water supply for themselves. We should also be paying for our soldiers' rare calls home and for the full cost of traveling home while on leave. Equally disturbing are reports that our troops in Iraq are fatigued and suffering from low morale, the direct consequence of the Administration's failure to secure extensive international cooperation and compose a comprehensive exist strategy.

A significant portion of this bill's $87 billion is for rebuilding Iraq, and like it or not we now have a moral responsibility to carry much of this burden. When scrutinized in the light of day, however, many of the items for which the Administration is asking us to sign away precious tax dollars simply do not make sense. I was appalled by findings reported in the New York times that Halliburton has been exploiting the American taxpayer with a 140 percent mark-up for a gallon of gas in Iraq. Despite our best efforts today to include some Congressional oversight to the contracting process, I am afraid that the Administration and its representatives in Iraq will continue to oppose sensible oversight even while they have compiled a very poor track record of ensuring that the largesse of the American taxpayer will not further be abused. As an example of what is already occurring on the ground, I would reiterate what the Democratic members of the Appropriations Committee reported about the reconstruction of a cement factory in Northern Iraq. In that instance, after the American contractor estimated that it would take $15 million to upgrade the factory, local Iraqis got the job done for $80,000. Something is wrong here, and I do not believe we have done enough to make sure the Administration does not continue to make these mistakes.

I understand the overwhelming pressure to rebuild as quickly as possible, but we cannot afford to do this at any cost and without greater discipline.

The American people know that this will not be the only request on their tax dollars—some have characterized the President's $87 billion request as a mere down-payment in a rebuilding effort that I expect to be long and very expensive. I am heartened that our international allies are starting to offer help, but these agreements should have been taken care of long ago through a collaborative international partnership. Again, the consequence of acting alone and without credible evidence has come back to haunt not just the President, but America's soldiers and taxpayers.

Having said all of this, the most troubling aspect of this bill before us today is that it is not paid for at all; the full amount is added to this year's already alarming $500 billion deficit. Why? We have been told that the funds are simply not available. Why not? In large part it is because of the cost of the excessive tax cuts benefiting the wealthiest among us that this Administration decided were its first priority. The 2001 repeal of the estate tax alone—which benefits 30,000 of America's wealthiest individuals and only them, at the expense of more than 140,000,000 other taxpayers—costs more in two years than this entire appropriations package.

Mr. Chairman, this is a policy with no fiscal discipline that stands in stark contrast to the discipline and sacrifices our young men and women are demonstrating every day in Iraq and Afghanistan.

I sincerely wish I could have voted for the amendment offered by the gentleman from Wisconsin (Mr. OBEY) that would have met the burden that we have assumed in Iraq in a responsible way. I do not understand why the leadership denied us the ability to vote on that

amendment, which would have reset our priorities in a very sensible manner, asking Americans to heed the call of shared sacrifice and asking the wealthiest 1 percent of Americans to give up just a little bit of their tax cut to help bring our troops home and rebuild Iraq.

What the Administration has asked us to do here today—approve deficit spending in the amount of $87 billion—will place the cost of rebuilding Iraq and Afghanistan squarely on the shoulders of our children and grandchildren and those of our soldiers, too many of whom have already made the ultimate sacrifice. We should be more responsible than that. I will vote against H.R. 3289.

Ms. DEGETTE. Mr. Chairman, I rise to oppose the FY '04 Supplemental bill.

In April 2003, President Bush asked the American people to provide $77.9 billion for military and reconstruction spending in Iraq. At the time, his administration repeatedly assured Congress that they would not need additional money for Iraq. We now see that this was either poor planning or a calculated and gross underestimation of the cost. Today, congress is being asked to vote on $87 billion in additional spending for our military actions in Iraq and the reconstruction of both Iraq and Afghanistan for 2004.

Congress needs to start acting in a fiscally responsible manner. In this bill's current form there are no corresponding spending cuts or revenue generators to pay for the nearly $87 billion cost. President Bush is asking for $20.3 billion in reconstruction funds with no strings attached. This proposal has no accountability and, equally as disturbing, there has been no effort made to provide an offset to cover the cost. As a result, the proposal would add significantly to the already massive $500 billion federal budget deficit.

I have attempted to inject some fiscal responsibility into this process by offering an amendment that would eliminate the Bush tax giveaway for taxpayers in the top federal income bracket. My proposal would only impact the top 0.7 percent of all taxpayers with annual incomes of more than $312,000 and would restore approximately $90 billion to the federal budget. Unfortunately my amendment was not allowed and we are left with a bill that we are utterly unable to afford.

We have an obligation to protect our troops in Iraq and to help rebuild Iraq and Afghanistan so that they are no longer havens for the tyranny and misery that spawn violence. This must be done responsibly and within the context of a clear plan for the U.S. to accomplish its goals and turn over both the governance and security of Iraq to the Iraqi people.

Unfortunately, the bill before us today encapsulates all of the problems with the Administration's Iraq policy. President Bush has not explained how the $87 billion in spending helps us meet our goals of protecting our troops and restoring order in Iraq. The President has failed to make clear how many more American tax dollars will be spent on Iraq or the duration of our occupation. The President has no plan for how to pay for the $87 billion without adding dramatically to an already record federal deficit.

The spending for our troops is vital. However, the President's plan needs to include guarantees that the $67 billion in military spending will go to getting critical supplies to our troops in a timely fashion. This is particularly important in the wake of a report this week that more than 40,000 G.I.s in Iraq still do not have the protective body armor for their Kevlar vests that stops rounds from AK–47s, the assault weapon favored by Iraqi guerrillas.

The most troubling portion of this proposal is the $20 billion allocated for the rebuilding of Iraq. To this point, many of the reconstruction contracts have been awarded without competition to companies with close ties to the White House. These no-bid contracts preclude the accountability that is critical to ensuring that our tax dollars are not wasted and that every contract is implemented to meet the goal of a quick restoration of order and self-governance in Iraq.

The question of cost points to the other major concern I have with this request. The President did not provide any way for us to pay for it. Instead of cutting spending or finding another revenue source, he is borrowing on our children's future by adding to the federal deficit. This is the continuation of a reckless economic policy that has already turned a budget surplus in 2000 into a projected $500 billion deficit for 2004.

There is also the question of whether this plan makes our nation more secure. Last year, I voted against the Iraqi war resolution because I believed that there was no clear evidence showing Iraq was an imminent threat or that there were ties between Saddam Hussein and al Qaeda. I was extremely concerned that the Bush Administration's unilateralist approach would seriously harm our international standing, our ability to wage the War on Terror and our ability to rebuild Iraq after the fall of Saddam Hussein.

These concerns have been borne out. Weapons of mass destruction have yet to be found and the Bush Administration has recently admitted that there is very little evidence to tie Iraq to al Qaeda. There is a growing consensus that the Bush Administration did not have the solid evidence they once claimed to have in order to justify invading Iraq.

Congress has an obligation to pass a bill that contains a clear and coherent plan for our troops and the reconstruction of Iraq and does not balloon the deficit. This proposal does not meet these standards.

I urge a no vote on the Supplemental.

Mr. LANGEVIN. Mr. Chairman, today Congress again considers the important issue of providing additional funding for military and reconstruction activities in Iraq and Afghanistan. As a member of the House Armed Service Committee, I appreciate the valiant service of our men and women in uniform, and we must not hesitate to provide them with the appropriate resources to continue their success in the global war on terrorism. However, I have serious concerns with this measure—not because I believe the U.S. should not contribute to rebuilding Afghanistan and Iraq, but because so much of the burden is falling upon American taxpayers. I am frustrated that we are paying for this request through increased deficit spending—thereby shifting the cost to future generations—without considering the options of international loans through the World Bank, as Congressman OBEY has recommended, or other revenue sources that would spread the burden to those who can most afford it. Nonetheless, I believe that the United States ultimately has a responsibility to follow through on our international commitments.

While much discussion about the supplemental will focus on the reconstruction request, we must not forget that the majority of its funding goes toward ensuring the safety and success of our troops. For example, the bill will increase the number of protective body suits, flak jackets and armored vehicles available to our military's men and women serving in hostile areas. Just last week, I visited Walter Reed Army Medical Center and spoke with soldiers whose injuries might have been prevented if they had been driving the armored vehicles included in this bill. Additionally, the measure recognizes that the difficult terrain and often inhospitable climate of Iraq have necessitated frequent maintenance of military equipment, and therefore provides funding for parts replacement and much-needed upgrades.

A far more controversial aspect of the bill is the $18.6 billion for reconstruction activities in Iraq and $1.2 billion for Afghanistan. I was concerned with some of the items in the President's original request—including the establishment of postal codes and the purchase of a fleet of pricey garbage trucks—and am pleased that the Appropriations Committee deemed them unworthy of emergency funding. The remaining items, such as utility infrastructure projects, health care improvement and security upgrades, are important building blocks that will help improve the safety of the Iraqi people while allowing them to develop self-sufficiency and independence. While some regions in Iraq are still hostile to U.S. presence, we must build on the progress that we have made in other areas of the nation. Insufficient investment now in Iraq could lead to the spread of religious extremism, an increase in illegal arms trading, and an explosion in anti-American sentiment. To fall short in our reconstruction efforts could have a devastating effect on the stability of the region, causing it to descend into chaos and become a breeding ground for terrorists.

However, I am disappointed that the reconstruction portion of the request was not considered separately from the military component so that Congress could have provided immediate assistance to our troops while having greater opportunity for deliberation and consideration of the longer-term reconstruction proposals and the larger issues of U.S. involvement in Iraq.

Unfortunately, the military improvement and reconstruction efforts come at a high cost, and no one in this chamber should have any question about the impact of this measure on our nation's financial situation. To an already historic deficit projected at $480 billion in fiscal year 2004, we are adding $87 billion. This combination translates into larger interest payments on the national debt and less funding for important domestic priorities such as health care, education, and homeland security. My constituents are fully aware of the impact on our budget; I recently met with a man who has been unemployed for two years who questioned why we are not focusing our spending efforts on job training and other programs to address the nation's unemployment problem. I believe that the costs of this package fall unfairly on American taxpayers, and we must rectify this problem. Consequently, I sent a letter to President Bush asking that he aggressively pursue international cooperation to help defray the costs of reconstruction. Absent a major influx of foreign aid, I requested that he

consider options that would require small sacrifices from those Americans who can most afford them. One possibility would be to reduce a portion of the recent tax cut for the top income tax bracket to generate enough revenue to cover the $87 billion request. This reduction would slightly impact fewer than one million taxpayers, while maintaining the tax cuts for the middle class. Our men and women in uniform have served heroically to safeguard our nation's security, and we must now endure other sacrifices to keep from endangering the economic security of future generations.

What frustrates me most about the current situation is that it was not unforeseen. Many of my colleagues and I cautioned the Bush Administration about the consequences of pursuing military intervention in Iraq without a broad coalition of support. Almost exactly a year ago, I cam to the floor to speak on the resolution authorizing the use of force against Iraq. At that time, I said that I could not vote for it because it lacked a clear mandate that the President seek U.N. Security Council support for military operations in Iraq. I specifically noted that an international coalition would broaden regional support for military intervention and would be essential in promoting a new government in Iraq and undertaking reconstruction efforts. Unfortunately, those words were not heeded, and the onus of reconstruction now falls heavily on our Nation.

The bill before us is a flawed bill, not because of the provisions it contains or the programs that it funds, but because the circumstances that brought us to its consideration could have been different. However, we must not judge this bill based on its history, but on what it can do to shape the future. As Shakespeare wrote, ''What's past is prologue,'' and we cannot allow finger-pointing to obscure the task at hand. Our Nation successfully toppled two oppressive regimes and freed the Afghan and Iraqi people from cruelty, abuse and torture. We bear responsibility in assisting their nations as they transform themselves into successful democratic entities. In so doing, we can also prevent the dire conditions of poverty and political and religious extremism that have led to terrorism and tyrannical regimes throughout the region and the world.

While I will support this measure because our nation must complete what we have started, my vote is by no means an endorsement of the Administration's policies in Iraq, which are severely deficient in accountability, clarity and vision. I know that many of my colleagues share my reservations, and I look forward to the upcoming amendment process as an opportunity to address some of these concerns. I urge the Administration to pay close attention to our debate and recognize that a serious shift in strategy and attitude is needed immediately if we are to avoid having this same discussion again in the near future.

Ms. ROYBAL-ALLARD. Mr. Chairman, when President Bush's $87 billion supplemental request was presented to the Appropriations Committee, Chairman YOUNG, Chairman LEWIS and Chairman KOLBE had corrected a number of serious deficiencies in the President's budget request. For that reason, I reluctantly voted to support the committee bill with the hope that the serious weaknesses that still remained would be strengthened as the bill moved through the process.

Unfortunately, that has not happened. Therefore, I will not support the supplemental bill before us today, because the majority has chosen to prevent the House from addressing the concerns many of my colleagues and I still have on the critical questions American taxpayers are asking. Questions such as: Are we doing all we can for our troops? How are we going to engage the international community for financial support? How are we going to pay for the $87 billion price tag and where is the accountability for this enormous and unprecedented request?

The Obey amendment is the very amendment that best addresses these critical questions. Yet the House will not be allowed to vote on it. And for good reason, because if given the opportunity, the majority knows it would pass. The Obey amendment strengthens the quality of life provisions of our troops, provides accountability to the taxpayers and to Congress, and pays for the $87 billion request instead of adding it to the already enormous debt created by the misguided policies of this Administration—a debt that will be passed on to our children and our children's children.

Let me briefly highlight some of the key provisions of the Obey amendment. First, the Obey amendment addresses quality of life issues for our troops by helping to correct some of the alarming conditions our troops have found themselves. For example, as reported by our colleagues who have visited Iraq, not all our fighting men and women in Iraq have purified drinking water, and many of our troops are getting sick and suffering from dysentery as a result. The Obey amendment, had we been allowed to vote on it, would have provided enough funding for purified drinking water plants so that all our troops have clean water, not just one of nine U.S. bases in Iraq as proposed by the Administration, which would leave 80 percent of the troops unprotected.

The Obey amendment also shows respect and appreciation for the sacrifices made by our troops by providing reservists with pre-deployment medical and dental screening, which they now pay for themselves. The amendment also extends their health care coverage from 60 days to six months following deployments and provides for an adequate supply of prepaid phone cards so all U.S. soldiers can call home. Finally, because troops are currently required to pay their own transportation home once they have reached the U.S., the Obey amendment pays for the R&R transportation costs for troops on a 12-month deployment. Unfortunately, these important quality of life issues for our troops will not be permitted to be a part of the bill before us.

Second, the Obey amendment engages the international community financially by devoting $7 billion to a trust fund at the World Bank. The advantage of the World Bank is that these funds would be conditioned on contributions of at least $3.5 billion from other nations. The accumulated $10.5 billion could then be used as security for an additional $42 billion in World Bank bonds for the reconstruction in Iraq. This would help to eliminate the drain on our own U.S. Treasury by generating the vast majority of the estimated $54 billion needed for Iraq reconstruction. Equally as important is the fact that using the World Bank would eliminate the cronyism and no-bid contracts that have been awarded to Haliburton and Bechtel with funds from the first supplemental bill. As we all know, there is still little disclosure about these no-bid contracts and their resultant long-term costs. Again, the majority has denied us a vote on this important issue.

Finally, Mr. Chairman, the Obey amendment would fully pay for the $87 billion supplemental appropriation by returning the tax rate for individuals with incomes in excess of $350,000 to the level that existed in January 2001. That means that although they will not get the bonus tax cut, the richest one percent will still get the largest tax cut provided to any American. Given the sacrifices that are being made by our servicemen and women and their families, having the richest Americans do their fair share to pay for this appropriation with a smaller tax cut honors the American spirit of ''shared sacrifice.'' Yet again, the majority will prevent this House from voting on the Obey proposal that would pay for this costly appropriation.

And finally, Mr. Chairman, is the issue of accountability, another key issue the House will be unable to adequately address on behalf of the American people, who have a right to know how their tax money is being spent. What makes the lack of transparency and accountability for this $87 billion even more incredible is the fact that the Administration has failed to account for the $63 billion Congress already allocated for the safety of our troops. This is critical especially when we know that the full $63 billion that should have gone for Kevlar flak jacket ''body armor'' and jammers to block the radio signals used to detonate the remote controlled bombs never reached all our troops. Why the current civilian leaders in the Pentagon failed to provide these life-saving supplies to our troops prior to the U.S. invasion of Iraq and even after it became apparent that these shortages were costing American lives must be answered. And it must be answered before we give Secretary Rumsfeld discretion to spend over an estimated $9 billion of taxpayer dollars without being accountable to Congress and the American people for how the money will be spent.

For those who say we cannot afford to wait—that this is an emergency and our troops need these funds right away—I would direct them to the report by the Congressional Research Service on this very question. CRS states that based on the available sums provided through the regular FY '04 Defense Appropriations Bill that military operations can be sustained until early May of next year, and that the billions of dollars of unobligated funds remaining in the last supplemental appropriations also can be used to address the immediate needs of our troops. That means that we can protect our troops and Congress can take the time to get this right and have our questions answered. We do not have to hastily pass $87 billion of taxpayers' dollars in order to meet the Administration's arbitrary deadline.

Since the bill before the House today leaves too many unanswered questions and because the majority has prevented this House from voting on the key policy issues that responsibly should be considered before giving away $87 billion of taxpayers' money, I believe my vote against this appropriation is a responsible vote. Hopefully, it will send a clear message to the Bush Administration that we must pass a bill giving real protection to our troops and improving their quality of life while at the same time requiring a clearly defined plan with transparency and accountability that does not saddle future generations with a huge debt that prevents us from addressing the needs of Americans in our own country.

Mr. CARDIN. Mr. Chairman, the Congress has a responsibility to work with the President to protect the national security of our nation. When our soldiers are sent in to war, it is the Congress' responsibility to make sure that all resources necessary are provided to carry out their missions. Although I disagreed with President Bush's request for unrestricted use of force against Iraq, such a resolution was approved by Congress. It was clear to me from the outset that although we would win the war, the Administration did not have an adequate plan to win the peace; that is, to rebuild Iraq, and to establish democratic institutions in that abused country. To succeed after the war it was critical to engage the international community. Yet the Administration refused to seek international support early or to share responsibility with the international community for the governing of Iraq.

Because of these failures, Americans have paid a heavy price. It is primarily American troops stationed in Iraq that face continuing attacks. It is our taxpayers that are being asked to almost exclusively pay the cost to rebuild Iraq.

I stand behind our brave men and women who have performed admirably in Iraq and Afghanistan. They have made tremendous sacrifices on behalf of their country and have served longer deployments than expected. We should provide our troops with all the resources necessary to carry out their mission. Therefore it is necessary to support the supplemental appropriations bill. Most of the funds in this bill will go directly to support our troops in Iraq and Afghanistan. The funding of the reconstruction efforts are also fundamental to the successful completion of our missions in Iraq and Afghanistan.

However, I believe that the Administration's request of $18 billion for reconstruction requires a higher level of scrutiny. There were a series of amendments considered by Congress during the consideration of the supplemental appropriations bill that I supported. These amendments included:

(1) An amendment to transfer some of the Iraqi reconstruction funds to repair and replace military equipment used in current operations, as well as improve the quality of life for the families of active and reserve forces. The amendment failed by a vote of 209 to 216.

(2) An amendment which would have converted half of the Iraqi reconstruction grants into loans. This amendment was similar to an amendment that was adopted by the Senate yesterday. Although the amendment failed in the House by a vote of 200 to 226, I hope in conference the House will agree with the Senate action.

(3) An amendment which I authored with Congressman KIND of Wisconsin, which would have reduced the reconstruction funds to Iraq by 50 percent. I sponsored that amendment because I thought it was important for the administration to obtain more help from the international community, use loans rather than grants, provide more details to Congress and the American people on the use of these funds, have a plan to transfer authority to Iraqis, and have a plan to bring home our troops stationed in Iraq within a reasonable period of time. The Administration could then seek Congressional approval of additional resources if needed once these conditions have been met. Unfortunately, the amendment failed by a vote of 156 to 267.

The Administration has relied almost exclusively on U.S. troops to take most of the risks in Iraq. The Administration's ''go-it-alone'' strategy must end. I am pleased that on Thursday the United Nations unanimously adopted a resolution, initiated by the Secretary of State Colin Powell, which will strengthen the role of the United Nations and the international community in the reconstruction of Iraq. Iraq must make a transition to a nation that adopts a constitution, holds elections, and creates a democratic government that respects minority rights and operates under the rule of law. The U.S. must show enough flexibility in working with our allies to effectively implement this U.N. resolution, so that other countries will pledge both troops and funds to alleviate the burden on our American soldiers and taxpayers. Ultimately, the quickest way to bring our troops back home is to reach out more aggressively to the international community, establish order and security in Iraq, and transfer authority to the Iraqis.

Mr. LEVIN. Mr. Chairman, from the outset I have opposed the Bush administration's approach to Iraq. It embraced the notion of preemptive strike where the U.S. could act alone when it determined that there was a threat, even if that threat did not pose imminent danger to the United States. Within this misguided doctrine of the Administration, other nations and the United Nations would merely be notified of an American decision with little emphasis on the United States using our unique leadership position in the world community to obtain support for collective action; strengthening the international role rather than the U.S. going it alone.

As the administration was moving to implement their doctrine, I joined others in actively opposing it. When the President asked for the authority to undertake unilateral military action against Iraq, I worked with others to draft an alternative that required the President to come back to the Congress for its approval before taking unilateral military action in the absence of authorization by the U.N. Security Council.

Unfortunately, our resolution did not pass. The rest is history—the use of false arguments to justify unilateral action, the failure to find weapons of mass destruction that were reasons given for taking unilateral military action, the inadequate planning for the aftermath in Iraq, the lack of accountability by the administration on spending to date, and the irresponsibility of not providing our troops the ceramic body armor strong enough to stop bullets fired from assault rifles.

Once again, domestic public and international pressures have forced the administration to consult in recent days with the international community through the U.N. We need to be clear that ensuring the U.N. and the international community a meaningful role in rebuilding Iraq isn't just a matter of approving a new U.N. resolution. The Administration's words must be backed by action and a change in its approach in Iraq.

So today the question for Congress remains—now that the U.S. is where it is, what should happen next?

I totally reject the propagandistic framing of the issue yesterday by Majority Leader TOM DELAY. The issue is not whether or not one supports the battle against terrorism. Mr. DELAY mistakenly describes that if you are for the battle, you are for the supplemental appropriation, and if against that battle, against the supplemental. During this debate we have heard a strong bi-partisan commitment to supporting our troops and to the reconstruction of Iraq. Whether one voted for or—as I did—against the resolution authorizing the President to unilaterally undertake a war with Iraq, we all take seriously the responsibility to protect our troops and stabilize Iraq now.

The Administration and the Republican majority have resisted dividing the issue before us into two parts: the $65 billion for military equipment and services to support of our armed forces, and $20 billion for reconstruction efforts in Iraq. I think it is useful to consider each of the two components on their own as well as their connections.

As to the $65 billion, there seem only two realistic alternatives. One is to pull out American armed forces quickly and thus oppose the $65 billion. The other is to conclude that such a withdrawal would only add to the chaos and take a chance on what would result. No one has seriously suggested a third alternative—to say but to reduce significantly the $65 billion in military assistance.

Going beyond the rhetoric that the U.S. should not ''cut and run,'' I believe that an abrupt withdrawal of American troops, once the Administration positioned them in Iraq, would lead to chaos that could result in turmoil and potentially dangerous results in Iraq as well as the entire region.

Then, how about the $20 billion for reconstruction? No matter how strongly one opposed the unilateral, pre-emptive military action by the Bush Administration, it is hard to conclude that the U.S. should not bear any responsibility for reconstruction efforts. No matter how vehemently one rejected the Administration's misguided notion that everything would easily fall in place after the military captured Iraq, and how frightful was the lack of effective planning by the administration for its aftermath, it seems inescapable that our Nation must now assist substantially in reconstruction efforts.

But this does not mean that we should bear all the costs and basically control the decisions in this period of reconstruction. As usual, the Administration has dug in its heels, and said it is their way and nothing else. I regret that the Majority Leadership in the House would not even allow a vote on the Obey amendment, which would have offset the entire $87 billion cost of the Iraq package by rolling back a small portion of the 2001 tax cuts for the top 1 percent of income earners in this country. Instead, every dollar of this package will be added to the already huge Federal deficit.

We tried in the House to build into American assistance a mixture of grants and loans. I voted for this approach and was disappointed that it lost by a narrow margin because there were more Republicans who supported the idea than voted for it as a result of pressure from their leadership and the White House. One reason to support this approach is that it is likely to further the Iraqi engagement and investment in the decision making process and results of reconstruction.

The Senate last night passed an amendment that provides for a mixture of grants and loans. The way it is worded, it might well lead to a greater financial responsibility on the part of other nations.

The action of the Senate provides a real hope that the final package will have a mixture

of financing and spread the cost of reconstruction with other nations and Iraq, which possesses the second largest reserves of oil in the world. I believe, therefore, there is now more, not less, reason to support the $20 billion for reconstruction.

Therefore, if one does not oppose the $65 billion for the Armed Forces and one does not believe that we can avoid substantial involvement in the reconstruction of Iraq, my conclusion is that a yes vote is warranted today. I will withhold a decision on the conference bill that is now necessitated by the Senate action last night because an effort to strip out the Senate provision on a loan would again call into question this administration's commitment to internationalizing the reconstruction of Iraq. A major reason to vote no on this bill would be to protest further the mistaken path followed by the Administration from the very start. I respect that approach, through I have chosen otherwise on this bill and I will continue to urge that the mind set and the perspectives of this administration that led them to their go-it-alone actions in Iraq are more than adequate cause for their defeat at the ballot box in 2004.

Ms. CORRINE BROWN of Florida. Mr. Chairman, I was horrified to learn that tens of thousands of our troops were sent out to battle without proper armor. And to this day, they still lack many necessary items. I spoke with several soldiers who suffered injuries to their legs, and many who totally lost their legs when bullets crashed through their vehicles because the cars were not fortified with armored plates. I met with soldiers who suffered chest injuries because they did not have bulletproof vests.

This is a very important issue, and I want the American public to clearly understand this point. Even though we have 44,000 soldiers in Iraq today without proper bulletproof vests, the President asked for absolutely nothing to protect these troops. Let me repeat that. We have 44,000 soldiers in Iraq without body armor, and the President didn't ask for a single cent to protect these soldiers. I guess these brave men and women will have to wait until Halliburton starts making body armor before they can get the protection they need and deserve.

Congress approved $310 million in April to buy 300,000 bulletproof vests for our troops. But sadly, only $75 million of that money has gone to the Army office that is responsible for purchasing these vests. Where is the accountability that this Administration promised this nation?

The Republicans keep telling us this bill is all about the soldiers, and everyone in this Congress supports our soldiers. but how can a bill for our soldiers not include money for basic protections like Body Armor, Boots, Camouflage, Rucksacks, Armored Vehicles, Tank Tracks, Humvee Tires, Signal Jammers, and Chemical Suits. We can't even provide these brave men and women with simple necessities like drinking water, showers, tennis shoes, and even toothpaste.

Just six months ago, we appropriated $79 billion dollars for the war effort, and yet relatives have resorted to buying body armor in the U.S. and shipping it to troops in Iraq. What happened to this money, Mr. President? These families and this Congress want and deserve to know.

Yesterday I was shocked to find out that the Services did not fully meet immunization and other predeployment requirements. Based on GAO review of deployments from four installations, between 14 and 46 percent of servicemembers were missing at least one of their required immunizations prior to deployment. As many as 36 percent of the servicemembers were missing two or more of their required immunizations, such as influenza and hepatitis. We cannot send our servicemembers to war without first making certain that they are protected from in-theater disease threats. We need to take care of the basics for our troops!

The American people who are writing the check for Iraq do not want a grant program. Like anyone who lends money in the real world, they want their money back. I would encourage every citizen to call their Senators and Congressperson to let them know that you do not support another Blank Check slush fund for this Administration.

Vote no on this bill, and no on another blank check for the President and his campaign contributors. Mr. President, this account is already overdrawn.

Mr. HASTERT. Mr. Chairman, I come before you today to urge your continued support for the War on Terror. While there has been spirited debate in this Chamber during the past two days, the stakes are too high for us not to meet the obligations and responsibilities at hand. Make no mistake about it: by passing this War on Terror Bill, we are investing in the future safety and security of the American people.

None of us will ever forget September 11th, 2001, when terrorists attacked our freedom, our peacefulness, our American way of life. I still remember looking out my office window and seeing the smoke from the Pentagon attack rolling across the Washington Mall, at that moment, I knew this Congress—Republicans and Democrats—would stand shoulder-to-shoulder with our President to say ''Never Again.'' The very next day, this House moved swiftly.

We approved emergency funding to rebuild what the terrorists destroyed, and to buttress our homeland security and our intelligence efforts. We enacted new, stringent laws giving our judicial system and law enforcement the tools necessary to fight this new war on terrorism. We embarked on the most ambitious reorganization of our federal government in more than 50 years, establishing a Department of Homeland Security, whose core mission is to prevent terrorist attacks against America.

Now, we must approach the reconstruction of Iraq and Afghanistan with the same vigor with which we undertook the defense of our homeland. The pending legislation does just that. It is estimated that the Terrorists of 9/11 spent less than $500,000 to undertake an operation whose economic toll far exceeds $150 Billion. There is no question as to the significant economic consequences that terrorism holds for the global economy. Yet, there are those who question the need for this War on Terror Bill. Worse yet, they also question our overall mission—

Why are we in Iraq?

Why are we in Afghanistan?

Why spend this money in this way?

Let me be clear; to protect America: Terrorism cannot stand; Terrorism must be rooted out and destroyed.

My colleagues, we have taken the battle to the enemy. Iraq and Afghanistan are now the central fronts in the War on Terror. Our brave men and women in uniform are stamping out terrorists in Baghdad, Iraq and Kandahar, Afghanistan before these methodical killers strike Brooklyn, New York, or Batavia, Illinois.

And while much remains to be achieved, the Commander in Chief and is National Security Team are having remarkable success. We liberated the people of Afghanistan from the Taliban's cruel grip; We rid Iraq of the evil of Saddam Hussein; We have taken into custody hundreds of al-Qaida operatives and benefactors, reducing the likelihood of future attacks on all countries. And, we have begun to sever the financial ties that bank roll these evil acts. Terrorist training camps in Iraq and Afghanistan have been uncovered and destroyed; Forty-three of the fifty-five most wanted former Iraqi leaders are dead or in custody; and, thousands of other Baath Party loyalists and terrorists have met their ultimate fate.

This is an investment in our future. The President is calling on us to provide our courageous troops the tools they need to fight terrorism abroad, finish the job, and return home safely. Our President needs our continued support to help the emerging, democratic government take hold in Baghdad and Kabul. This cause is worthy of our assistance. While I have heard some say we should use this money to rebuild our roads, bridges, and schools here at home, I must remind my colleagues that peace and stability in Iraq and Afghanistan is very much an investment in America's safety and security—both now and in the future.

We all know that until democracy firmly takes root in these two nations, Americans, joined by troops from Poland, Australia, Britain, and thirty allied countries will remain on the ground, risking their lives on our behalf. To date, some sixty nations from around the globe have already pledged their support. Why? Because they understand keenly that what happens in Iraq and Afghanistan affects the Persian Gulf and beyond.

Running water, functioning electricity, an impartial judicial system, and properly trained law enforcement are basic, and essential elements of a government infrastructure that must be in place before we should leave. When it comes to our commitment of resources, let's do it right from the outset so our American military can finish these missions and return home as soon as possible—safe and sound.

Let me be clear: this is much more than a vote on dollars and cents; this is a vote to protect Americans from future attacks both at home and abroad.

We pledged on September 11th, 2001, we would ''Never Again'' fail to do what's necessary. Let us not fail today.

Vote ''yes'' on this War on Terror Spending Bill.

Ms. WOOLSEY. Mr. Chairman, I rise today to talk about the brave men and women who are fighting in Iraq at this very moment; the hundreds who lost their lives; and the thousands who have been wounded.

Despite the fact that Congress appropriated $310,000 in April for bulletproof vests, nearly one-third of the 130,000 U.S. troops in Iraq still have not been issued these vests, which are strong enough to stop bullets from assault rifles. Nor have most of our troops been issued CamelBak hydration systems to protect them from the scorching desert heat. In fact,

many families have resorted to sending protective bulletproof vests and CamelBak hydration systems to their sons and daughters stationed in Iraq. No family should be paying extra to help keep their loved ones safe; the federal government has this responsibility. After all, who sent these young people to war in the first place? Certainly not their families.

In August of this year, I stayed in Bethesda Naval Hospital where I visited with wounded men and women and their families who will never again experience the world in the same way as a result of this war. We don't talk about the impact of this war. In fact, we don't talk about the impact of any war on the wounded and their loved ones. I met with individuals who had lost limbs, their sight, their hearing, parts of their beautiful faces, and we are still not providing our troops with the best equipment available!

Mr. Chairman, we must do the right thing for our troops and give them the support they deserve, in the way they deserve it. Now is the time to make permanent the increases to the Imminent Danger Pay and Family Separation Allowance, which Congress approved for our soldiers only through next year. We must make the commitment to our troops, right now, that we will take care of them after this war is over. That means ensuring the permanent end to the Disabled Veterans Tax by providing full concurrent receipt for all veterans. And it means not denying, but treating, the illnesses they will face ten, twenty, and thirty years down the road.

It is pretty simple, really. If we are willing to spend another $65 billion to keep our troops in danger, then we must care enough to bring them home, bring them home safely, bring them home soon, and support them after the war. Since I see no real commitment to doing this from the Administration, and I see no real reason for being in Iraq in the first place, I will be voting no on the supplemental.

Mr. OLVER. Mr. Chairman, I cannot support a bailout for poor preparation and bad foreign policy. The President squandered the $79 billion that Congress appropriated in April. He is now requesting an $87 billion blank check, and I will not vote to sign it.

This year, America will run the largest deficit in our history—more than $475 billion, excluding the President's request for Iraq. The $87 billion would be better used to create jobs and improve health care and education for Americans.

The substitute to the President's request offered by Congressman DAVID OBEY in the Appropriations Committee is a far better alternative. The Obey substitute insists on accountability and transparency for the expenditure of reconstruction dollars and encourages support from other nations thereby reducing the burden on American taxpayers.

Unfortunately, the Obey substitute was rejected in the Appropriations Committee and Republican leadership has blocked it from consideration by the full House. But the Obey substitute offered the best plan for fixing the chaos in post-war Iraq.

I voted against the original bill authorizing the President to use force against Iraq, but once our troops were put in harms way I, like all members of Congress, have done everything necessary to support our troops. Despite many reservations about going to war, my colleagues and I overwhelmingly supported the President's $79 billion supplemental to cover the cost of deploying and operating troops in Iraq. At that time, it was the largest supplemental bill ever considered by Congress.

These funds were to cover our troops' basic necessities such as water, body armor and the correct equipment needed for a desert conflict. I thought the necessary funds had been provided to achieve victory and bring our troops home swiftly and safely, and I assumed the President had a plan.

Yet, six months later, 80 percent of U.S. troops have been drinking putrid water and whole units have come down with dysentery. As many as 40,000 troops do not have the standard issue body armor and, in fact, are using outdated body armor from the Vietnam era.

Our Guard and Reserve Forces are caught in a hidden draft. They are being required to serve far longer in Iraq than they had been told because the troop rotation schedule is in chaos.

Sadly, this could have been avoided because the war on Iraq was a war of choice, not of necessity.

The administration's two primary reasons for the war—Saddam Hussein's alleged weapons of mass destruction and his alleged links to Al-Qaeda—were both intentionally exaggerated to build support for that war. No weapons of mass destruction have been found and the President has now downplayed the alleged link between Saddam Hussein and Al-Qaeda.

If the aftermath of the war were going well, Americans would probably overlook the deliberately misrepresented intelligence on Iraq's weapons of mass destruction and its ties to Al-Qaeda. Now, as Americans are killed almost every day and it is clear that winning the peace will be a long, difficult and expensive process, people are questioning how we got to where we are today.

The swell of opposition to the President's request should surprise no one.

The American people are learning that the President's insistence on a unilateral war means that we will pay for a unilateral peace.

Even our closest allies are reluctant to pay for the aftermath of our war. International donors scheduled to meet in Madrid next month are expected to contribute no more than $2 billion to the reconstruction effort, while most recent estimates to rebuild Iraq over the next four years call for $55 billion above the President's current request.

By channeling $7 billion of reconstruction funds through the World Bank, the Obey substitute would reduce the burden on American taxpayers. This is an effective way to prevent cronyism in reconstruction contracts and to encourage international donors to contribute to the redevelopment of Iraq. The World Bank is much more likely to rely on indigenous workers and companies to carry out construction projects than is an organization that is tied to political appointees in the White House.

The President's request allows for sole-source, no bid contracts to be awarded without the notification of Congress. This is a thinly disguised appropriation for Halliburton, Bechtel and the President's other fundraisers. The Obey substitute includes mechanisms that limit these contracts and directs funding to cost-effective projects, rather than the large, capital-intensive, expensive contracts the President favors.

Mr. Chairman, the Obey substitute is an excellent proposal that will provide for much more effective reconstruction in Iraq.

The Obey substitute also provides the body armor, adequate purified drinking water, portable jammers and 20,000 additional troops to relive Guard and Reserve Forces. It allows our troops to finish their jobs and return home quickly and safely. It prepares for the return of our Guard and Reserve Forces by extending their healthcare coverage from 60 days to 6 months. The Obey substitute will force the President to fess up to the actual long-term costs of our military action, relieve pressure on the Guard and Reserve over time and make our troops safer.

Mr. Chairman, I opposed the President's war on Iraq, but I support the Obey substitute amendment. It makes better use of our limited resources to fix a horrible and dangerous situation.

Mr. BLUMENAUER. Mr. Chairman, Congress will provide the necessary support for our troops and we will make a significant investment in stabilizing and rebuilding Iraq. The question before Congress is how best to provide that troop support and how to make the appropriate investment in both Iraq and Afghanistan—two troubled nations that the United States now ''owns'' as a result of the Bush administration's policies. This $87 billion supplemental appropriation is not the best answer.

We have already provided huge sums that have not been well spent. The costs of Iraq policy are approaching $200 billion dollars of borrowed money with no end in sight. Our troops continue to have unmet needs that were entirely foreseen, like the flat jacket liners and armoring of vehicles. Tales abound of questionable expenditures and contracts, yet proposals were included in this request that simply don't meet the laugh test; millions of dollars for garbage trucks, zip codes, and a witness protection program (at $1,000,000 a person). It was wrong to give this administration a blank check to wage unilateral war and it is wrong to give them a blank check for reconstruction.

During debate, I offered an amendment that would save American taxpayers a quarter of a billion dollars and would have transferred money from Iraq reconstruction efforts to provide $247 million in additional funding for Afghanistan—a country with the same population as Iraq, an even larger land area, and that is still harboring terrorists.

Decades of conflict of Afghanistan, including the war against the Soviet Union, have left about 2 million dead and created 700,000 widows and orphans. Afghanistan remains a hot bed and safe haven for Al Qaeda—responsible for the launching of murderous attacks against the U.S. The UN estimates that 5–7 million unexploded landmines are scattered throughout the country. An estimated 400,000 Afghans have been killed or wounded by mines, leading to the highest per capita number of amputees in the world.

Estimates for reconstruction in Afghanistan range as high as $30 billion over the next decade. There is no shortage of need and the bottom line is we can do much more. Even after the $500 million this amendment removes from Iraq reconstruction, that country is still receiving the most generous aid package in history. Afghanistan was a real threat. We need to do more to make sure Afghanistan does not again spin out of control.

While my amendment did not pass, I was encouraged by the reaction of my colleagues

from both sides of the aisle who recognize the importance of additional funding in Afghanistan. I will continue to fight to ensure that the administration's discredited program for Iraq does not leave other Middle East priorities under-funded and ineffective.

Even though the administration was wrong to claim that this Iraq reconstruction could be financed by Iraq's own oil revenues, and even though it will be ill advised to hopelessly burden the future Iraqi government, the American public should not bare the burden of vast sums of borrowed money because the administration had neither the foresight nor the patience to develop realistic plans and partnerships. We should be working with creditors like the Russians and the French as well as international organizations like The World Bank to soften the impact on American tax payers.

While this proposal has been improved by the Appropriations Committee, it still falls short. There is still too much spent on the wrong things and administered by the wrong people. Congress does no favors to our troops, our citizens, or the Iraqi people, to continue to fund the administration's ill-advised plans.

Mrs. TAUSCHER. Mr. Chairman, it is with a heavy heart that I vote for this bill. While I am deeply troubled at the prospect of adding even more to our rapidly spiraling debt, poor planning and severe mismanagement by the White House have left 113,000 American troops in a deadly situation in Iraq without the training or equipment they need.

We cannot make this bill a retroactive referendum on all the mistakes President Bush has made about this war. Nearly $65 billion in this bill is for our troops who are still in Iraq and Afghanistan, and they desperately need it. When I went to Iraq last month, I learned that there are literally thousands of American troops there who lack basic life-saving equipment like bullet-proof vests. How can we tell them their lives are not worth the price tag?

If we don't send the money our troops need, we leave them stranded in an incredibly dangerous environment. If we pull out our troops now, we will leave innocent Iraqis in a security and economic situation worse than before the war began and our own country more vulnerable.

I attempted to amend this bill to hold the administration more accountable for the $20 billion they are requesting for reconstruction. I believe that part, but not all, of the responsibility for reconstructing Iraq lies with the United States, and I call on the administration to increase its efforts to seek international support to pay for the reconstruction of Iraq. Until it is stabilized and self-governing, Iraq will remain a potential breeding ground for terrorism in a volatile region.

Mr. Chairman, I urge you to put good public policy over politics and ensure bills as distasteful as these cease to be the norm in the House of Representatives.

Mr. CAPUANO. Mr. Chairman, I rise today in opposition to H.R. 3289, President Bush's $87 billion funding request for Iraq. This supplemental appropriations bill is not about showing support for our troops. We are all united behind their courageous efforts. This is about where the United States goes from here.

I think most Americans realized that our commitment overseas would be lengthy and it would be costly. However, the Administration has been unwilling or unable to state its plans for the creation of stable representative governments, able to police and defend themselves, in Iraq or in Afghanistan. We have absolutely no idea how long troops will be stationed in Iraq and Afghanistan and we have no idea how much money will be required to complete this mission. When pressed by the Appropriations Committee for answers on these points, the Administration declined to give any answers. That is not good enough. It is time for the President to provide us all with answers to those questions.

I understand that the President cannot set out a precise timetable for troop withdrawal and he may not be able to provide a guaranteed final budget figure. I am not expecting that level of detail. However, I do expect, and this great country deserves, basic information about the future of this mission. That information is not forthcoming, and yet we are being asked to provide an additional $87 billion for an effort that has already cost billions of dollars and hundreds of American lives—without an end in sight to costing more of both.

I opposed the initial decision to invade Iraq because I did not believe that we had given the international inspectors sufficient time to confirm the President's allegations. Furthermore, I do not agree that the United States can or should impose democracy by force. I believe that my vote was correct at the time and every passing day confirms my conviction that I judged rightly. I did not approve of the initial invasion, and until I hear a responsible and realistic plan for dealing with the consequences of the invasion, I cannot in good conscience vote to approve these funds.

I fear that we are lacking more than an exit strategy. We need a foreign policy. This Administration has failed to meet the challenges of the post Cold War, post 9/11 world. Today, I insist on a plan for Iraq. Further, I would respectfully ask for clarification on our plans relative to other countries—notably North Korea, Iran and Syria. I understand that these countries differ from Iraq, and from each other, in their domestic politics and geopolitical importance. Nonetheless, the President has singled out these countries as he did Iraq. How does he plan on addressing his stated concerns relative to each of these? Does he plan another military campaign? Will he rely on diplomacy? Will he engage the international community?

Finally, I would certainly approve the replacement of armaments used in Iraq—we need a well-equipped military. I would approve funds to rebuild Iraq—we have an obligation to leave that country on its feet when we depart and the world expects no less. I would approve funding to increase the size of our military so that Congress would not have to resort to the use of private security to protect our military bases as this proposal allows. If necessary, I would approve funds to provide basic necessities for our troops—such as Kevlar, adequately armored vehicles, necessary communications equipment and comfortable living accommodations. However, I believe that these latter items should have been funded in the annual Defense appropriation; they are foreseeable and should have been available prior to engagement.

I have supported similar appropriations requests in the past, for Iraq and for Afghanistan. I would support similar funding if it were accompanied by a plausible plan for the phased withdrawal of our troops from Iraq. However, absent such information, I cannot, and will not, support this request for funding at this time.

Mr. OBERSTAR. Mr. Chairman, the most solemn and weighty power conferred by our Constitution upon the Congress is the power to declare war and the power of the purse.

Last year, Congress abdicated its constitutional responsibility by approving a deeply-flawed resolution that gave the President the power to initiate a preemptive war against Iraq, which, in my judgment, expressed at that time, did not pose a clear and present danger to the United States. I opposed that resolution in the strong belief that Congress should have required the President to seek a formal declaration of war because the President had failed to demonstrate a link between Iraq and the al Qaeda terrorist attacks of September 11, failure to prove the presence in Iraq of chemical, biological weapons of mass destruction, a nuclear capability, or the capacity to deliver such weapons against the United States.

After September 11, our Nation was united in common purpose to combat terrorism, and the United States enjoyed near universal support among the community of nations for our actions to destroy the al Qaeda terrorist bases and their Taliban protectors in Afghanistan. While this Administration has not yet been able to achieve many of the goals for Afghanistan, I support the funding in this legislation for continued support to complete our mission there.

Our military campaign against al Qaeda and the Taliban enjoyed strong bipartisan support, and Congress moved quickly to appropriate the necessary funds to carry out this important mission. In the aftermath of the U.S. lightening military strike that toppled the Taliban in Afghanistan, the President maneuvered fervently to muster support at home and abroad for a preemptive war against Iraq. Even though these efforts failed to mobilize the support of many of our key allies, the Administration launched this unilateral war against Iraq, with the result that, we squandered the moral high ground and the support of the international community.

The Administration finds itself in this uncomfortable position, and also has retreated from presidential candidate Bush's pledge not to engage the United States in nation-building during his presidency. Now staring in the face of the reality of a long-term, debilitating military occupation of Iraq, the President has asked Congress to approve a second supplemental payment for the ongoing military operations and reconstruction efforts in Iraq, without providing to Congress and the American people a full accounting of how the previous billions of taxpayer dollars were used, nor a detailed plan for how this money will be utilized. On that point, Congress must assert its constitutional responsibilities to ensure that this spending request is consistent with our national and international budget priorities. Because of the President's misguided economic and foreign policies, this $87 billion request represents money that we will have to borrow, which will increase the national debt, and this spending also represents dollars that could have been utilized to meet urgent needs at home.

It is very troubling that this Administration has expended considerable time and energy

to advance a divisive agenda at home and abroad that has not improved our national security. Recently, Congress approved the first appropriations bill for the Department of Homeland Security, which provides $30 billion for that agency to fulfill its critical responsibilities. The money in this supplemental package that we will spend in Iraq over the next several months is roughly equal to funding the Office of Homeland Security for three years—which raises the question, which is the more appropriate use of $87 billion to promote our national security.

The policy option the President and his team have set before the Congress and the American people will add $87 billion to our already exploding national debt while refusing to ask the wealthiest of the wealthy to forego a portion of their tax breaks in order to help finance this war. At a time when our brave men and women in the armed forces have made significant sacrifices for their nation, and some have made the ultimate sacrifice, it is unthinkable that the President has not asked wealthy Americans to make a modest sacrifice to pay for this war. It is further shameful that the Administration has failed to deliver on its pledge to restore Iraq's oil exports to pay for its own reconstruction.

Because the President failed to win broad international support for this war, the U.S. taxpayer must shoulder the costs of this ill-advised military campaign. It is quite clear, as well, that this $87 billion spending package will not be the final payment, as Congress will be asked to approve billions of additional dollars for Iraq, for many years to come, if this Administration remains in office and on its chosen course.

This supplemental request for Iraq, like all spending bills, reflects our national priorities. In the current budget environment, we must be ever mindful that every dollar that we borrow and spend in Iraq is a dollar that is added to the national debt and denies funds that we need to educate our children, heal the sick, and improve our infrastructure in this country. With this spending request, the President has made clear that he supports massive deficit-spending that will burden working families in this country, and opposes shard sacrifice for the rich or international burden sharing.

In short, this $87 billion spending bill is fiscally irresponsible, fundamentally unfair, and ignores our urgent domestic needs to finance a failed foreign policy. Congress has already provided a blank check for the President to initiate war; Congress must now reassert its constitutional responsibility and deny President Bush a blank check to continue this misguided mission. I cannot vote for this policy of ever-spiraling failure.

Mr. UDALL of Colorado. Mr. Chairman, I cannot vote for this supplemental appropriations bill.

I voted against the resolution that authorized the President to begin military actions in Iraq at a time and under conditions of his own choosing, regardless of the likely costs and sacrifices that would be required. I was concerned that the Bush administration had a plan only for invasion, not for the subsequent ''peace'' and occupation, and was too ready to go it alone.

But Congress unwisely authorized the President to make Iraq the center of our war on terrorism, even without broad-based international support, and did so without a responsible debate that fully weighed the pros and cons of this strategic choice.

In short, I did not think Congress should give the President such a blank check—but we did, and the bills are coming due.

The people of Iraq are freer with Saddam Hussein out of power—at least for now—but our go-it-alone policies have left us with few friends willing to help cover the costs of his removal or Iraq's reconstruction. And with both the stories Iraqi weapons of mass destruction and Saddam himself among the missing, it remains an open question whether the major result of our invasion and occupation of Iraq will be to make America safer or to fuel anti-American sentiment and support for terrorism in the Islamic world. It would be a terrible irony if the way we have waged this war means a critical loss of precious momentum against al-Qaeda and the creation of conditions for more attacks on our country.

So now, President Bush, having gotten us into one hell of a mess, is asking Congress for an emergency appropriation of $87 billion—the largest supplemental appropriations in history.

He is requesting this enormous sum at a time when our economy is weak and when domestic programs are being shortchanged. With 2.7 million jobs lost since 2001, we are on track to see a net loss of jobs over a presidential term for the first time since the Great Depression. New estimates project $5 trillion in Federal deficits over the next decade. And the president wants more tax cuts primarily benefiting the wealthy, despite escalating needs for national defense, homeland security, health care and education.

With the bills coming due, there are several questions to consider. First, should they be paid? I think the answer is yes. I support equipping our troops. And I support the concept of helping Iraq rebuild. I think a stable Iraq is in our national interest. A stable Iraq means a secure Iraq, which leads to a safer environment for our troops and eventually their ticket home.

But I don't support the idea that American taxpayers should pay for the entire $87 billion package.

And that leads me to the second question—who should pay the bills for Iraq? The bill we are voting on today puts the responsibility for rebuilding Iraq squarely on the shoulders of the American people, who didn't ask for this burden. It puts the responsibility on the shoulders of our children, as they will inherit the debt this $87 billion package will incur. And they didn't have a say in selecting the administration that has led us into this quagmire. Still, we ask them to sacrifice.

The Administration says its reconstruction proposal is like the Marshall plan for Europe after World War II. But the Marshall plan was not a $20 billion handout: It provided loans as well as grants. One way to offset reconstruction costs could be to provide loans to Iraq, conditioned on being matched by funds from other donors. Another way is to persuade our allies to forgive part of Iraq's $200 billion debt. The House voted yesterday on a resolution urging Germany, Russia, and France to do just that.

But the best way to offset reconstruction costs is to roll back the President's tax cuts for the wealthiest taxpayers. That's why I would have preferred the Obey substitute. Under this plan, the entire $87 billion bill would be paid for by canceling the tax rate cut for individuals with incomes in the top 1 percent. The substitute would take funds from the reconstruction portion of the bill and add them to programs that help our active and reserve forces and their families with their health care. It would also add funds to repair and replace equipment used in operations and construct water treatment facilities for our troops in Iraq. It would create accountability by requiring a detailed report from the President describing how funds in the previous supplemental have been spent, how funds appropriated in this bill will be spent, and the level and types of funding needed for the future. The substitute would also convert $7 billion of the reconstruction package to loans at a trust fund at the World Bank to leverage additional World Bank loans.

But we weren't allowed to vote on this substitute. Nor were we allowed to change the terms of the debate. For weeks now we have been debating where money should be spent. We should have been debating who should pay—because so long as we refuse to discuss that, we will not be facing all the realities.

We should also have been debating about the priorities on the war on terrorism. I have always believed that Iraq was not the imminent threat this administration made it out to be. While we have been preoccupied with Iraq, we've deprived Afghanistan of the funding it needs—and now that country threatens to revert to the lawless haven for terrorism it was before 9–11. The bill includes some funding for Afghanistan, but not enough.

And we should have been debating more broadly about this country's priorities, period. Sending $87 billion to Iraq undermines our ability to address unmet domestic priorities. The amount the President has requested is more than twice the amount of the Homeland Security Department's entire budget for FY2004—and yet we will still haven't provided our States and local governments with the assistance they need to improve the security of American citizens.

The leadership has refused to allow the House to even consider changing the tax cuts—in the same way that they are insisting on combining the reconstruction costs with the funds necessary to support and supply the troops. This is not the way we should do our work.

So I cannot vote for this bill today.

Rejecting this flawed bill will not immediately cut off funds for our troops. CRS has confirmed that they have enough money to continue operations at least for the rest of this year.

It seems clear that the Senate will pass a different version of this bill. If the House considers a revised version of the bill, I hope it is one I can vote for.

But today I must vote to send the bill back to the President, with this message: I will not vote to spend billions in Iraq unless the administration does what it should already have done—that is, to provide detailed plans for Iraq's reconstruction and security; make concerted efforts to secure increased international participation under a U.N. resolution; demonstrate greater flexibility and openness toward questions of control over reconstruction and democratization; and craft a fiscally responsible plan to provide for the billions of dollars necessary.

Mr. VAN HOLLEN. Mr. Chairman, last spring many of us warned that unilateral military action against Iraq would open a Pandora's Box; that the President had not prepared the American people for the sacrifices that would be entailed by such an action; and that to act without the support of the international community would seriously jeopardize our ability to win the post-war peace in Iraq. Regretfully, I fear that we were right. And there is little satisfaction in that realization—because the implications for our Nation and the American people are very serious indeed. Our President and his advisors have backed this country into a corner from which there is no easy escape.

Now the President has asked this Congress—asked the American people—for an additional $87 billion for the upcoming year to pay primarily for our efforts in Iraq. This request comes on top of the $79 billion already appropriated for these purposes this fiscal year and we can be sure that this will not be the President's last request for funds for Iraq. Iraq's stabilization and reconstruction needs over the next five years have been estimated at over $50 billion—without taking into the account the costs of continued troops deployment there.

In deciding whether or not to support this request, I believe we must consider three fundamental questions:

How did we get to the situation we are in today?

In light of the current state of affairs in Iraq, is the kind of investment the President has requested necessary to enhance our security and protect our national interests? and,

If this investment is necessary, has the Administration presented us with a responsible plan that will achieve our key national objectives, both in Iraq and at home?

HOW DID WE GET HERE?

Six months ago, the President informed the American people that Saddam Hussein posed such a dangerous threat to the Untied States that we had to wage war in Iraq to protect our national security. The President and his advisors sold the Iraq war to the American people primarily based on the argument that Saddam Hussein was a ticking time bomb; that he posed a serious and growing danger to America; and that the only way to eliminate the threat was to eliminate Saddam Hussein.

The Administration's argument was based on the marriage of two claims. The first was the claim that Iraq possessed an arsenal of chemical and biological weapons and would soon obtain a nuclear weapons capability. The second was the claim that Saddam Hussein was in league with Al Qaeda. Taken together, these claims painted a very ominous picture. While many in the international community—and here at home—had strong doubts about the nature, magnitude and imminence of the threat posed by Saddam, in its rush to war, the Administration exploited the fears of a post 9/11 America. They portrayed the United Nations Security Council, the U.N. weapons inspectors, most of the international community, and critics here at home as a bunch of spineless procrastinators who wanted to look the other way in the face of a growing Iraqi threat.

It now appears that the Administration's two most fundamental arguments for war were false. After interviewing hundreds of former Iraqi military personnel and allowing more than 1,200 of our own inspectors to roam across Iraq over the last six months, we have failed to uncover any actual weapons of mass destruction. The interim report submitted by Dr. David Kay, the Administration's own arms inspector, provides no hard evidence to support the kind of danger President Bush depicted when he made the case for immediate military action. In the absence of evidence of actual weapons, U.S. officials have shifted their rhetoric to focus on ''weapons programs'' and ''the intent'' of the pre-war Iraqi regime. And while it may be true that Iraq was not in full compliance with U.N. Security Council resolutions, it also appears that the sanctions regime, coupled with the inspectors deployed under Resolution 1441, was successful at containing Iraq's ambitions to develop weapons of mass destruction.

Time has also not borne out the Administration's claim that Al Qaeda was in league with Saddam Hussein. There is no credible evidence of any collaboration between Saddam Hussein and Al Qaeda. This argument, made over the objections of many in the intelligence community and most regional experts in this town, was a calculated effort to establish a false link in the minds of the American people between the terrible terrorist attacks of September 11, 2001 and the need to go to war in Iraq. This strategy of fear was not based on the facts, but on a desire to do whatever it would take to win public support for the war.

It is undeniable that Saddam Hussein was a brutal dictator. However, the security threat he posed to the United States was grossly exaggerated by the President and his public relations gurus. The question now looms—Having eliminated the regime of Saddam Hussein, are Americans safer today than they were six months ago?

SITUATION ON THE GROUND

By almost every measure, the U.S. post-war mission in Iraq is not going well and the Administration remains deeply divided over the best way to proceed. While it is true that we have removed Saddam Hussein from power, it is far from clear that we have made the American people more secure as a result. The jury is still out on the implications of our actions for the Middle East region, the fight against terrorism and efforts to control the proliferation of weapons of mass destruction.

The Iraq of today does not reflect the rosy pre-war predictions made by the Bush Administration. The situation on the ground is far from secure. Since the President declared the end of major combat operations, 198 brave Americans have died—sixty more than died during the war itself. Hundreds more have been severely wounded. Every week more Americans are killed, more car bombs go off and more international aid workers leave the country.

Our military forces are stretched thin and our troops are prime targets for former Baasthists and other extremists in a country overflowing with supplies of arms and munitions. The senior American commander in the Persian Gulf region has told us that we are engaged in a ''guerrilla war'' in Iraq. At the same time, the political process in Baghdad is bogged down over security issues, the friction of the occupation and increasingly bitter Iraqi-American arguments over the pace of turning over control and responsibility to Iraq's Governing Council. Increasingly, we find ourselves in a shooting gallery with no real exit strategy.

Terrorist Threat. In one of the terrible ironies of the war, in the name of fighting terrorism, we have increased the level of terrorist activity in Iraq. Administration officials report that Baghdad has become a new magnet and breeding ground for extremists and terrorists from around the region. Even worse, our actions in Iraq appear to have forged a link for the first time between the fanatical Islamic extremists of Al Qaeda and the traditionally secular remnants of Saddam's Baathist regime. These two groups, ideological antagonists before the war, have now been driven together in an unholy alliance to wage war on Americans. While the terrorist attacks attributed to this newly forged partnership have so far been confined to Iraq, this virulent combination could begin to extend their activities elsewhere.

International Community. The Bush Administration's contempt for the international community in the lead-up to the war has seriously complicated our ability to gain the cooperation and assistance of the rest of the world in support of common objectives. In the immediate aftermath of September 11, 2001, the entire world stood with us in the war on terrorism. The United Nations and NATO unanimously pledged their support in our fight and multinational involvement in our mission against the Taliban and Al Qaeda in Afghanistan was the highest ever. However, today this situation has greatly changed. Our friends and allies have been unwilling to participate in a substantial way in the reconstruction effort in Iraq. Even under the auspices of a new U.N. Security Council Resolution establishing a United Nations role along side the U.S. in Iraq, very little is expected in new troops and financial pledges for the Iraqi mission.

U.S. Credibility. The Administration's misleading statements about the nature and magnitude of the Iraqi threat have undermined our credibility around the world. Secretary of State Powell's report to the United Nations prior to the war relied on forged documents and information we later admitted to be unreliable. The nuclear specter that Administration officials pointed to has been discredited. Even more recently, Administration Inspector David Kay has been forced to back down from post-war claims that two mobile trailers found in Iraq were used for making biological weapons. The huge credibility gap that now exists for the Administration undermines our future ability to sound the alarm based on sensitive intelligence matters. Future claims about Iran, North Korea and others will be viewed with deep suspicion by a more skeptical public and an international community that, as the Economist described, sees the Bush Administration as having its own arsenal of WMD—''Wielders of Mass Deception.''

Regional Stability in the Middle East. The Bush Administration's predictions that the fall of Saddam Hussein would put extremists in retreat throughout the Middle East and spur progress in the Arab-Israeli conflict have not be realized. The Arab-Israeli conflict has gone from bad to worse in the six months since the end of the Iraq war. And while it is premature to reach any conclusions about the long term effects, the Administration's prediction that the fall of Saddam Hussein would trigger a kind of democratic domino effect, spreading democracy throughout the Middle East, looks unlikely in the foreseeable future. The trend is toward more violence and polarization in that troubled region.

Conflict Management. The new ''preventive war doctrine,'' articulated by the Bush Administration to justify our action in Iraq, has set a dangerous precedent in international relations. The Administration's assertion that America has the right to attack another nation based on the perception of a future threat has—especially in light of what we know now to be faulty and hyped intelligence—undermined many of the long existing norms for international engagement. The world will become much less secure if nations with long histories of bitter differences, such as India and Pakistan, should choose to follow our example.

By almost every measure, our virtually unilateral attack on Iraq has, at least in the short term, made American less—not more—secure. The difficult question we must now face is: Where do we go from here?

WHERE DO WE GO FROM HERE?

The President's request for this $87 billion marks the culmination of his repeated failures—his gross exaggeration of the threats posed by Iraq in order to justify the war; his contempt for the international community before the war; his inability to gain significant international backing to share the military burden and the financial costs of rebuilding Iraq; his failure to level with the American people about the cost and challenges of ''winning the peace''; and, the list goes on. The Bush Administration deserves to suffer the political consequences of these miscalculations, misrepresentations, and missteps. But that decision will—and should—be left to the American people at the ballot box.

In the meantime, we here in the 108th Congress have an obligation and a responsibility to limit the extent to which the American people will suffer the consequences of the President's bad decisions. These decisons have placed not just the Bush Administration—but our entire county—in a difficult predicament. The terrible irony of the war in Iraq is that, in the name of making America more secure, it has—at least for now—made us less secure.

We cannot turn back the clock. The stablization and reconstruction of Iraq is now a critical interest of the United States, Iraq and the international community. I believe that we must help in the reconstruction of Iraq for two reasons. The first is based on the simple principle: ''If you break it, you fix it.'' The second is based on our security interests in preventing another rogue state from emerging in Iraq or the outbreak of a violent crime conflict that will further destablize the volatile Middle East region and further enflame Muslim and world public opinion against the United States. Unless we invest in maintaining and protecting our troops, and in helping to rebuild Iraq, we will make a bad situation worse; we will compound the damage done by the reckless actions of this Administration—and make the challenges facing our Nation in the years to come even more difficult.

AMERICAN TROOPS ARE STILL NECESSARY

Over two thirds of the request before us—$67 billion of the $87 billion—is allocated to cover the costs of maintaining and protecting the U.S. troop presence on the ground in Iraq. These troops are providing the security framework necessary to maintain some semblance of law and order as efforts are made to create a mechanism for writing a new constitution, holding elections and returning sovereignty to an internationally recognized and legitimate Iraqi authority. The immediate withdrawal of American troops would produce tremendous instability and would likely lead to civil war between the three major communities in Iraq—the Shia, the Sunnis and the Kurds. Just as the precipitous U.S. disengagement from Afghan affairs following the Soviet withdrawal from that country opened the door to the Taliban regime, premature U.S. withdrawal from Iraq would benefit extremists and terrorist groups. If we don't fill the power vacuum that exists, groups like Al Qaeda and Ansar Al Islam will help fill it.

In addition, the immediate withdrawal of American troops would undermine the status of our country around the world. The President engaged our military in Iraq with strong rhetoric about the type of Iraq Americans wished to enable Iraqis to create for themselves. He made pledges to the Iraqi people in our name. We must do what we can to make good on those pledges. Our hasty withdrawal would likely embolden our enemies in the region and around the world. It would be a setback to our common effort to expand representative government and combat terrorism.

The Administration has been forced to recognize that we cannot achieve our post-war goals in Iraq alone. We must do everything we can to replace our troops with international forces and a new Iraqi police force. However, we must be realistic. We face time and resource constraints. For now, it appears that we will be able to attract only a limited number of foreign troops. Our allies and other nations, still seething from the Bush Administration's pre-war treatment are not yet prepared to provide substantial troops and financial support for the current mission. The Security Council resolution passed on October 16th is unlikely to significantly change this situation. In addition, it will take time to train an Iraqi force that can assume day-to-day responsibility for security. Until that Iraqi force is trained, American forces will be needed to prevent chaos and anarchy.

IRAQI RECONSTRUCTION IS A CRITICAL U.S. INTEREST

About twenty billion of the President's $87 billion request is slated for reconstruction efforts in Iraq. This large investment is particularly difficult to stomach given both the mounting deficits caused by the Bush tax cuts weighted toward the super rich and the Administration's gross neglect of pressing needs here at home. However, I strongly believe that it would be short-sighted—and even dangerous—for our country not to do what is necessary to attempt to win—or at least not lose—the battle for the hearts and minds of the Iraqi people. This will not be easy and the outcome is not guaranteed. Our chances of defeating the remnants of the Hussein regime and various extremists elements will be based in large part on our ability to show that the standard of living is better in the post-Saddam era. If we fail to create an environment in which the great majority of Iraqis see themselves as better off, we will open the door to ethnic, religious and regional strife. This could endanger our troops and undermine our efforts to build a new Iraq at peace with itself and its neighbors and on the course to representative government.

In the long run, our only chance of salvaging the situation is to make a substantial investment. The cost of not making a substantial investment today will be much greater sums tomorrow. We have opened a pandora's box. Significant funds are now needed to try to extricate ourselves from this difficult situation and try to ensure that over the long term the American people will not have been made less secure as a result of this war. The immediate withdrawal of our troops now is not a viable option. Handing the shattered Iraqi infrastructure, economy and body politic over to a makeshift government prematurely, is only a recipe for disaster. We must now all pay the price of the President's misrepresentations, miscalculations, and missteps.

RESPONSIBLE LEADERSHIP

The key question facing Members of Congress today, however, is whether the supplemental request before us reflects an effective and sustainable plan for U.S. engagement in Iraq—and one that meets the test, both at home and abroad, of responsible leadership.

The task before us is enormous. To succeed in Iraq we need a coherent and international plan for moving forward. The Administration's record has been poor and they have given us little reason to believe that they understand the mistakes they have made and will make much needed adjustments to the course they are taking.

Experience with other nation-building efforts tells us that the mission before us is difficult and costly. It will require an extended commitment over a long period of time. And, unlike the military campaign, winning the peace will require the help of our friends and others in the international community. The American people are only beginning to realize the enormous implications of our involvement.

The World Bank has estimated Iraq's reconstruction needs at an additional $55 billion over the next four years—not including the costs of the continued military presence in that country. In Bosnia, a country one-eighth the size of Iraq, the international community has spent close to $50 billion over the last 8 years in nation-building and reconstruction—troop deployments have cost an additional tens of billions for individual countries—and the end is not in sight. Let there be no doubt that the request before us today is just the tip of the iceberg.

Given the record of the last six months it is frankly stunning how unwilling the Administration has been to meet its critics even halfway, to address the problems that exist, to provide a coherent roadmap for moving forward together with the international community, and to ensure that the bill for this mission will not be borne by America's children and grandchildren.

First, the Administration has stubbornly failed to admit the serious mistakes that it has made and to address the serious credibility problem that they have created for themselves among the American people, the U.S. Congress and the international community. This was evident most recently in the President's handling of the report on weapons of mass destruction submitted by former U.N. inspector David Kay, now working for the Bush Administration. The Kay report findings seriously undermined key elements of the Administration's pre-war claims. Yet, the President stubbornly sighted them as proof of his case. In a recent interview, Vice President CHENEY suggested a link between Saddam Hussein and the attacks of September 11th, a claim the Administration had never previously made, and a link which the President himself rejected in statements a short time earlier. Unless the Administration is willing to address the serious credibility issue

that exists—or at least not compound it—it will be difficult for the American people to have any confidence in its statement about the situation in Iraq and its assessment of what needs to be done.

In addition, the Administration continues to act as though it has no responsibility or legal obligation to inform the Congress and the people of this country about how they plan to use the money that we approve in this chamber. In recent hearings Administration officials have refused to answer questions regarding the expenditure of funds previously authorized by this institution and to give little or no information on future projected costs. In my own committee I asked Administration representatives about U.S. commitments, financial and other, to the Turkish government in return for deployment of Turkish troops in Iraq and I was not able to get any satisfactory answers. If the American taxpayer is going to foot the bill for Turkish troops—by grant or by loan—they have the right to know. And if we are planning to send U.S. troops to fight—and maybe die—pacifying Turkish-Kurds opposing the Turkish government, then I believe the American people deserve the right to know about that deal.

Second, it has been true from the very start that the President's Iraq policy has suffered from deep divisions within the Administration on the most fundamental issues—dealing with the international community, organizing for reconstruction and interpreting the threat itself. These divisions have been the subject of recent public discussion over the announcement of a new task force headed by National Security Advisor, Condeleeza Rice, with the task of coordinating the stabilization and reconstruction efforts in Iraq. This announcement notwithstanding, there is considerable evidence to suggest that little real progress has been made in this area. Recent statements attributed to senior Administration officials are highly critical of the Bremer mission in Iraq and raise serious questions about who is calling the shots, even today, on U.S. policy.

Without a coherent plan that is implemented by a united Administration we cannot succeed. This plan does not exist today.

Third, it has long been clear that we cannot succeed in the post-war mission in Iraq alone. We must engage the international community for both political and material reasons. The Administration badly miscalculated the extent to which Iraqi suffering under Saddam Hussein would translate into goodwill toward America's role in Iraq. We must understand the complex situation we face today in our new role as an occupying force in Iraq.

Fourth, the Administration's actions must match its rhetoric about supporting Iraqi democracy. The $20.3 billion reconstruction budget presented by the Administration was drawn up without meaningful consultations with Iraqis. In addition, we watch as Administration officials arm twist the Iraqi Governing Council to accept the deployment of Turkish troops in Iraq over the strong objections of all three major Iraqi communities—the Kurds, the Shia and the Sunnis. It appears that the Administration has not grasped the first tenet of nation-building—that the Iraqi people must believe that they are rebuilding their own country.

Fifth, the Administration has ignored the importance of its role in accounting for the funds that we approve and preventing corporate profiteering and abuse of taxpayer money. It must take serious steps to allay fears that appropriated funds will be wasted on large favored corporations. In light of the many stories of abuse we have heard in recent weeks, the ''prudent'' transparency mentioned in Mr. Bremer's testimony before members of Congress does not go far enough. The Administration must provide a satisfactory accounting of how funds have been spent to date and how additional funds are being planned for.

Finally, and most importantly, the President is asking us to ignore the enormous budget implications of this request. Let's not fool ourselves or the American people. It won't be just this $87 billion. It will also require billions more in the months and years ahead.

While we have a responsibility to maintain security on the ground in Iraq and assist with the reconstruction of that country, we also have an obligation to level with the American people. The President totally failed to prepare the American people for the true costs of the war and of ''winning the peace.'' Now he seeks to escape responsibility for those costs by putting them on our national credit card and running up huge deficits. Every penny of the $87 billion requested by the President is borrowed money. But we all know there is no free lunch. His ''out-of-sight, out-of-mind'' approach to such important issues will wind up costing our children down the road.

We should not be waging war and peace by credit card. If we are willing to pay any price to defeat the scourge of terrorism, we must pay for it in an honest way. While the President has asked our troops and their families to make the ultimate sacrifice, he has given the wealthiest Americans a huge tax cut. That is wrong. It is wrong to pass the buck to the next generation; it is wrong to ask the younger generation, including our troops and their children, to bear the burden alone; and it is wrong to shield the wealthiest Americans from paying their fair share.

We have a huge responsibility gap in our government. It is the gap between those who understand that we have a responsibility to establish stability and help rebuild Iraq—and who are prepared to pay for it now, and those who call upon the country to pay any price in Iraq, but run from responsibility paying that price.

I had an amendment to fill that responsibility gap. It was an amendment to scale back the tax cuts for the wealthiest 1 percent of Americans to pay their share of the costs of this bill. Incredibly, the House leadership prohibited that amendment from coming to a vote.

This is a difficult time to be asking the American people to invest billions of dollars of their money to build schools, hospitals, roads, electric grids and communications systems. Here at home, our Federal, State and local governments are experiencing huge revenue shortfalls. The President's budget request for this year falls $9 billion short of what was promised by the Federal Government to meet our obligations to America's school children under the No Child Left Behind legislation. Three our of five children eligible for Head Start cannot receive help because of lack of funds. Years ago the Federal Government pledged to cover 40 percent of the costs of ensuring that children with disabilities received a good education, but today we are meeting only 18 percent of that cost. The same shortfalls occur in health programs, our national transportation infrastructure, and a range of other important domestic needs.

We must meet our needs at home at the same time we meet our international responsibilities in Iraq, Afghanistan and other places around the globe. We as a nation have enormous resources. We can meet both our domestic needs and our international responsibilities. We can help the Iraqis rebuild their country while we construct new hospitals and schools here at home. But we must be prepared to pay for them. If we refuse to pay now for our efforts in Iraq by reducing portions of the tax cut, it will make it impossible to make the investments we must make in education, health, transportation and other needs here at home. Already this year, when many of us called for full funding for No Child Left Behind and meeting our national obligations for special education we were told that we didn't have resources because of the large tax cuts. Adding this $87 billion to the deficit will make it even more difficult to meet those pressing needs. That is why we must pay now for the costs of our efforts in Iraq. We cannot put everything on our national credit card.

The President has totally abdicated his leadership responsibilities. His job is to level with the American people—to inform them that our international responsibilities require us to pay the price of leadership. Leadership is about setting priorities. The war in Iraq was a war of choice. Regardless of what each of us may think about how that choice was made, we now have a responsibility to pay for the consequences of that choice. The President—by refusing to pay for the war and its aftermath—refuses to acknowledge the real costs of those choices.

There are those who argue that, because the President has refused to scale back his tax cuts to pay for the war and its aftermath, those of us who believe we have a responsibility to provide security and aid in the reconstruction in Iraq have no alternative but to support the President's request for $87 billion without condition; that we have to go along with the President's plan to wage war and peace by credit card. That is an irresponsible position and a false choice. If paying for security and reconstruction is that important—and I believe that it is—when we should insist that we pay for it the right way. To do any less is to abdicate our responsibility to the American people.

THE FALSE CHOICE

Money alone is not the answer to the problems we face in Iraq. The stakes are high and the mission is difficult. For those of us who support making this enormous investment I believe that we have a duty to ask if the money will be spent wisely and where it will come from.

The Bush Administration has treated our concerns, and those of others, with contempt and arrogance—the same way they treated the international community prior to the war. I fear that if we buckle-in to the Administration's demand to do it ''our way or the highway,'' we will simply be acquiescing in the continuation of a fundamentally failed approach to a very sensitive and vital mission. We cannot allow ourselves to be caught in the false choice that we must engage the Administration's way or no way at all.

For weeks I have struggled with this vote. As the son of a U.S. foreign service officer, I have always had a strong personal commitment to our country's international role. It is with great difficulty that I cast a vote against

funds requested by a President in pursuit of U.S. policies abroad. However, the Administration's arrogant refusal to consider alternative approaches and, most of all, its refusal to pay now for the consequences of its choices has convinced me that they will not address these issues in a responsible manner until we demand a higher standard of leadership. If the President believes, as I do, that we have an obligation to provide security and help rebuild Iraq, he should have the simple courage to pay for it. Despite all my other reservations, if the President were to present a plan to pay now for the costs of our efforts in Iraq, or if my amendment to reduce the tax cuts to cover our costs were adopted, I would support this bill. The choice is not between doing nothing and doing it the President's way. We have a responsibility to the American people to do it the right way.

Mr. RYUN of Kansas. Mr. Chairman, I rise in support of the Iraqi supplemental spending request.

I strongly believe that both portions of the supplemental request are necessary. We have won the war in Iraq, now we must win the peace. The investment we make in Iraq today will help to ensure our safety and security against terrorism here at home in the future. We cannot leave the job of reconstruction unfinished in Iraq and leave open the very real possibility that another dictator or a terrorist regime will take over Iraq by winning the hearts and minds of the Iraqi people.

As a strong fiscal conservative, my first instinct was to provide the $21 billion for reconstruction as a loan—not a grant as requested. However, after a great deal of thought and research, I believe that the loan proposal is not the right approach. With a debt of $350–$600 billion, the likelihood that Iraq could pay off another loan is remote at best. It is important that America takes the lead and convinces Iraq's largest creditors, Russia, France and Germany, to forgive Iraq's burdensome debt. We must therefore not be hypocritical and contribute an additional financial burden.

Additionally, the $21 billion in reconstruction funding is just a portion of the $50–$75 billion overall cost of Iraqi reconstruction. Clearly, Iraqi oil revenues will be used to fund reconstruction and ongoing government operations in Iraq. Now that the United Nations has passed a resolution that will pave the way for greater international involvement, the remaining funds will hopefully come from international contributions. If the United States provided its reconstruction portion as a loan, we would find it very difficult to convince the rest of the world to contribute.

Although the $87 billion price tag is indeed a great sum of money, it is important to put the cost in perspective. The total Iraqi war is going to cost about 0.5 percent of our Gross Domestic Product (GDP), while the Vietnam War cost 12 percent and World War II cost 130% of GDP.

This supplemental spending request will give our troops the tools and support they need to further secure Iraq from the foreign terrorists trying to disrupt our reconstruction efforts while giving the Iraqi people a hope for a free and democratic country for years to come.

Mr. BISHOP of Georgia. Mr. Chairman, I'm proud to represent the Second Congressional District of Georgia, which is home to several major military installations and where military retirees and veterans make up a big percentage of the population. At last count, 11,248 active duty, Reserve and National Guard personnel from Georgia bases are serving in Iraq and Afghanistan. A total of 149 Georgia-based soldiers have been wounded in Operation Enduring Freedom, and Operation Iraqi Freedom, and 49 have been killed in action—49 brave Americans.

Like virtually everyone who lives in my area of southwest Georgia, I believe it would be an unconscionable dereliction of duty if we failed to provide for the essential needs of our troops we have sent into harms way. In spite of the strong objections many of us have about the bill's flaws, we cannot deny funding for such things as safe drinking water, which many soldiers lack; body armor and other equipment essential to the safety and success of our troops; and housing and other basic living needs.

We've learned many of the troops serving in Iraq have never been issued the Kevlar flak jacket inserts, or body armor, and some have spent up to $650 out of their own pockets to purchase this updated protective gear. We're told our troops have gone without other critical equipment, such as portable jammers to block the radio signals used to detonate remote control bombs—the same bombs we continually hear about, day in and day out, in attacks that are wounding and killing our soldiers.

Today, we have an opportunity to correct these troubling deficiencies. And we must not fail.

At the same time, people in the Second District are also concerned about the extreme federal deficit, the shortcomings in our own infrastructure, and the burden this added spending imposes on taxpayers. I, too, am concerned when Congress could avoid a bigger deficit by deferring tax cuts just for the wealthiest 1 percent of our citizens, and when U.S. taxpayers are stuck with the entire cost of Iraqi reconstruction even though Iraq is capable of eventually paying for its infrastructure upgrades from its vast oil reserves, the second largest in the world.

It's an affront to the people I represent to spend millions of dollars for roads, schools, hospitals and economic development initiatives in Iraq while these same needs are drastically under funded in the U.S.; to provide high-speed internet access to the people of Iraq while widespread areas of the U.S. including areas of the Second District, are denied the same access; to provide millions of dollars to train unemployed Iraqi workers while U.S. job training programs are cut.

I'm not against helping Iraq rebuild. I support efforts to secure Iraq's borders, to train Iraq's security forces, to restore Iraq's water sanitation, electricity and other utility services, to restore Iraq's transportation and oil production capability, and to help provide the Iraqi people educational and employment opportunities.

But I'm concerned when we unnecessarily pay for these needs with borrowed money, when we fund non-essential reconstruction projects as well as essential ones, which we shortchange the needs of our own communities, and when our international partners have not stepped up to the plate to contribute their fair share of the reconstruction costs.

Mr. Chairman, I support our troops and the funding they must have, while I continue to look to the Administration to present a clear and fiscally responsible plan that makes it possible for our service men and women to carry out their mission as safely and effectively as possible and to bring stability and democracy to the suffering people of Iraq and Afghanistan.

Mr. SCOTT of Virginia. Mr. Chairman, the entire Persian Gulf war 12 years ago cost the United States much less than $8 billion. The total cost of that war was $61 billion, but because allies were participating, our share was only 12 percent of the total cost. We have already spent $79 billion on the present war on Iraq, and now we are asked to appropriate another $87 billion for a total of $166 billion, so far.

To put the $166 billion into perspective, the total appropriation for this fiscal year (FY 2003) for the U.S. Department of Homeland Security, the U.S. Department of Transportation, the U.S. Department of Education, the U.S. Department of Labor, and the U.S. Department of State was less than $166 billion.

And on a per person basis, $166 billion is more for each person in Iraq than the total annual U.S. Government spending for each American citizen for everything other than Social Security and Defense.

Although this is a huge expenditure, the administration fails to even give lip service to explain how the bill will be paid. No outline of spending cuts or increased taxes has been presented. The Administration has opposed lending any portion of the funds to Iraq because the Administration claims that Iraq is too far in debt already, even though the national debt in Iraq is approximately $4,000 per person while the national debt in the United States is approximately $20,000 per person. It therefore has to be assumed that all of the money will be borrowed by the United States government. At 5-percent interest, the annual interest on this $166 billion of additional debt will be $8.3 billion or $160 million per week. A yes vote on the bill commits this country to additional annual interest payments that are more than the annual cost of the entire Head Start program.

The vote on this bill represents the only opportunity Congress has had to consider the President's policies in Iraq since October of last year. The President's decision to invade unilaterally, without allies, has meant that we are paying 100 percent of the costs of the war, in cash and in casualties. In the Persian Gulf war, allies paid more than 85 percent of the costs; if they were paying only 50 percent of the costs of this war, we would save $80 billion and countless lives. Unfortunately, a yes cot on the bill will mean that no significant attempt will be made to engage the international community's participation.

There have been widespread reports of financial waste in Iraq. A few weeks ago, ''60 Minutes'' chronicled the profitable no-bid contracts enjoyed by Halliburton and others and pointed out that there were firms who could do much of the work for half of the price paid to Halliburton under those contracts. Last week, National Public Radio's ''Morning Edition'' described sweetheart deals and corruption. Questions have also been raised about the extravagance of the reconstruction of Iraq and whether more modest construction might accomplish the same goals. A yes vote on this bill will mean that no change in contracting procedures will be made.

During his campaign, President Bush frequently insisted that no troops should ever be

deployed without an ''exit strategy''. Not only do we have no apparent exit strategy, we also have no apparent entry strategy: the President recently admitted that Iraq had nothing to do with September 11th; no weapons of mass destruction have been located; Iraq was never an imminent threat to the United States. We cannot develop an exit strategy, if we cannot articulate what the entry strategy was. A yes vote on the bill forfeits a Congressional opportunity to require the administration to clearly establish an exit strategy.

Notwithstanding all of the reasons to vote ''no'', if the passage of the bill would result in a safer America, it would be worth the cost. Unfortunately, even before the war, the CIA concluded that Iraq posed very little threat to the United States at the time, but would pose an increased threat if we attacked them. A letter form CIA Director George Tenet to the Chairman of the Senate Select Committee on Intelligence, dated October 7, 2002, and printed in the CONGRESSIONAL RECORD stated that: ''Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or CBW (chemical and biological weapons) against the United States. Should Saddam conclude that a United States-led attack could no longer be deterred, he would probably become much less constrained in adopting terrorist actions.'' Certainly we cannot be any safer than the CIA said we were before we attacked; but, most recent reports describe more terrorists now gathering in Iraq than before the war. So, the policy which includes the expenditure of $166 billion and the loss of many courageous lives has failed to make us safer.

Because the appropriations in the bill represent more than the United States last year for the United States Department of Homeland Security, the U.S. Department of Transportation, the U.S. Department of Education, the U.S. Department of Labor, and the U.S. Department of State; because there is no plan for paying the bill; because failed policies will be validated by the passage of the bill; and because we are in fact more at risk, not safer as result of those polices, I urge my colleagues to oppose the bill.

Mr. PAUL. Mr. Chairman, I rise in opposition to this request for nearly $87 billion to continue the occupation and rebuilding of Iraq and Afghanistan. This is money we do not have for a foreign welfare program. The burden on our already weakened economy could well be crippling.

Those who argue that we must vote for this appropriation because ''we must succeed'' in Iraq are misguided. Those who say this, have yet to define what it means—in concrete terms—to have ''success'' in Iraq. What is success in Iraq? How will we achieve success in Iraq? How will we know when we have succeeded in Iraq? About how long will ''success'' take to achieve and about how much will it cost? These are reasonable questions to have when we are asked to spend billions of taxpayers' dollars, but thus far we have heard little more than nice-sounding platitudes.

We have established a troubling precedent that no matter how ill-conceived an intervention, we must continue to become more deeply involved because ''we must succeed.'' That is one reason we see unrelated funding in this supplemental for places like Liberia and Sudan.

Mr. Chairman this reconstruction of Iraq—that we are making but a down-payment on today—is at its core just another foreign policy boondoggle. The $20 billion plan to ''rebuild'' Iraq tilts heavily toward creating a statist economy and is filled with very liberal social-engineering programs. Much of the money in this reconstruction plan will be wasted—as foreign aid most often is. Much will be wasted as corporate welfare to politically-connected corporations; much will be thrown away at all the various ''non-government organizations'' that aim to teach the Iraqis everything from the latest American political correctness to the ''right'' way to vote. The bill includes $900 million to import petroleum products into Iraq (a country with the second largest oil reserves in the world); $793 million for healthcare in Iraq when we're in the midst of our own crisis and about to raise Medicare premiums of our seniors; $10 million for ''women's leadership programs'' (more social engineering); $200 million in loan guarantees to Pakistan (a military dictatorship that likely is the home of Osama bin Laden); $245 million for the ''U.S. share'' of U.N. peacekeeping in Liberia and Sudan; $95 million for education in Afghanistan; $600 million for repair and modernization of roads and bridges in Iraq (while our own infrastructure crumbles).

There has been some discontent among conservatives about the $20 billion reconstruction price tag. They fail to realize that this is just the other side of the coin of military interventionism. It is the same coin, which is why I have consistently opposed foreign interventionism. There is a lesson here that those who call themselves fiscal conservatives seem to not have learned. There is no separation between the military intervention and the post-military intervention, otherwise known as ''nation-building.'' Fiscal conservatives are uneasy about nation-building and foreign aid. The president himself swore off nation-building as a candidate. But anyone concerned about sending American tax dollars to foreign countries must look directly at military interventionism abroad. If there is one thing the history of our interventionism teaches, it is that the best way for a foreign country to become a financial dependent of the United States is to first be attacked by the United States.

This request—which was not the first and will not be the last—demonstrates in the most concrete terms that there is a real and concrete cost of our policy of interventionism. The American taxpayer paid to bomb Baghdad and now will pay to rebuild Iraq—its schools, hospitals, prisons, roads, and more. Many Americans cannot afford to send their own children to college, but with the money in this bill they will be sending Iraqi kids to college. Is this really what the American people want?

The real point is that the billions we are told we must spend to rebuild Iraq is indeed the natural outcome of our policy of pre-emptive military intervention. All those who voted for the resolution authorizing the president to attack Iraq have really already voted for this supplemental. There is no military intervention without a ''Marshall Plan'' afterward, regardless of our ability to pay. And the American people will be expected to pay for far more. This current request is only perhaps step four in what will likely be a 10 or more step program to remake Iraq and the rest of the Middle East in the image of Washington, D.C. social engineers and ''global planners.'' What will be steps five, six, seven, eight? Long-term occupation, micro-managing Iraq's economy, organizing and managing elections, writing an Iraqi constitution. And so on. When will it end?

There is also much said about how we must support this supplemental because to do otherwise would mean not supporting the troops. I resent this dishonest accusation. It is nothing but a red herring. I wonder if an American currently serving an open-ended occupation in Iraq would think that bringing him home next week would be a good show of support for our troops. Maintaining an increasingly deadly occupation of Iraq and bankrupting many of our reservists and national guard troops by unilaterally extending their contracts to serve in an active deployment is hardly ''supporting the troops.'' Perhaps that is why a Stars and Stripes newspaper survey of the troops in Iraq this week found that a majority had very low morale. And according to the same Stars and Stripes survey, an increasing number are not planning to re-enlist.

Conservatives often proclaim that they are opposed to providing American welfare to the rest of the world. I agree. The only way to do that, however, is to stop supporting a policy of military interventionism. You cannot have one without the other. If a military intervention against Syria and Iran are next, it will be the same thing: we will pay to bomb the country and we will pay even more to rebuild it—and as we see with the plan for Iraq, this rebuilding will not be done on the cheap. The key fallacy in the argument of the militarists is that there is some way to fight a war without associated costs—the costs of occupation, reconstruction, ''institution-building,'' ''democracy programs.''

I opposed our action against Iraq for two main reasons. I sincerely believed that our national security was not threatened and I did not believe that Saddam Hussein's regime was involved in the attack on the United States on 9/11. I believe what we have learned since the intervention has supported my view. Meanwhile, while our troops are trying to police the border between Syria and Iraq our own borders remain as porous as ever. Terrorists who entered our country could easily do so again through our largely un-patrolled borders. While we expend American blood and treasure occupying a country that was not involved in the attack on the U.S., those were responsible for the attack most likely are hiding out in Pakistan—a military dictatorship we are now allied with and to which this supplemental sends some $200 million in loan guarantees.

Our continued occupation of Iraq is not producing the promised results, despite efforts paint a brighter picture of the current situation. What once was a secular dictatorship appears to be moving toward being a fundamentalist Islamic regime—not the democracy we were promised. As repulsive as Saddam's regime was, the prospect of an Iraq run by Islamic clerics, aligned with Iranian radicals and hostile to the United States, is no more palatable. There are signs that this is the trend. The press reports regularly on attacks against Iraq's one million Christians. Those hand-picked by the United States to run Iraq have found themselves targets for assassination. Clerics are forming their own militias. The thousands of non-combatants killed in the U.S. intervention are seeking revenge against the unwanted American occupiers.

Mr. Chairman, throwing billions of dollars after a failed policy will not produce favorable

results. We are heading full-speed toward bankruptcy, yet we continue to spend like there is no tomorrow. There will be a tomorrow, however. The money we are spending today is real. The bill will be paid, whether through raising taxes or printing more money. Either way, the American people will become poorer in pursuit of a policy that cannot and will not work. We cannot re-make the world in our own image. The stated aim was to remove Saddam Hussein. That mission is accomplished. The best policy now for Iraq is to declare victory and bring our troops home. We should let the people of Iraq rebuild their own country. I urge my colleagues to vote against this supplemental request.

Mrs. MYRICK. Mr. Chairman, first and foremost, I want to say that I fully support our troops. I am so proud of the job they are doing in Iraq and Afghanistan. They are sacrificing greatly overseas so we don't have to fight the war on terror here on our shores. To bring this conflict to a successful conclusion, $65.2 billion of this supplemental request is essential to help provide every resource our men and women need.

That being said, I work for the people of the 9th District of North Carolina and they cannot understand why the remaining $21.6 billion of the Iraq Supplemental may not be given in the form of a loan. Iraq contains the second largest oil reserve in the world and will have an astonishing $5 billion surplus at the end of this year—all this, while we have record deficits in our own country. For decades to come, America's children will be paying for this reconstruction grant on behalf of the Iraqi children. That is unconscionable! Again, that country has the great wealth of oil. They can pay us back.

The majority of this bill will provide for our troops and that is good. It was my strong desire to have the opportunity to debate and vote on the defense money and the Iraq reconstruction money of this supplemental in separate bills. However, we don't have clean bills in this House; so we don't have that opportunity.

Mr. STENHOLM. Mr. Chairman, I will vote for the legislation to approve the administration's request for $87 billion in additional funding for operations in Iraq. We must provide our men and women in uniform in Iraq with the resources they need to complete their mission, as safely and securely as possible. They have performed brilliantly—protecting civilians, maintaining order and promoting democracy while facing the threat of attacks each and every day. We are proud of them and we need to continue supporting them. I will vote to provide whatever resources our troops need to complete their mission.

Unfortunately, the administration and leadership have brought this request before us under a process which forces us to approve $20 billion in spending for an ill-advised plan for Iraq reconstruction. Many of the items in the reconstruction are more appropriately the responsibility of the Iraqi provisional government or have extremely inflated costs. I commend the work of Chairman YOUNG, Ranking Member OBEY and the rest of the Appropriations Committee to scrub the administration's request and remove many questionable or low-priority items.

Even with these improvements, many questions remain about how these funds will be used. Our constituents deserve to know that their tax dollars are being used in the most effective manner possible. The missteps of the past must not be compounded by wasteful spending now. The President must be willing to report to Congress—and the American people—on how the money is spent. That is what this amendment would require. A detailed accounting is needed.

The American people also deserve to know what our plan is for successfully completing our mission in Iraq to improve the security and political situation and reducing our presence. While the battle to oust Saddam Hussein was well-planned and well-executed, we did not plan well for winning the peace and rebuilding the nation of Iraq. Our troops have been taking almost all the risks, and American taxpayers have been paying all the bills.

Our ''go-it-alone'' strategy must end. This amendment will require the President to present a detailed plan for improving the situation in postwar Iraq and report on our progress in achieving the goals of improving the political and security conditions in Iraq.

Congress and the American public need to know the impact our operations in Iraq will have on a federal budget that is nearly a half trillion dollars in deficit already. It is now abundantly clear that the costs of operations in Iraq will be much greater than was anticipated when the budget was approved just six months ago. Already, we have spent $63 billion in Iraq this year, and we are being asked to provide an additional $87 billion in this bill.

That would bring the total spending on operations in Iraq to $150 billion in the year 2003—a staggering figure for one year—with more to come. There is no question that we will be in Iraq for a long time, at great expense to the American taxpayers.

We have a responsibility to reevaluate our budgetary priorities to reflect that reality so that these additional expenses are not simply added to the national debt. It would be irresponsible to completely ignore those costs. We need to budget honestly for the costs of continued operations in Iraq so that Congress can consider the tradeoffs necessary to provide the needed funding without adding to the national debt. Paying for our operations in Iraq will require sacrifices. It would be extremely irresponsible for us to refuse to make any sacrifices ourselves and expect our troops to also pay the financial debts once they return home. The cause of freedom and justice is great, but it demands great commitment and sacrifice by all of us who enjoy its benefits, not simply by the men and women in uniform.

Like all of my colleagues, I pray for the successful completion of our mission in Iraq and the safe return of our men and women in uniform. This amendment will help ensure that we have a plan to accomplish this goal as quickly as possible.

There being no further amendments in order, pursuant to House Resolution 396, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes, pursuant to House Resolution 396, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MS. KILPATRICK

Ms. KILPATRICK. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. KILPATRICK. Yes, in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. KILPATRICK of Michigan moves to recommit the bill, H.R. 3289, to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 51, after line 11, insert the following new section:

SEC. 3007. (a) LIMITATION.—None of the funds made available in this Act under the heading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' may be provided in a form other than loans.

(b) EXCEPTION.—Subsection (a) shall not apply with respect to the obligation of the initial 50 percent of the funds referred to in such subsection.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes in support of her motion to recommit.

□ 1400

Ms. KILPATRICK. Mr. Speaker, I rise to recommit the bill and ask that the Members please look at this closely. Here we have an amendment before you to recommit that would require that 50 percent of the funding for reconstruction be given in a loan, and we have had much discussion over that, although we did not finish the discussion. Because Iraq has at least $2 trillion of oil reserves in the ground it is anticipated that they will be able to cultivate over the next year, because Iraq will have the wherewithal over the next 5 years to repay much of their debt, the question before us is should we require 50 percent of our reconstruction funds be repaid back?

It is very disturbing to this Member that we are worried about Iraq's debt and not worried about our grandchildren's debt. This is a very straightforward amendment that would ask that 50 percent of our reconstruction dollars be in the form of a loan to Iraq. We have talked about it quite a bit, and it is because the long-term tax burden will be great on our own United

States citizens that we do this at this time so that we will see, in our own efforts, that half of the money for reconstruction be given back to the American taxpayers to lighten their burden over the next several years. There are no surpluses projected for our own country over the next 10 years, and the least we can do is ask that half of the reconstruction money be in the form of a loan.

Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. GORDON).

Mr. GORDON. Mr. Speaker, the reason that I keep hearing over and over as to why the American taxpayer needs to give an additional $10 billion to Iraq in foreign aid cash is that when Saddam Hussein was in power, he accumulated approximately $130 billion in debt primarily owed to France and Germany. So if we put that additional $10 billion in loans on top of the $130 billion, then it is going to make it more difficult to pay back France and Germany. In other words, the American taxpayer needs to give cash in its foreign aid so that Iraq can save its oil revenue to pay back France and Germany. If you agree with that rationale, you should vote ''no'' on this motion to recommit. But if you think this $10 billion should be paid back to America to build schools, roads and bridges in this country, then vote ''yes'' on the motion to recommit.

Ms. KILPATRICK. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, $87 billion is a lot of money to add to our already exploding debt. There is no question we will be in Iraq for a long time at great additional expense to American taxpayers. Many of us are willing to make tough choices to pay for these costs. The cost of freedom and justice is great, but it demands great commitment and sacrifice by all of us who enjoy its benefits. Since the leadership of this body will not even allow us to consider options to pay for these costs, the least we can do is require a portion of the spending on rebuilding Iraq to be repaid by those who will benefit most from that spending. Every dime we spend in Iraq will come from borrowed money added to our national debt. It is extremely irresponsible for us to expect the young men and women who are making great sacrifices in Iraq today to also bear the burden of the financial debts for rebuilding Iraq once they return home.

I urge a vote for this motion to recommit.

Ms. KILPATRICK. And so, Mr. Speaker, we ask Members to support the motion to recommit. Are we going to take care of the taxpayers of America and our children and our health centers and our roads and bridges? Are we going to allow a country who has $2 trillion in oil reserves in the ground not to pay us back at a time when our country sees no surpluses and will, in fact, be in debt over the next 10 years? I urge a vote of ''aye'' on the motion to recommit.

Mr. Speaker, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentleman from Florida (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Speaker, I plan to use about 30 seconds for myself and to say that we have debated this issue over and over and over again. During the debate on the rule, we have heard that we did not give you enough debate. We just spent 3 days, almost, on this one subject alone. The House dealt with this issue already. The House rejected this proposal, and we are going to reject it again today.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. WELDON).

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, 37 times in the 1990s President Clinton put our troops in harm's way. Thirty-seven times. In none of those cases were we asked to pay the money up-front. Eleven times the Congress, led by the Republican side, gave the money that President Clinton wanted to pay for those 37 deployments after the fact. Eleven emergency supplementals. Eleven times. We also cut the Defense budget by $43 billion to pay for those deployments. Where is the consistency? None of those deployment costs, none of them, were made in the form of loans. All of them were allocations directly from the appropriations by this body.

I say to our colleagues on both sides of the aisle, we did it 37 times for President Clinton. Thirty-seven times we voted for those supplementals to support those deployments. This time we need to fund the support for President Bush and to solve the problem in Iraq.

Mr. YOUNG of Florida. Mr. Speaker, I yield the balance of my time to the gentleman from Arizona (Mr. KOLBE), distinguished chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

Mr. KOLBE. Mr. Speaker, as we come to the end of this debate, as the gentleman from Florida pointed out, we have debated this issue many times. Let me, once more, reiterate why this is a bad idea to do this through a motion to recommit.

First of all, there are, of course, the technical reasons. The amendment states that 50 percent of the obligations from the Iraq reconstruction funds must go in the form of loans, but there is no authority to provide those loans. There is an implication, but there is no actual authority provided in this recommittal motion. It is not clear whether the amendment intends the loans to be guaranteed, whether it is mixed financing, what form of loans they would be in. The terms of the loans are not at all clear. Are we talking about no interest for 50 years? Are we talking about repayment over 25 years? How would they be repaid? There are a lot of the questions that remain on the technical issues. It puts a lot of faith, frankly, Mr. Speaker, in the Office of Management and Budget and the President to interpret what the Congress would do here with this very simple, very broad loan authority and to make a determination as to what that actually means.

But there are the substantive arguments that I think are more important, and I know my colleagues have listened to me say this several times here in the last 3 days on the floor, but, again, let me point out, in testimony before the Subcommittee on Foreign Operations, Export Financing and Related Programs, General Abizaid, the Central Command commander, when asked how important are the dollars for the troops as opposed to the dollars for reconstruction, he said in very clear terms, every dollar that we spend on reconstruction is just as important as what we spend on our troops, that if we really want to have our troops come home, if we really want to protect them, if we really want to have them carry out their mission, then the dollars for reconstruction are an absolute, vital part of it.

Mr. Speaker, you cannot separate what we are doing militarily in Iraq in that region, you cannot separate it from the dollars that we are spending on reconstruction. They are both a part of our national security objectives. They must go together.

Mr. Speaker, in closing, let me say there is only one thing we really ask from Iraq in terms of repayment. We ask for them to give us a stable, a free, a democratic government, a people committed to peace and security in the region that will help to bring about peace and security for all the peoples of that region and for the United States. What more repayment could we wish than that? And how can we achieve that better than by helping to speed the reconstruction process forward?

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 191, noes 235, not voting 8, as follows:

[Roll No. 561]

AYES—191

Abercrombie
Ackerman
Alexander
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Cardin
Cardoza
Carson (IN)
Carson (OK)
Chabot
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Slaughter
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—235

Aderholt
Akin
Allen
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Carter
Case
Castle
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dooley (CA)
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Capps
Clay
Greenwood
Jones (OH)
Marshall
McKeon
Putnam
Souder

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1428

Mr. PETRI changed his vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following rollcall votes and would like the RECORD to reflect that I would have voted as follows: Rollcall Nos. 553—''yes''; 554—''yes''; 555—''yes''; 556—''yes''; 557—''yes''; 558—''no''; 559—''no''; 560—''yes''; 561—''no.''

The SPEAKER pro tempore. The question is on passage of the bill. Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5 minute vote.

The vote was taken by electronic device, and there were—yeas 303, nays 125, not voting 7, as follows:

[Roll No. 562]

YEAS—303

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dooley (CA)
Doolittle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Etheridge
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gephardt
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Isakson
Israel
Issa
Istook
Janklow
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Latham
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Maloney
Manzullo
Matheson
McCarthy (NY)
McCotter
McCrery
McHugh
McInnis
McIntyre
McNulty
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Oxley
Pascrell
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Loretta
Sandlin
Saxton
Schrock
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Spratt
Stearns
Stenholm
Sullivan
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)

Upton
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—125

Abercrombie
Baird
Baldwin
Ballance
Becerra
Bell
Berry
Blumenauer
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Capuano
Carson (IN)
Clyburn
Conyers
Costello
Crowley
Cummings
Davis (AL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Doyle
Duncan
Eshoo
Evans
Farr
Fattah
Filner
Frank (MA)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Hoeffel
Holt
Honda
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kildee
Kilpatrick
Kleczka
Kucinich
Larson (CT)
LaTourette
Lee
Lewis (GA)
Lofgren
Majette
Markey
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller, George
Moran (VA)
Nadler
Napolitano
Oberstar
Obey
Olver
Otter
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Petri
Rahall
Rangel
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda T.
Sanders
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Stark
Strickland
Stupak
Tancredo
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—7

Capps
Clay
Jones (OH)
Marshall
McKeon
Putnam
Souder

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1436

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute and revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I take this time for the purpose of inquiring about the schedule.

Mr. Speaker, at this time I yield to my friend the distinguished majority leader for the purpose of discussing the schedule for the coming week and perhaps the weeks thereafter.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman from Maryland yielding to me.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of today.

On Tuesday, the House will convene at 9 a.m. for morning hour and 10 a.m. for legislative business. We may consider additional legislation under suspension of the rules. We also hope to have the conference report on H.R. 6, the Energy Policy Act of 2003, ready for consideration.

In addition to that, there is a chance that we could consider a number of appropriations conference reports, as well as the Department of Defense authorization conference report.

Members should also be aware that we will likely move a continuing resolution next week, as the current one expires on October 31.

Finally, I would like to make all Members aware that we may be working into the late evening on Tuesday as we work to complete these important pieces of legislation. I urge Members to plan accordingly.

Mr. Speaker, I will be happy to answer any questions the gentleman may have.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the majority leader for his information.

Just to reiterate for the Members, am I correct that we will have votes starting at 6:30 on Monday?

Mr. DELAY. That is correct.

Mr. HOYER. Then we will be going in at 9 a.m. on Tuesday?

Mr. DELAY. That is correct.

Mr. HOYER. Which is different, a little earlier. I thank the gentleman for that.

The continuing resolution, Mr. Leader, you point out there will be a continuing resolution that, perhaps, will be considered next week. The current one goes to October 31.

Can you tell the Members what date you contemplate the continuing resolution going to?

Mr. DELAY. If the gentleman will yield further, we have not consulted with everyone yet, and certainly we will consult with the minority, but in talking to the other body, our goal would be to complete the first session by November 7. So, hopefully, the continuing resolution would match that timetable.

Mr. HOYER. So am I correct then that the contemplation would be that the CR that we would consider next week would go until November 7? I know that is not firm, but is that your current thought, that that would be the objective?

I yield to the gentleman.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding further. We are talking to the committee now, and really have not decided what that would be. I would assume that, at the very least, the CR would be until November 7, but there may be other CRs under consideration.

Mr. HOYER. Reclaiming my time, with respect to the appropriations conferences, I know the chairman is on the floor, but could the leader tell us which conference reports are most likely to be on the floor and will those be, I take it, single in nature, that is to say, a conference report on one of the appropriations bills, as opposed to an omnibus bill or a multiappropriation bill piece of legislation?

Mr. DELAY. If the gentleman will yield further, this is a very difficult thing to predict with any level of certainty. It does appear that the more likely candidates for conference reports are the four appropriation bills that are now in conference. Off the top of my head, I think they are Labor-HHS, Military Construction, Energy and Interior. The other body has not passed six of their remaining appropriations bills.

Mr. HOYER. Reclaiming my time, I will certainly not ask you which party is in charge of the other body. That might not be an appropriate question on the floor of the House. But having said that, Mr. Leader, the chairman, again, being on the floor, I am on the Labor-HHS committee, and I have not attended any meeting of any conference committee on the Labor-HHS bill. You say it is in conference. Where?

Mr. DELAY. If the gentleman will yield, I am not advised as to any meetings that are going on. I am sure I can convey the gentleman's interest in going to meetings. I know of his love for meetings. But we have encouraged the Committee on Appropriations to get these conference reports done.

□ 1445

All we can do on our side: our Members are ready to go. The other body has their own problems that I cannot discuss here, but as soon as we can get the two sides together, hopefully, they will have those meetings and the gentleman will be invited.

Mr. HOYER. Mr. Speaker, reclaiming my time, I am sure if it is up to the chairman of the Committee on Appropriations I will be; but in a nonhumorous, but still friendly way, we are very concerned on this side, Mr. Leader, when we hear you announce that there are conferences going on, that conference reports may come out and, to our knowledge, we have not been invited to any conferences. We have not sat down to try to resolve differences in the bills.

As the gentleman knows, the labor-health bill in particular was very controversial on this side of the aisle. We want obviously to participate and try to resolve those differences and try to address those deficiencies that we see. Therefore, in light of the fact that we are going to be leaving tonight, tonight is Friday, not coming back until Monday night, and if we have a conference report, presumably that has to come out and the staff work is going to be done, because we cannot have a conference Tuesday morning or Monday night; no conference has been called as far as I know on the labor-health bill, and we cannot have the committee staff do its work between Tuesday

morning if we had a conference and Tuesday afternoon, that just will not work, for us to consider the conference report.

So we have a concern on our side of the aisle, Mr. Leader, in terms of how conferences are being carried out and, frankly, the definition of what a conference is now-a-days. A conference seems to be the appointment of conferees on either side of the aisle, and then the ranking Republican, either of the committee or subcommittee, meeting with the ranking Republican or Chair of the committee or subcommittee in the other body; and that is now called a conference. That may be a meeting of your side of the aisle, but it is not our perception that that is a conference as we have historically known it.

When we were in charge, frankly, I did attend on a regular basis conferences with both sides of the aisle, with my ranking member when I chaired the Subcommittee on Transportation, Treasury and Independent agencies, and where the gentleman from Michigan (Mr. DINGELL) and his ranking member attended when they had conferences. I do not mean that they did not discuss things, but I think it is appropriate for us to voice that concern.

Next, on the Iraq supplemental which we have just passed, do you expect a motion to go to conference next week on that? I yield to the leader.

Mr. DELAY. Mr. Speaker, I believe the other body is prepared to complete consideration of their bill, hopefully, this afternoon; and assuming they finish and request a conference, I would expect us to be able to appoint our conferees when we return next week.

Mr. HOYER. The gentleman mentioned also, Mr. Leader, reclaiming my time, the energy conference report. How likely is it that we will have that on the floor next week? Is the gentleman pretty confident that that will be here? I yield to the gentleman.

Mr. DELAY. Mr. Speaker, from all of the numerous meetings that have been held, it is my indication that progress on that bill has been very encouraging. A lot of hard work has been done on the Energy Policy Act, and we have every expectation that we could consider that bill next week.

If the gentleman will further yield, I would just point out to the gentleman, as the gentleman knows and the other Members, but especially to the new Members to this body, when we get into an end-of-the-session like this, these things are very hard to predict. Once a decision is made on a bill, it could usually come straight to the body for a vote, but sometimes these bills take quite a bit of time to work out the differences between the two Houses.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the gentleman for that information. I would reiterate, having discussed with the gentleman from Michigan (Mr. DINGELL), who is, of course, the dean of this House and has 50 years of experience in this House, his concern that he is not sure what is going on in the conference on the energy bill. He is not sure what the schedule is on the energy bill. Neither his staff nor he know what product is going to be reported out.

Again, we are meeting next week for maybe, if we go late into the night, maybe 10 hours, 15 hours next week, and without really having had the opportunity to be fully involved in that conference. As a result, if that happens, our conferees on our side are not going to have any time to consider that substantively, not to mention the Members who will not have time to consider it in a very substantive way.

So I do not think there is any way to solve it now, because as far as we know, there have been no meetings of the conference scheduled. We have not been noted for conferences either Saturday, Sunday, or Monday. So that if something is going to happen, it apparently is going to happen without a formal meeting of the conference if that conference report comes to the floor on Tuesday.

I do not know whether the gentleman wants to comment on that. That is just our concern, Mr. Leader.

Mr. DELAY. Mr. Speaker, if the gentleman will yield.

Mr. HOYER. I am glad to yield.

Mr. DELAY. Mr. Speaker, the gentleman's concern is duly noted. And as the gentleman knows, at the end of a session like this, there are conferences and meetings going all over the place trying to get these bills wrapped up for the end of the session, and formal notices and appropriate notices will go out in a timely fashion so that Members will have time to understand what is in these bills before they vote on them.

Mr. HOYER. Mr. Speaker, reclaiming my time, I am not sure how that is going to happen, Mr. Leader. I hope it happens. I hope the gentleman's representation is carried out, but it is hard to see in the next 72 hours how that can be effected, not counting the balance of today.

In any event, can the gentleman tell me if the gentleman expects the conference report to include the Clear Skies initiative? Does the gentleman have knowledge?

Mr. DELAY. Mr. Speaker, is the gentleman asking me if the Clear Skies initiative is going to be in the energy conference report?

Mr. HOYER. Yes, sir. Does the gentleman know that?

Mr. DELAY. If the gentleman will yield.

Mr. HOYER. I yield to the gentleman.

Mr. DELAY. Mr. Speaker, I have no knowledge and have not been advised as to what is in the conference report that has not been completed. So when I know, the gentleman will probably know.

Mr. HOYER. Mr. Speaker, I do not know, but I do know that our conferees again who have not been included in the discussions are very concerned about an issue that is rumored to be included in the conference report that has not been debated at all by either the conferees or by the House. So I raise that concern and would hope that the gentleman would raise that concern with the Chair of the conference committee.

I know today is the day the congressional Republican leaders have articulated as the day that they would complete the conference on the Medicare prescription drug bill. Could the majority leader bring us up to date on the status of that and when, if the gentleman expects between now and November 7, for that conference report to be brought back to the House. I yield to the gentleman.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding. On the Medicare conference, a lot of meetings have been held. Progress is being made. But as the gentleman knows, this is a very, very complicated issue with a whole lot of different, moving parts; and it is a very difficult issue to bring together. But even with the time frame that we have and have laid out, as far as timing as to when we might be able to finish that, I really cannot tell the gentleman with any degree of, any level of certainty. Work is going on. Those that want a bill are working very hard to get one, and we just hope that they can get it done before the end of this session.

Mr. HOYER. Mr. Speaker, reclaiming my time, of course, as the gentleman knows, we all would like to have a bill; but there are, obviously, differences of opinions as to what ought to be included in that bill, which always makes the legislative process difficult and time consuming. But this is another example, Mr. Leader, whereon Mr. BREAUX and Mr. BAUCUS on the Senate side have been included, to some degree, in the conference. However, on this side, none of our Members have been included in meetings related to the policies that ought to be included in the conference report.

I have mentioned now the appropriation bills, the energy bill, and now the prescription drug bill. It is of great concern to us that there is an obvious pattern of not including the minority, who are appointed conferees by the Speaker, not including them in discussions. And in light of the fact that there are no meetings formally of conferences and are not noted for conference meetings, it is impossible for us to know, A, what is going on; B, to have input; and, C, reach any kind of an agreement which might make the passage of prescription drugs, child care tax credits, an energy bill, appropriations bills, or any other legislation on behalf of the American public, made easier. I do not know if there is anything further the leader can say on that.

Mr. DELAY. Mr. Speaker, if the gentleman will yield, the Members will

have every one of their rights protected when it is time for the conference to formally act on a bill. Certainly they will be included. As the gentleman knows, around here, the meetings that are being held in different areas and in different subsets of Members are being held with Members that want a bill and are trying to get a bill done, rather than to obstruct a bill. And Members' rights are always protected whenever they want to change a bill, substitute it, or whatever; and in the formal meetings of a conference, they can do so. But it wastes everybody's time, quite frankly; the reason for a conference committee is to be small with just a few Members so that we can work it out and get it done in an expedited manner. So those meetings are being held with Members who want to get a bill to the floor and to the President.

Mr. HOYER. Mr. Speaker, reclaiming my time, I do not want to be very confrontational, and I do not think these colloquies ought to be confrontational; I think it is a good discussion, but I think the gentleman needs to know honestly our view on this.

Let me remind the gentleman of the Patients' Bill of Rights. It passed the 106th Congress of this House with some 60-plus Republicans. However, the gentleman indicates that conferences are being held with people who want to pass a bill. The Speaker, as the gentleman knows, appointed over two-thirds of the Republican conferees who voted against the bill, and that bill never came out of conference. We were not surprised. In the 107th Congress, we were precluded from having a bipartisan bill because the gentleman from Georgia (Mr. NORWOOD) concluded that he was going to withdraw from discussions with the gentleman from Michigan (Mr. DINGELL) on that.

So with all due respect, Mr. Leader, if you make a judgment that you are not going to include people that you think do not have the same view that you have or that your chairmen have or that your Chairs of subcommittees have, then calling them conferences, we believe, is not appropriate. They may be meetings; they may be meetings of the Members of your side of the aisle who have responsibilities for the bills, but they are not conferences in any classic sense of bringing together the two Houses and all of the conferees who were appointed by the Speaker, not by us.

Conferees are appointed by the Speaker. We are not given any notice of hearings, we do not attend any hearings. And for the gentleman to say that people are meeting, we do not doubt that. We think the gentleman is absolutely right. We hear about those meetings. We read about those meetings. We read about the large conference on the energy bill when the gentleman from Louisiana (Mr. TAUZIN) and Mr. DOMENICI get together and talk. We think that is appropriate. They ought to do that. They need to do that. It is their responsibility. But it is not a conference from our perspective. And there is not an opportunity for us to sit down and represent the point of view that we bring to the table, that we have been elected to put forth.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I am glad to yield to my friend.

Mr. DELAY. I would just remind the gentleman, again, that formal conferences are held. When the formal work of the House, through its conference committees are to be done, at that particular time, Members that oppose the bill will have all of their rights protected, and they can go to those meetings and participate in the conference process.

But in order to get a bill, particularly a bill as complicated as an energy bill or the Medicare bill, it has never been, even when the gentleman's party was in the majority, it has never been the practice of having big, huge conference meetings and debates on a daily basis or a regular basis. These things are worked out with those who want a bill and then presented to the full conference in the light of day so that people can express themselves, and it is brought to this floor for further debate.

Mr. HOYER. Mr. Speaker, reclaiming my time, I thank the gentleman for his observation; and, obviously, he and I disagree as to how this process occurred when we were in charge and how it is occurring now. But the gentleman and I have both had the privilege of being on the Committee on Appropriations for many years.

□ 1500

Mr. HOYER. The gentleman from Texas (Mr. DELAY) is now, as the majority leader, not on the committee because he has been elevated to his present position. But the gentleman and I have sat in many conferences together, he on one side of the aisle, me on the other side of the aisle, in which we had probably 30 members of the Committee on Appropriations from our side, usually eight or nine from the majority side, 12 or 15, so 20 to 25 Members, and discuss issue by issue and go through it. That is what we expect the conference to be, because that is what we expect the democratic process provides in a conference committee to resolve differences that might exist.

Mr. DELAY. Mr. Speaker, would the gentleman yield? I just remind the gentleman from Maryland (Mr. HOYER) in that particular case the gentleman is absolutely right. But everyone sitting at that table, at the time, wants a bill. And they work hard to get the bill rather than try to kill a bill. So, it is very easy to work in that configuration as the appropriators usually do.

And when everybody comes together and everybody knows that they are trying to get a bill and want a bill to be brought to the House, they are included. And it is no different than any other conference.

Mr. HOYER. Mr. Speaker, reclaiming my time, I want to assure the majority leader we want a prescription drug bill. We have been fighting for a prescription drug bill, but that does not necessarily mean we want your prescription drug bill. We want a bill that has the support of the majority, the American people, and that we believe we can have. We are fighting for such a bill.

We want an energy bill. We think this country needs an energy bill, certainly in light of the August 14 blackout in the northeast. We think we need to address that issue.

So let me assure the gentleman from Texas (Mr. DELAY) that we want to see these bills passed. But let me also assure the gentleman that if the condition preceding to having a conference in which we are included is saying that we will agree to it as it passed the House, if we oppose it, that is neither a reasonable request on your part, I believe, nor is it the expectation of either side that they be included in a conference only on a condition that they will agree to what the leadership wants to do.

I think we have probably discussed this sufficiently, but it is a real concern that we are not including both sides in these conferences. Because on the energy bill, I do not believe there has been a conference nor does the gentleman from Michigan (Mr. DINGELL) as we understand a conference. But we have a different view, perhaps.

Mr. Speaker, unless the majority leader wants to make additional comments, I would yield back the balance of my time.

ADJOURNMENT TO MONDAY, OCTOBER 20, 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from Texas?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 108–136)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to significant narcotics traffickers centered in Colombia is to continue in effect beyond October 21, 2003, to the Federal Register for publication. The most recent notice continuing this emergency was published in the Federal Register on October 18, 2002.

The circumstances that led to the declaration on October 21, 1995, of a national emergency have not been resolved. The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad. For these reasons, I have determined that it is necessary to maintain economic pressure on significant narcotics traffickers centered in Colombia by blocking their property of interests in property that are in the United States or within the possession or control of United States persons and by depriving them of access to the United States market and financial system.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 16, 2003.*

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. MUSGRAVE). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

(Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

(Mr. MCCOTTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TROOP/VETERANS AMENDMENTS BLOCKED BY HOUSE LEADERSHIP FOR CONSIDERATION OR DEFEATED ON HOUSE FLOOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Madam Speaker, well, that was a quite a week's work for the United States Congress. We just managed to add $87 billion to the debt of the United States of America if this legislation stands in conference with the Senate. $87 billion will be borrowed to continue the conflict in Iraq and to build a vibrant new economy for Iraq, roads, bridges, highways, telephone systems, 9/11 ports, a lot of things that we could use here in the United States, investment that if it was made in the United States, would put more than a million people to work.

But in the wisdom of the Republican majority in the House, this will be money that will be borrowed and spent in Iraq. They would not allow us to convert it to loans. One gentleman from Indiana famously stood up with an amendment to convert it to loans last night. He knew his amendment was not going to be made in order. He got an hour to debate it and then went away like a sheep when his amendment was not allowed, did not even challenge the ruling of the Chair, did not even try to get a vote. And then when he was offered a chance to vote on a democratic amendment to turn it into a loan because they have $7 trillion of oil reserves, he voted no.

People like that are going to have to explain that to their constituents. How is it more important that the working people of America assume billions of dollars of debt, that people for three generations are going to repay over the next 30 years for the people of Iraq so they may prosper, so they may better exploit their $7 trillion of oil reserves, and we cannot ask them to contribute to that process. It is not about war damage. It is about the damage done to their economy by a brutal dictator.

Here are a few things that were not in the bill. Even though we are borrowing $87 billion, it did not include $4.6 billion transferred from rebuilding Iraq to quality-of-life enhancements for our troops so they can have potable water, health and dental screening, postdeployment health care coverage for the Guard and Reserve, prepaid phone cards, transportation home on leave, they would not allow that. It was more important to borrow the money and spend it on Iraq.

An amendment to increase imminent-danger pay for the troops, the American men and women serving over there. And family separation allowance, prepaid phone cards, and $25 million in loans to Reservists who own small businesses disrupted by this deployment. That was not in the bill because it was more important to borrow and spend the money to rebuild Iraq and to benefit the Iraqi people.

An amendment to add $1.8 billion for veterans health care was not part of this bill. An amendment to add $1.8 billion, another, a second one, by reducing the Iraqi construction account for veterans health care was not allowed.

I guess we know where the parties stand. We hear a lot about the Republicans are with the troops. They may be good at wrapping themselves in the flag, but when it comes to putting the money and their vote where the troops are, they are not there. They are AWOL. And they were AWOL on these amendments. They were AWOL on the amendment to add the Armed Forces Tax Fairness Act to the bill. It would not have taken any money away from the Iraqi people, but would have given benefits to the people in the Armed Forces here.

An amendment to provide additional compensation to Guard and Reserve members, an amendment to provide Guard and Reserve members medical and dental screening upon being called to active duty, tricare coverage to certain Reserve members. An amendment to increase the basic pay of Reservists by $1,000 a month.

An amendment, this one was quite an amendment, it was a tie vote, so that means that any person who voted against it on that side of the aisle, and 99 percent of them did, to give a $1,500 bonus to those serving in Iraq or Afghanistan, and it would have come out of the foreign aid portion, the build-Iraq portion of this budget.

So the Republican majority decided it was more important to give more money to a country with $7 trillion of oil reserves than it was to give a $1,500 bonus. I guess they have not talked to their Reservists who have been called up. I have. Many of them have taken huge cuts in pay. They are putting their family businesses at risk, if they have family businesses. Yeah, they may get their jobs back when they return, but they are never going to make up for that income.

This would have just been a fraction of what many of them lost. But, no, they could not do that. It was more important to give $20 billion to the Iraqi people to build their infrastructure, their roads, their bridges, their health care, their education system, their sewer, their water systems, things that we could use across America.

An amendment to reimburse any servicemember or any family who purchases protective body armor. We voted $79 billion last April, we borrowed, the House of Representatives, the Senate, the President, borrowed $79 billion for this war last April, and it did not include the body armor. Well, the money was there, yes. But Rumsfeld did not order it because he said, oh, the troops are not going to be there long enough to need it, and people are going to greet them by waving little tiny American flags. So he just did not order the body armor. It is not that they did not have the money. They did not order it. They did not order the armored Humvees for our troops.

What they have not done is incredible, but what they have done is even worse. They have indebted the people of the United States of America for $87 billion, most of it to benefit the residents of another nation and not here in America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DISAGREEING WITH THE PASSAGE OF H.R. 3289

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Madam Speaker, I think we need to put in perspective what just happened and unfolded on the floor of the House. And I think it is important to share this with the CONGRESSIONAL RECORD because that is what we are sharing with this afternoon, the journey that we just took and the importance and the monumental statement that we made today.

Just for a slight bit of history and fairness to the debate, might I just say that I opposed the War Resolution of 2002 on the basis of facts. The first question was whether or not the administration made its case on the existence of weapons of mass destruction and whether or not the United States was under imminent attack.

Though I am trained to be polite, and I do not want to say I told you so, clearly this war was not about weapons of mass destruction which have not yet been found, and clearly the United States with the condition of Saddam Hussein and the poorness of his country were not about to be imminently attacked. But the war did occur.

And so I disagree with the majority leader, it is not war. The war against terrorism is our war. And that war had the embrace of the world leaders and nations after 9/11. And we blew up that coalition by going singly, unilaterally without a Constitutional vote in a war against Iraq. We broke the coalition. We broke the friendships and the alliances around the war against terrorism. The war against terrorism is our mutual vote. But there is no suggestion that Iran or Iraq or Korea is anymore engaged in the war against terrorism that would have warranted a preemptive attack against Iraq. But yet our young men and women went forward to the front lines, our neighbors or friends, our sons and daughters, and we rallied around them.

I take issue with the majority leader who would question any Member's patriotism because we refused to go down the rosy path of destruction and foolishness of this administration. How dare you suggest who is unpatriotic and who is not? Yes, I support the troops, and you cannot dare tell me I do not. What have you done?

This past weekend I spent many, many hours with troops in the Middle East, young men and women who did not care whether or not their names were cited. They wanted us to know that there is no exit strategy, that they have been there for 7 and 8 and 9 months and no one will tell them when they can go home, that there are no jobs for them to do there in terms of their particular responsibilities, that the part of their work is over, and yet they still cannot go home, that carpenters and painters and electricians are being used as police officers to knock open doors. Why not the Iraqi police?

When they ask about their pay, Reservists and National Guard, they cannot even get paid proficiently and efficiently. But yet, Madam Speaker, today the majority of this Congress voted $3.2 billion for security and law enforcement in Iraq, $1.3 billion for justice public safety and civil society infrastructure, $5.65 billion for electrical generation, and $2.1 billion for oil infrastructure, and $4.3 billion for water resources.

□ 1515

Of course we should help rebuild Iraq; I am not an isolationist. As we should Liberia and Haiti. But it is interesting how you can find little help and little resources for them.

This U.N. Security Council resolution that we are bragging about, it is a paper tiger. There is no commitment of troops. There is no fresh infusion of troops. The RAND Corporation said that if we were going to have the number of troops that we needed, we needed 350,000 troops on the ground. We have barely 130,000. We do not have fresh troops to be able to put in so our other troops can go home. And then on top of that we have a situation where we are not paying our troops.

So my amendments regarding making sure they get paid, not allowed. My amendments saying there should be an exit strategy, not allowed. My amendment to prohibit funds to be used until there is an exit strategy, not allowed. My amendment that would restore back to Condoleezza Rice the right to coordinate the funds to oversee the President's plan, stricken or not allowed. They have language in there that says she cannot control the monies, and she has been put over the plan that should be rebuilding Iraq.

My amendment to separate the vote, meaning vote from the troops separately from the rebuild so that we can collaborate in the Madrid conference, not allowed. None of the serious amendments allowed on the basis of supporting our troops was in order. We were stopped in our tracks.

I am glad to say that most of the American people have enough sense to know that this is a foolish, misdirected, and unfortunate policy of the United States. I hope we will come together on behalf of the troops. And how dare you suggest that any of our patriotism should be questioned.

The SPEAKER pro tempore (Mrs. MUSGRAVE). Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

(Mr. SKELTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

(Ms. LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

MISGUIDED POLICY OF NATION BUILDING IN IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Texas (Mr. PAUL) is recognized for 60 minutes as the designee of the majority leader.

Mr. PAUL. Madam Speaker, I want to spend a little bit of time this evening talking about the bill that we spent 3 days debating. That is the $87 billion appropriations bill that we just voted on and passed, not so much that I want to rehash what we did during these 3 days as much as to make a point that we ought to be debating something other than the technicality of how to spend $87 billion of the taxpayers' money. And that has to do with overall policy.

I think so rarely we deal with policy and we deal only with technicality and accounting and an attempt made at oversight. So I would like to spend a little bit of time emphasizing a different type of foreign policy that we have become unaccustomed to. Because there was an American foreign policy once well known to us, to our country and especially to our founders, a policy of nonintervention. Today, and essentially for a hundred years, we have been following a policy of foreign intervention, that is, that we assume more than I believe we should overseas. And I object to that because I see it as not gaining a constitutional mandate as well as I see it as being a great danger to us both in the area of national defense, national security, as well as the economic dangers it presents.

The debate has ended, it is said, with this vote; but in many ways I think the debate is only really getting started. The debate has been going on a long time dealing with Iraq.

It did not even start after 9–11. It is true within weeks after 9–11 the Project for New American Century saw this as an opportunity to bring forth their suggestions that they had made many years ago, and they have been agitating forth for over 10 years, and that is to go into Iraq; and they saw this as an opportunity. But actually, this debate has been going on even a lot longer. Certainly since the first Iraqi war in 1990 and the persistence of our bombing of Iraq, as well as the embargo and boycotts of Iraq served to do a lot of internal damage to the Iraqi people.

But the debate, instead of ending, I think is really just starting. Because the vote today, although it was overwhelmingly in support of the $87 billion, I noticed a lot more people in the Congress voted against the appropriations reflecting probably the views of many taxpayers in this country who are very reluctant to spend this kind of money overseas, especially if they perceive what we are doing is not being very productive. And not only do we have to deal with whether or not what we are doing is productive or not, but the final analysis will be, can we afford it?

It may be that the lack of affordability may bring us to our senses before the logic of a foreign policy. That might make more sense than what we have been doing. Before the Iraqi war, the 18 months, actually there was a pretty strong debate here in the Congress. Several of us, quite a few of us, got to the floor and talked about the potentiality of war and why we thought it was a bad idea. My conclusion in October of 2002, 6 months or so before the invasion, was that we should not go in to Iraq. And it was a deeply held conviction, not only philosophically, because of a strong belief I have in nonintervention and the restraints that are placed on us by the Constitution, but also because I was convinced that our national security was not threatened by Saddam Hussein and that 9–11 had nothing to do with Iraq and Iraq had nothing to do with 9–11 nor Saddam Hussein. And I think the events since that time have proven that assumption to be correct.

There is no evidence that Saddam Hussein was capable of fighting or invading anybody. There was no resistance and he had been shooting at our airplanes for over 12 years and never hit one of them. To assume he was a threat to the world was, I think, overblown. Those are the reasons why I so strongly objected to it.

Now, the argument goes that whether or not we supported the war at the beginning, we should support the troops now. The troops are there and if you vote against the appropriations, it means that you lack support for the troops. Well, this is not true; and those who argue that case know it is the case, that it is not true because the funding that is already in the pipeline is certainly enough for several months of leaving and coming home. And so that argument just does not hold water. And besides, if you really talk to the troops, and now we are getting so much more information from the troops, if you ask them whether there is somebody in the Congress that votes to have them come home, whether that indicates a lack of support for them, I think you would get a very clear answer. Probably a very large number, if not all of them, would like to come home tomorrow and they do not see a lot of benefit by the sacrifices that are being made over there. But I think if the support for the war is weak, why are we there? What drives us? And what drives our foreign policy?

Basically, we have come to the acceptance, at least especially throughout the 20th century, of accepting the notion that we have some moral obligation to make the world safe for democracy. And we have heard so much about this that we are over there to spread democracy. Well, if you look to the Constitution, there is no grant of authority even to the Congress or to the President that that should be a goal. That does not mean that our values should not be looked upon and spread; but to be done through the military and by force, that is an entirely different story.

What we are involved here now with our intervention in Iraq and Afghanistan and other places, we are involved in nation-building. And nobody in this country campaigns, whether it is for the Presidency or for a congressional seat or a Senate seat, nobody goes out and says, Elect me to Congress because I want to get into the business of nation-building. Nobody does that and yet really that is what we are talking about today.

We are very much involved in nation-building in Afghanistan, and the successes there are very shaky. We probably occupy one city and not much more. And everybody reads daily about the shakiness of our occupation of Iraq. And we are very much involved in internal affairs of other nations, the kind of thing our founders said do not get involved in. Do not get involved in the internal affairs of other nations. Stay out of entangling alliances. And we are very much involved. The entangling alliance that I had the strongest objection to is the entangling alliance with the United Nations.

So although it was seen by the world that we went into Iraq by defying the United Nations, if anybody would like to check and go back and look at the authorization for the use of force which was a transfer, illegal transfer of power to the President to pursue war, the United Nations was cited 16 times. There was a need to enforce the United Nations resolution. That was the justification for the Congress to transfer this power to the President in allowing him to make his own decision.

Well, that is technically flaunting the Constitution and that the proper method for us going to war is for the Congress to declare war, and then, of course, go out and win the war. But the authority comes from the people to the Congress and the Congress cannot transfer this power and this decision-making to the President under a majority vote in the legislative body.

There have been others, in particular the neo-conservatives who have been very influential in foreign policy the last several years and who have been associated with the Project for a New American Century. They have been explicit in their goals. And one of their explicit goals has been to redraw the lines of the Middle East and to have preemptive regime change. These are serious beliefs that they have; and everybody has a right to their beliefs. Their beliefs that we have this obligation to remove regimes that we do not like and to redraw lines and to spread our way of life and our democracy by the use of force, they sincerely hold those beliefs; and I sincerely disagree with them.

But I believe that the Constitution is on my side and not on their side. And when we do what they want and what we have done and have been doing, it is dangerous. It is dangerous to our security. It is dangerous to our financial situation and our economy. And it is a tremendous drain on so many taxpayers here trying to struggle and make a living.

There are others who influence our policy, and it is not the conspiracy buffs that had coined the phrase ''the military industrial complex.'' And everybody knows where that phrase came from. But it is alive and well. Believe me, it is alive and well. There is a tremendous amount of influence by those who make profits, refurbishing the weapons they get, rebuilding the bombs, rebuilding the airplanes and lining up at the trough to see how they will get to participate in this $87 billion that has just been recently appropriated.

□ 1530

This is one of the reasons why I think the debate just in these last couple of days on whether or not the money would be a loan or a grant really did not have a whole lot of merit. I happen to have supported all the amendments that said it should be a loan, not a grant, but it does not make a bit of difference because the likelihood of a country like Iraq, that does not have a government, being able to make a promise and then pay us back, we generally never get paid back anything. So that to me was a red-herring argument that was sort of one of the tactical or accounting arguments that occupied a tremendous amount of time here by avoiding the bigger issue on whether or not it is a proper role for the United States to be telling the rest of the world how to live and it is our obligation to nation-build and our obligation to redraw the lines of the Middle East. That is the bigger question, and this is the debate I hope to hear that we have on this floor some day.

The policy of interventionism, I think it is dangerous as instead of reducing the odds of a terrorist attack, I believe it increases the odds of a terrorist attack. When I see us occupying Saudi Arabia, having an air base on land which is considered holy land, occupying the Persian Gulf that has a lot of oil, and it has been said we are there to protect our oil, that it would be equivalent to the Chinese coming in to the Gulf of Mexico and saying we do not have enough oil. And if they happen to be stronger and that they could come over and say, well, we are more powerful, we need imports, we are going to protect our oil in the Gulf of Mexico, we will have our Navy in the Gulf of Mexico, and if we need to we are going to put air bases in Florida and Texas and wherever. And then if the Chinese come in and say, well, your way of life is not our way of life, and we should teach you a better system, that is what I see as being equivalent to us being in the Persian Gulf occupying the Arab lands, and especially, now, Afghanistan and Iraq.

In other words, no matter how well-intended those individuals are who drive our foreign policy and drive these expenditures and drive our military around the world, no matter how well-intended under these circumstances, if what I am saying is correct, there is no way it is going to work, and the sooner we admit it and the sooner we discover it is not going to work, the better it is for all of us and the less killing that is going to occur.

So I am strongly suggesting that we here in the House someday get serious about talking about the big picture, the strategic picture, the philosophic picture and the Constitution, deciding what we really should be doing in our foreign policy.

Some people say, well, it sounds to me like what you are advocating is isolationism, and nobody wants to be an isolationist. When they throw that term out, it is usually done there to try to discredit those individuals, like myself, who are arguing the case for nonintervention. Isolationism is quite a bit different. Isolationism is those who want to put barriers on trade and travel in exchange of ideas. That is true isolationism. That is mercantilism and protectionism. That is not what I am talking about, and that is not what nonintervention is.

Nonintervention in foreign policy means we do not impose our will on other people, something that a lot of very conventional politicians have talked about for years as a matter of fact, especially when they are campaigning.

I would like to quote from the memoirs of George Bush, Senior, which he wrote, and they were published approximately 5 years ago, dealing with Iraq and what he thought about it, about the invasion of Iraq and why he did not go into Iraq. This comes from A World Transformed. This is George Bush, Senior. He says, Trying to eliminate Saddam would have incurred incalculable human and political costs. Apprehending him was probably impossible. We would have been forced to occupy Baghdad and, in effect, rule Iraq. There was no viable exit strategy we could see, violating another of our principles. Furthermore, we had been self-consciously trying to set a pattern for handling aggression in the post-Cold War period. Had we gone the invasion route, the United States could conceivably still be an occupying power in a bitterly hostile land.

That comes from George Bush, Senior. That is not coming from me, who has always had great concern about our military activity. I think that is sound thinking and sound advice, totally ignored.

In the campaign before the last Presidential election, our President said, If we are an arrogant Nation, they will resent us. If we are a humble Nation but strong, they will believe us. If we are a humble Nation, they will respect us as an honorable Nation.

I think we have lost a little bit of our humility, to say the least, and, as of now, I do not think that our reputation has been enhanced, especially in the Arab-Muslim world, and that concerns me because it is this lack of civility between countries and the antagonism which leads to conflicts and hatreds and killing and guerrilla wars which we are fighting right now.

I express my concern about the way we went to war because it was a transfer of power from the Congress by mere vote, which circumvented the Constitution, rather than a declaration of war, and I base my concern on the fact that we have had a lot more trouble in the last 50 years when we quit declaring war and at least prior to that the wars we declared, they came to an end.

Look at Korea. We did not declare war there. We went there under a U.N. resolution. We are still there. We spent over $1 trillion, and we are still in conflict with North Korea, and it is a serious problem, and we do not trade with them.

Going into Vietnam, we went once again into Vietnam without a declaration of war. It really came to no resolution other than the fact that we walked away. We had to get out because we were not winning. The determination to win was not there because the Vietnamese were not a threat to our national security. Nobody was going to declare war, but look at the difference.

We are still in North Korea. That was under a U.N. resolution, and just look at what has been achieved by leaving Vietnam. They have become Westernized and, to a degree, capitalized. They are more capitalistic. We trade with them, making the point that it is very, very hard to impose our will and our system of values on somebody with the use of arms, but by the willingness of trade and exchanges with people and ideas, they are more likely to come in our direction. So the difference between the 10 terrible years in the 1960s, as we lost 60,000 men and achieved nothing, compared to the next decade or two, how we have become more friends with the Vietnamese, there is a powerful message there if we would listen to it and pay attention to it, but no, since that time we have continued to go into many areas.

I think this was a problem going into Iraq in 1990. It was an undeclared war. It was a U.N. war. It did not end it. It continued and it is still continuing into its 15th year, and here we are still arguing over the financing which I think is at very early stages. How long will we be there and how many men are going to die and how is it going to end? I am convinced as long as we follow this principle of foreign interventionism that we take it upon ourselves to spread democracy around the world, we are going to be running into trouble like this.

James Madison early on in 1798 gave us some advice about the Presidential power and congressional power to go to war, but he was explaining why it was important to keep it in the hands of the legislative body. He says, The Constitution supposes what the history of all governments demonstrate, that the executive is the branch of power most interested in war and the most prone to it. It has accordingly with studied care vested the question of war in the legislature.

That is what our Constitution did, but because now it has drifted from the legislature, we allow our Presidents to do more than they should be able to do, and then we allow them to incorporate this into United Nations' mandates. It means that the people have lost their control.

How do the people stay involved in this? In one way, they pay the bills and the young people die. That is what is at stake. Our economy's at stake, our young people are at stake and our freedoms are at stake because we allow the

prerogatives that were explicitly given to the Congress to drift away and get into the hands of the executive branch and into the United Nations. We do not declare war. We do not win them. They persist, they last a long time, and this is the reason why we should really and truly talk about how do we get out of this mess, instead of just expanding the mess, how do we get out and restore a policy that makes a lot more sense.

The famous General, General Douglas MacArthur, who knew a lot about war, also had advice to us about how to handle the issue of war, and he said, The powers in charge keep us in a perpetual state of fear, keep us in a conscious stampede of patriotic fervor, with a cry of grave national emergency. Always there has been some terrible evil to gobble us up if we did not blindly rally behind it by furnishing the exorbitant sums demanded. Yet, in retrospect, these disasters seem never to have happened, seem never to have been quite real.

Here is a man who knew about World War I, World War II and Korea, and he was suggesting that they were overblown.

One thing that we did not talk about in the debate of the $87 billion was a $600 million appropriation. It is not written in there explicitly, but there is a $9.3 billion authority to transfer funds over into the Pentagon and more or less having a slush fund to spend just about any way they want without any significant congressional oversight, but the $600 million has been asked for and will be achieved through this appropriation to continue the search for weapons of mass destruction. They have spent $300 million for six months, with 1,200 individuals combing the entire country of Iraq, and nothing has been found. So typically, American style, modern America, that is, double the amount of money, double the number of people and keep searching, because something will be found.

My answer is, what if you do find something? What does it prove? Does it prove that he was a threat to our national security? No way. Does it prove that it was a relationship to Iraq and 9/11? No way. So this obsession is for saving face and nothing more. If there was a major nuclear or chemical weapon available that was about to be unleashed against us, it would have surely been found by now, but that was not debated, but I am sure that search will go on, and ''when something is found,'' and I put that in quotes, there will be a lot of questions asked. More questions will be asked than answers given.

I guess early this week we also had another vote that emphasizes my concerns, because it again is going in the wrong direction, and that was the vote we had on Syria. A couple of us voted against this. Syria is a hard country to defend, and I am not going to defend Syria. I am defending the Constitution, and I am defending nonintervention, but the Syrian resolution was more or less the first major step in the direction of war against Syria.

This is exactly what the project for a new America century wants. Syria is on their list and the sanctions put on Syria are essentially a prelude to war because that country, as part of the axis of evil, we have to get rid of that regime and they are helping the Iraqis so, therefore, war is coming, and I just cannot see how the average American is sitting around worrying about the Syrians, but they said the Syrians, there may be some people going back and forth from Syria and participating in the guerrilla war in Iraq, which may well be true, but then again, what about other borders?

There is a border between Pakistan and Afghanistan. Pakistan's on our side, Afghanistan is half and half, but right on that border is Osama bin Laden most likely.

□ 1545

And he is probably in Pakistan. So do we decide that we have to go after Pakistan? No, we recognize that the borders are uncontrollable.

Here we are putting sanctions on Syria because we do not like the way they are handling their borders, but there are a lot of people in this country who would like to see us do a better job with our own borders. We do not have control of our own borders, yet here we are putting on sanctions and initiating another step towards war against Syria because we are not satisfied with what they are doing.

We cannot achieve some of these goals that we have set for ourselves through force. We have what comes close to an obsession with democracy. You hear it constantly. We are over in Iraq because we are going to make it a democracy. Well, democratic elections are the way we all get here; but this obsession with democracy, well, democracy means there is a ruling of the majority. But what if the majority does not support freedom?

I would like to see a time come to this place where we talk a lot less about democracy and more about liberty. Liberty is where the minority is protected. Under democracy, the majority is protected, and they can obliterate the minority. And this, in a sense, is what we keep talking about. But let us say they do not want democracy. Are we going to force it upon them? It looks like that is our goal; that we will, by gosh, force them into it if we have to.

I have come to the conclusion that you cannot achieve this through the force of arms and that if you are participating in an unwelcome occupation, you cannot change a culture, you cannot change religious values, you cannot change a legal system. We would not accept the Chinese trying to tell us to live like the Chinese; and we are just as strange and different in Iraq as the Chinese would be here. So even with this grand motivation, it is a lost cause; and the sooner we own up to it, the better.

If we want Iraq and other countries to act more like we do, it can be done; and that should be a goal. But there is a difference. There are two different ways we can do it. One, we can force people to do things and the other way is we can try to talk them into doing it in a voluntary fashion. If we did an exceptionally good job and we had a truly prosperous economy, which I believe a free market would achieve, which we do not have, where the greatest number of people would have the greatest benefits, truly set an example, have democratic elections but obey a constitution that is designed to protect liberty and protect minorities, if we set an example, then I sincerely believe others then would be more inclined to emulate us and to see us as an example.

In a way, what happened in Vietnam, the achievement there without the Army was far better than the losses that occurred when we were trying to use force. But I just am worried about what is happening. I am worried about the expenditures. I am worried that the guerilla war is going to spread. I am concerned because I believe so sincerely that our policy of foreign intervention serves more to incite terrorists against our country than we will calm down by our being over there.

I am convinced that these articles that now appear in the media about the al Qaeda now having an easier time recruiting, I believe those stories. I believe them. Whether it is right or wrong, I do not want to get into that issue, but I believe they are true. And that is a practical reason why nonintervention is so much better than intervention. Intervention leads to trouble, and it leads to expenditures. It leads to debt.

It is such a grand idea that the Founding Fathers gave us about nonintervention and nonentangling alliances. It will do more to serve the cause of peace and prosperity than any other single change of any policy we could have here in this Congress.

I am a little bit encouraged, though, about the fact that the debate may be shifting. In the Congress, not yet. Not yet. There are not too many supporters, and I know that, for nonintervention, for a constitutional foreign policy, to looking to the Founders. It is considered old-fashioned, and that truths do not stay so static, and times are different, and we have this obligation, and all the reasons why we have this moral obligation to go about the world. But where I am encouraged is outside of this place, where the American people are getting concerned.

I would bet if we had a referendum in this country today with this $87 billion, I will tell you where I think that vote would have come down. I bet the American people would not have voted for it. I am convinced of that. But just yesterday, there was an announcement of a group that has organized that I find very fascinating and very encouraging. This group is called Coalition for a Realistic Foreign Policy.

I have a copy of their statement of principles. More than 100 individuals are involved, mostly professors and other academicians and think-tank people. I do not know if there are any politicians in there. Hopefully, no politicians will be involved. But this is important. This is important because they want to get together and try to change the tone and the nature of the debate. Now, are they liberals or are they conservatives? Are they libertarian or are they constitutionalists? All of them. It is a mixture. They do not want just the liberal flavor or just the right-wing conservative flavor. It is anybody who is willing to sit down and talk about the disadvantage, the practical disadvantage of this road to empire and why we come up on the short end and that this moral obligation of us policing the world really is not a wise idea.

I want to read a little bit from their statement of principles. It says: ''We are a diverse group of scholars and analysts from across the political spectrum who believe that the move toward empire must be halted immediately. The need for a change in direction is particularly urgent because imperial policies can quickly gain momentum with new interventions begetting new dangers, and thus the demand for further actions. If current trends are allowed to continue, we may well end up with an empire that most Americans, especially those whose sons and daughters are or will be sent into harm's way, don't really favor.

''The American people have not embraced the idea of the American empire, and they are unlikely to do so. Since rebelling against the British Empire, Americans have resisted the imperial impulse, guided by the founders' frequent warnings that republic and empire are incompatible. Empire is problematic because it subverts the freedoms and liberties of freedoms at home while simultaneously thwarting the will of the people abroad. An imperial strategy threatens to entangle America in an assortment of unnecessary and unrewarding wars.

''There are ominous signs that the strategy of empire has already begun to erode our fundamental rights and liberties. More and more power is being claimed by the executive branch. And on the economic front,'' which is important in my argument, ''on the economic front, an imperial strategy threatens to weaken us as a Nation, overextending and bleeding the economy and straining our military and Federal budgets.''

Further reading on from the Coalition for a Realistic Foreign Policy: ''The defenders of empire assert that the horrific acts of terrorism on September 11 demand that we assume new financial burdens to fund an expensive national security strategy, relax our commitment to individual liberty at home, and discard our respect for stated sovereignty abroad. Nothing could be further from the truth. Following 9–11, we should have refocused our attention on the very threats facing us in the 21st century. As a nation, we must not allow the events of 9–11 to be used as a pretext for reshaping American foreign policy in a manner inconsistent with our traditions and values and contrary to our interests.''

And that is basically a brief outline of the principles of the Coalition for a Realistic Foreign Policy.

We have been told by some of our leaders that standing up for good against evil is very hard work and it costs a lot of money and blood, but they have gone on to say we are willing to pay. These are the politicians. This has been true for thousands of years. The politicians are always grandiose in their goals and their schemes and their plans for what they think is best for the world, and they are always willing to pay with dollars and blood.

But the politician never pays. Politicians here on the floor who are so anxious to go, many of them have not served, and many of them would not be very anxious to be serving over there. It is the politicians who promote the wars that rarely serve. The only way that anybody on this floor should ever vote to send our troops into harm's way is they should look at it in a very personal way. They should look at it in the sense of what would it be like if I would go there and I would be carrying a rifle on the front line, or I would be a target for some sniper. Do I want to be there? Is it worth that? Or would I send my son to do that, or would I send my grandson or my granddaughter to that type of danger?

It has to be personalized. Because if it is just, oh, we are willing to pay. Where does the money come from? We are flat-out broke. We have had the biggest deficit ever. Our dollar is going down on the market, and we are now assuming more liabilities. When we spend $87 billion in Iraq, that is literally taken out of our economy. Imagine how many jobs and how much improvement on the standard of living of Americans could occur with $87 billion, and at the same time believe sincerely that a policy of nonintervention would be the best policy for peace and prosperity.

I do not know how anybody could reject that policy. It is fantastic. It is the policy of free people. It is not the policy of empire. It is not the policy of imperialism.

But I am going to win this argument. Not because I am persuasive. I will win this argument that we have gone too far and have overextended. Sadly, I will win this argument because we are going to go broke. Because all great nations who believe that they can spread their will around the world, they always overextend; and then it virtually always leads to the debasement of the currency.

In the old days, they deluded the metal or clipped the coins. Today, it is more sophisticated, because we run up the debt, we send it over to the Fed, and they print the money. But that is debasing the currency, and it undermines the standard of living, already occurring with people on fixed incomes. So it will finally come to a halt, just as our intervention in Vietnam finally came to a sad halt. It did end. But the rest will come to an end when we can no longer afford it.

We should have greater faith and greater confidence in freedom. Freedom works. And that was the message of the Founders. That is the message of the Constitution. But we have lost our confidence. We have lost our way. We cannot even have one single problem exist throughout the country without coming here for another law.

I think it is time that free people gain some confidence, believing sincerely that we will all be better off, we will all be more prosperous, we will all be much freer, and we will all be much safer. And then, when we achieve that, then I believe other countries of the world will have a stronger desire to emulate us, rather than hate us.

□ 1600

MEETING OUR RESPONSIBILITY IN IRAQ

The SPEAKER pro tempore (Mrs. MUSGRAVE). Under the Speaker's announced policy of January 7, 2003, the gentleman from Maryland (Mr. VAN HOLLEN) is recognized for 60 minutes as the designee of the minority leader.

Mr. VAN HOLLEN. Madam Speaker, I opposed the President's decision to rush to war earlier this year. Many of us, at that time, warned of the high costs and difficulties of winning the peace that we face today in Iraq. But the President's poor decisions have painted our country into a difficult corner, and I believe that we now have a responsibility to provide funds and to maintain security on the ground in Iraq and to assist in the reconstruction of that country.

Let us not fool ourselves or the American people. It will not just be the tens of billions of dollars that we passed in the bill today. It will require billions more in the years ahead. We also have other responsibilities, to level with the American people and to pay for our efforts in Iraq in a straightforward and up-front manner. The President shirked the first responsibility by failing to prepare the American people for the true costs of the war and winning the peace.

Now, he seeks to escape responsibility for the second by putting those costs on our national credit card and running up huge deficits. Every penny of the $87 billion requested by the President is money borrowed from the next generation of Americans. His out-of-sight, out-of-mind approach to such important issues will end up costing our children down the road. We should not be waging war and peace by credit card. If we are willing to pay the price to defeat the scourge of terrorism, we

must pay for it in an honest way. While the Bush administration has asked our troops and their families to make the ultimate sacrifice, the President has given the wealthiest Americans a huge tax cut. That is wrong. It is wrong to pass the buck to the next generation. It is wrong to ask the younger generation, including our troops and their children, to bear the burden alone. And it is wrong to shield the wealthiest Americans from paying their fair share.

We now face a huge responsibility gap in our government. It is the gap between those who understand that we now have a responsibility to establish stability in Iraq and help rebuild Iraq and who are prepared to pay for it the right way and up front and those who call upon the country in their rhetoric to pay any price in Iraq, but then run from responsibly paying that price. I filed an amendment in this House to fill that responsibility gap. It was an amendment to scale back the Bush tax cut for the wealthiest 1 percent of Americans to pay for the costs of the bill we passed today. Incredibly, the House leadership prohibited that amendment from even coming to a vote.

The President is asking the American people to invest billions of dollars of our money to build schools, hospitals, roads, electric grids and communications systems in Iraq when here at home our Federal, State and local governments are experiencing huge revenue shortfalls in this very difficult economy. The President's budget request of this year falls $9 billion short of what was promised by we, the Federal Government, just a year and a half ago to meet our obligations to America's schoolchildren under the No Child Left Behind legislation. Three out of five children in this country who are eligible for Head Start cannot receive help because of lack of funds. Years ago, the Federal Government pledged to cover 40 percent of ensuring that children with disabilities receive a good education in this country. That was the right thing to do. But today we are only paying 18 percent of what was promised. The same shortfalls occur in health programs, our national transportation infrastructure, job creation initiatives and a range of other important domestic needs. We must meet our needs here at home at the same time that we meet our international responsibilities in Iraq, Afghanistan and other places around the globe. We as a Nation, as a people, have enormous resources. We can meet both our domestic needs and our international responsibilities, but we must be prepared to pay for them. If we refuse to pay now for our efforts in Iraq by reducing portions of the tax cut to the wealthiest 1 percent of Americans, it will make it much, much harder to make the investments that we also must make in education, health, transportation and other needs here at home.

Already this year when many of us in the Committee on Education and the Workforce called for full funding for No Child Left Behind and for special education programs, we were told we did not have the resources because of the large tax cuts disproportionately weighted to the wealthiest. Adding this $87 billion to the deficit will make it even more difficult to meet those pressing needs. We must pay now for the costs of our efforts in Iraq. We cannot put everything on our national credit card.

The President, I believe, has totally abdicated his leadership responsibilities in this area. Our international responsibilities now require us to pay the price of leadership. Leadership is about setting priorities. The war in Iraq was a war of choice. Regardless of what any of us may think about how that choice was made, we now have a responsibility to pay for the consequences of that choice. The President, by refusing to honestly pay for the war and its aftermath, by refusing to reverse the tax cuts on even the wealthiest 1 percent of Americans, refuses to acknowledge the real costs of those choices.

There are some who argue that because the President has refused to scale back his tax cuts to pay for the war and its aftermath, those of us who believe we have a responsibility to provide security and aid in reconstruction of Iraq have no alternative but to support the President's request for $87 billion without conditions, that we have to go along with his plan to wage war and peace by credit card. That is a false choice, and, I believe, an irresponsible position. We have an obligation as a Congress to hold the President to a higher standard of leadership. If the President believes, as I do, that we now have an obligation to provide security and help rebuild Iraq, he should have the simple courage to ask the wealthiest Americans to give up some portion of the huge tax cuts to help pay for our efforts in Iraq. The choice is not between doing nothing and doing it the President's way. We should do it the right way.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARSHALL (at the request of Ms. PELOSI) for today on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. SKELTON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

(The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:)

Mr. MARIO DIAZ-BALART of Florida, for 5 minutes, October 20.

ADJOURNMENT

Mr. VAN HOLLEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until Monday, October 20, 2003, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4801. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to significant narcotics traffickers centered in Colombia that was declared in Executive Order 12978 of October 21, 1995, pursuant to 50 U.S.C. 1641(c) 50 U.S.C. 1703(c); to the Committee on International Relations.

4802. A letter from the Secretary, Department of the Interior, transmitting the revised Strategic Plan for the fiscal years 2003 to 2008, pursuant to the Government Performance and Results Act (GPRA); to the Committee on Government Reform.

4803. A letter from the Secretary, Department of the Treasury, transmitting the strategic plan for fiscal years 2003 through 2008 in compliance with the Government Performance and Results Act (GPRA); to the Committee on Government Reform.

4804. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled ''Comparative Analysis of Actual Cash Collections to Revised Revenue Estimates Through the 3rd Quarter of Fiscal Year 2003''; to the Committee on Government Reform.

4805. A letter from the Chairman, U.S. International Trade Commission, transmitting the sixteenth report in a series on The Impact of the Caribbean Basin Economic Recovery Act (CBERA), pursuant to 19 U.S.C. 2704; to the Committee on Ways and Means.

4806. A letter from the Chairman, United States International Trade Commission, transmitting the ninth annual report on the Andean Trade Preference Act (ATPA) entitled ''Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution,'' pursuant to 19 U.S.C. 3204; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BUYER:

H.R. 3330. A bill to amend title 36, United States Code, to amend the Federal charter of the United States Olympic Committee; to the Committee on the Judiciary.

By Ms. CARSON of Indiana (for herself, Mr. OWENS, Mr. LIPINSKI, Mrs.

NAPOLITANO, Mrs. JONES of Ohio, Mr. RYAN of Ohio, Mr. DAVIS of Illinois, Mr. HINCHEY, Mr. THOMPSON of Mississippi, Ms. LEE, and Mr. SANDERS):

H.R. 3331. A bill to amend the Consumer Credit Protection Act to protect consumers from unfair and deceptive practices by organizations providing debt counseling, debt consolidation, or debt settlement services, and for other purposes; to the Committee on Financial Services.

By Mr. BURTON of Indiana:

H.R. 3332. A bill to amend title XVIII of the Social Security Act to establish a safety net Medicare outpatient prescription drug program for indigent beneficiaries without other outpatient prescription drug coverage; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOYD:

H.R. 3333. A bill to exempt certain coastal barrier areas in Florida from limitations on Federal expenditures and financial assistance under the Coastal Barriers Resources Act, and limitations on flood insurance coverage under the National Flood Insurance Act of 1968; to the Committee on Resources, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT:

H.R. 3334. A bill to authorize the Secretary of the Interior to participate in the design and construction of the Riverside-Corona Feeder in cooperation with the Western Municipal Water District of Riverside, California; to the Committee on Resources.

By Mr. GILLMOR:

H.R. 3335. A bill to reduce the instances of releases from underground storage tanks by strengthening tank inspections, operator training, program enforcement, oxygenated fuel cleanup, and providing States greater Federal resources from the Leaking Underground Storage Tank Trust Fund; to the Committee on Energy and Commerce.

By Mr. GILLMOR:

H.R. 3336. A bill to clarify congressional approval of certain State energy production tax practices; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. SHAYS, Mr. MARSHALL, Mr. HASTINGS of Florida, Mr. GEORGE MILLER of California, Mr. HINCHEY, Mr. BLUMENAUER, Mr. MARKEY, Mr. FRANK of Massachusetts, and Mr. HOLT):

H.R. 3337. A bill to give livestock operators holding a grazing permit or lease on Federal lands in the State of Arizona the opportunity to relinquish their grazing permit or lease in exchange for compensation, and for other purposes; to the Committee on Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMEROY (for himself and Mr. OSBORNE):

H.R. 3338. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive to individuals teaching in elementary and secondary schools located in rural or high unemployment areas and to individuals who achieve certification from the National Board for Professional Teaching Standards, and for other purposes; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina (for himself, Mrs. TAUSCHER, Mr. TAYLOR of Mississippi, Mr. MCINTYRE, Mr. ISTOOK, Mr. MILLER of Florida, Mr. TIAHRT, and Ms. DEGETTE):

H.R. 3339. A bill to expand upon the Department of Defense Energy Efficiency Program required by section 317 of the National Defense Authorization Act of 2002 by authorizing the Secretary of Defense to enter into energy savings performance contracts, and for other purposes; to the Committee on Armed Services.

By Mr. FILNER:

H. Con. Res. 305. Concurrent resolution expressing the sense of Congress that Major League Baseball officials should select Monterrey, Mexico, to host 25 percent of the total number of Montreal Expos games in the 2004 season as a gesture of goodwill between the United States and Mexico; to the Committee on International Relations.

By Mr. RENZI (for himself, Ms. NORTON, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. JEFFERSON, Mr. PASTOR, Mr. MCINTYRE, Mr. MORAN of Virginia, Mr. BEREUTER, and Mr. FROST):

H. Con. Res. 306. Concurrent resolution honoring the service of Native American Indians in the United States Armed Forces; to the Committee on Armed Services.

By Mr. HOEKSTRA (for himself, Mr. ROGERS of Michigan, Mr. DINGELL, Mr. UPTON, Mr. CONYERS, Mr. CAMP, Mr. KILDEE, Mr. EHLERS, Mr. LEVIN, Mr. KNOLLENBERG, Mr. STUPAK, Mr. MCCOTTER, and Mrs. MILLER of Michigan):

H. Res. 405. A resolution commending Michigan State University President Peter McPherson for his service to his country and his significant contribution to the financial reconstruction of Iraq; to the Committee on Education and the Workforce.

By Mr. KING of New York:

H. Res. 406. A resolution recognizing the 10th anniversary of the dedication of the Vietnam Women's Memorial; to the Committee on Armed Services, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 34: Mr. BELL.

H.R. 65: Mr. JONES of North Carolina.

H.R. 97: Mr. JACKSON of Illinois.

H.R. 284: Mrs. JONES of Ohio.

H.R. 303: Mr. TOOMEY.

H.R. 331: Mr. FILNER.

H.R. 391: Mr. THORNBERRY.

H.R. 645: Mr. BISHOP of Utah, Mr. GORDON, and Mr. OTTER.

H.R. 664: Mr. SHERMAN.

H.R. 742: Mr. UDALL of Colorado, Ms. ROS-LEHTINEN, and Ms. GRANGER.

H.R. 764: Mrs. LOWEY, Ms. LORETTA SANCHEZ of California, Mr. TIERNEY, Mr. DICKS, Ms. LINDA T. SANCHEZ of California, Ms. ESHOO, Mr. BELL, and Mrs. TAUSCHER.

H.R. 791: Mr. REHBERG.

H.R. 806: Mr. LUCAS of Oklahoma and Mr. RYAN of Ohio.

H.R. 839: Mr. SWEENEY, Ms. BORDALLO, Mr. BELL, Mr. WAXMAN, and Mr. LANTOS.

H.R. 1155: Mr. CARDIN, Mr. LEVIN, and Mr. JACKSON of Illinois.

H.R. 1157: Mr. BALLANCE.

H.R. 1345: GRIJALVA, Mr. ACEVEDO-VILA, Mr. ROSS, and Mrs. MALONEY.

H.R. 1372: Mr. WU.

H.R. 1430: Mr. SCHIFF and Mr. PASTOR.

H.R. 1482: Ms. LOFGREN.

H.R. 1513: Ms. BERKLEY.

H.R. 1554: Mrs. DAVIS of California.

H.R. 1563: Mr. GEORGE MILLER of California and Mr. PRICE of North Carolina.

H.R. 1592: Mrs. JONES of Ohio and Mrs. MCCARTHY of New York.

H.R. 1662: Ms. HARRIS.

H.R. 1749: Mr. GOSS and Mr. LUCAS of Kentucky.

H.R. 1755: Mr. CRANE.

H.R. 1787: Mr. LUCAS of Kentucky, Mr. CASE, and Mr. COX.

H.R. 1860: Ms. SCHAKOWSKY.

H.R. 1910: Mr. CARDOZA, Mr. ACEVEDO-VILA, Ms. MCCARTHY of Missouri, Mr. GEPHARDT, Ms. ROS-LEHTINEN, and Ms. MAJETTE.

H.R. 1916: Mrs. JO ANN DAVIS of Virginia, Mr. WATT, and Mr. TIERNEY.

H.R. 1919: Mr. HOLDEN, Mr. HINCHEY, and Mr. RUPPERSBERGER.

H.R. 1924: Mrs. JONES of Ohio and Mr. MILLER of Florida.

H.R. 1943: Mr. BALLENGER, Mr. CASTLE, Mr. HOEKSTRA, Mr. STUPAK, and Mr. MCINTYRE.

H.R. 2021: Mr. MORAN of Virginia.

H.R. 2038: Mr. WYNN.

H.R. 2047: Mr. LEWIS of Georgia.

H.R. 2096: Mr. ISRAEL, Mr. SESSIONS, Mrs. MALONEY, Mr. DEMINT, Mr. LYNCH, Mr. WILSON of South Carolina, Mrs. MCCARTHY of New York, Mr. BAKER, Ms. DELAURO, Mr. GONZALEZ, and Mr. BURGESS.

H.R. 2131: Mr. PLATTS, Mr. DREIER, Mr. BURTON of Indiana, Mr. BROWN of South Carolina, Mr. COBLE, Mr. DOOLITTLE, Mrs. EMERSON, Mr. GUTKNECHT, Mr. LUCAS of Oklahoma, Mr. MORAN of Kansas, Mr. OTTER, Mr. PETERSON of Pennsylvania, Mr. POMBO, Mr. ABERCROMBIE, Mr. ACEVDO-VILA, Mr. BELL, Mr. CRAMER, Mr. CROWLEY, Mrs. DAVIS of California, Mr. ETHERIDGE, Mr. FARR, Mr. FILNER, Mr. GONZALEZ, Mr. HONDA, Mr. LAMPSON, Ms. MILLENDER-MCDONALD, Mr. ORTIZ, Mr. PASTOR, Mr. RODRIGUEZ, Mr. SANDLIN, Mr. SKELTON, Ms. SOLIS, Mr. BALLENGER, Mr. DUNCAN, Mr. EHLERS, Mr. FRELINGHUYSEN, Mr. JENKINS, Mrs. JOHNSON, of Connecticut, Mr. KINGSTON, Mr. LEWIS of Kentucky, Mr. OSE, Mr. ROGERS of Kentucky, Mr. SAXTON, Mr. SHAYS, Mr. SMITH of Texas, and Mr. WELDON of Pennsylvania.

H.R. 2203: Mr. MURPHY.

H.R. 2244: Mr. FRELINGHUYSEN.

H.R. 2246: Mr. RODRIGUEZ, Mr. ENGEL, and Mr. SPRATT.

H.R. 2255: Mr. LEACH.

H.R. 2262: Mr. RAHALL.

H.R. 2318: Mr. DEUTSCH.

H.R. 2366: Mr. MCGOVERN and Mr. DEFAZIO.

H.R. 2394: Ms. MCCOLLUM and Mr. LARSON of Connecticut.

H.R. 2402: Mr. MCDERMOTT.

H.R. 2517: Mr. WILSON of South Carolina.

H.R. 2519: Mr. PASCRELL and Mr. TIERNEY.

H.R. 2638: Mr. CANTOR.

H.R. 2694: Mr. FRELINGHUYSEN, Mr. DEAL of Georgia, and Ms. DEGETTE.

H.R. 2699: Mr. MCCRERY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BURNS, and Mr. CANTOR.

H.R. 2700: Mr. LYNCH and Mr. EMANUEL.

H.R. 2719: Mr. REHBERG.

H.R. 2720: Mr. REGULA, Mrs. KELLY, and Mr. OXLEY.

H.R. 2816: Mr. ACKERMAN.

H.R. 2883: Mr. PAYNE.

H.R. 2915: Mr. WALSH and Mr. KENNEDY of Rhode Island.

H.R. 2932: Mr. HONDA and Mr. SABO.

H.R. 2952: Mr. SHERMAN, Mr. ROTHMAN, Mr. DEFAZIO, and Mr. EMANUEL.

H.R. 2953: Ms. MCCARTHY of Missouri.

H.R. 3003: Mr. MCHUGH.

H.R. 3015: Mr. DEMINT, Mr. DAVIS of Illinois, Mrs. MUSGRAVE, Mr. BACHUS, and Mrs. BONO.

H.R. 3051: Mr. RYAN of Ohio, Ms. BERKLEY, Mr. TOWNS, Mr. GRIJALVA, Mr. MICHAUD, and Mr. REYES.

H.R. 3052: Mr. FOLEY.

H.R. 3069: Mr. DEMINT.

H.R. 3109: Mr. TIBERI.

H.R. 3122: Mr. MCHUGH.

H.R. 3125: Mr. CARTER.

H.R. 3130: Mr. HENSARLING.

H.R. 3160: Mr. TANNER.

H.R. 3190: Mr. BACHUS.

H.R. 3204: Mr. KANJORSKI, Mr. MCDERMOTT, Mr. HOLDEN, Mr. UPTON, Mr. WOLF, Mr. FROST, and Mr. GERLACH.

H.R. 3208: Mr. MEEKS of New York and Mr. RYUN of Kansas.

H.R. 3226: Mr. GRIJALVA and Mr. FROST.

H.R. 3228: Ms. ROS-LEHTINEN and Mr. WOLF.

H.R. 3235: Mr. JONES of North Carolina and Mrs. BLACKBURN.

H.R. 3237: Mrs. LOWEY and Ms. WOOLSEY.

H.R. 3242: Mr. HOUGHTON, Mr. ETHERIDGE, Mr. PASTOR, Mr. THOMPSON of Mississippi, and Mr. FOLEY.

H.R. 3243: Mr. GEORGE MILLER of California, Ms. ESHOO, Mr. GRIJALVA, Mrs. BONO, and Mr. FOLEY.

H.R. 3244: Mr. ETHERIDGE, Mr. CUMMINGS, Ms. WOOLSEY, and Mr. SCHIFF.

H.R. 3263: Mrs. WILSON of New Mexico, Mr. LAMPSON, Mr. PRICE of North Carolina, Mr. BOOZMAN, Mr. CUNNINGHAM, Mr. GOSS, Ms. HARRIS, Mr. GIBBONS, Mr. PLATTS, Mr. BROWN of South Carolina, Mr. COBLE, Mr. DOOLITTLE, Mr. LUCAS of Kentucky, Mr. MORAN of Kansas, Mr. OTTER, Mr. PETERSON of Pennsylvania, Mr. POMBO, Mr. ABERCROMBIE, Mr. ACEVEDO-VILA, Mr. BACA, Mr. BELL, Mr. CRAMER, Mr. CROWLEY, Mr. DAVIS of Florida, Mrs. DAVIS of California, Mr. ETHERIDGE, Mr. FARR, Mr. FILNER, Mr. FROST, Mr. GONZALEZ, Mr. HONDA, Mr. MCNULTY, Ms. MILLENDER-MCDONALD, Mr. ORTIZ, Mr. PASTOR, Mr. RODRIGUEZ, Mr. SANDLIN, Mr. SKELTON, Ms. SOLIS, Mr. WYNN, Mr. BALLENGER, Mr. DUNCAN, Mrs. EMERSON, Mr. FRELINGHUYSEN, Mr. JENKINS, Mrs. JOHNSON of Connecticut, Mr. KINGSTON, Mr. LEWIS of Kentucky, Mr. OSE, Mr. ROGERS of Kentucky, Mr. SAXTON, Mr. SHAYS, Mr. SMITH of Texas, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. PETRI, Mr. BURR, Mr. BURTON of Indiana, Mr. HAYWORTH, Mr. LINDER, Mr. DREIER, Mr. COOPER, Mr. COSTELLO, Mr. EVANS, Mr. LARSEN of Washington, Mr. LIPINSKI, Mr. MENENDEZ, and Ms. VELAZQUEZ.

H.R. 3270: Mr. WALSH.

H.R. 3276: Mr. ISRAEL, Mr. BERMAN, Mr. UDALL of Colorado, Mr. ALLEN, Mr. FROST, and Mr. RUSH.

H.R. 3276: Ms. WOOLSEY.

H.R. 3295: Mr. KANJORSKI.

H.R. 3306: Ms. LOFGREN.

H.R. 3323: Mr. PALLONE.

H.R. 3325: Mr. CASE and Ms. WOOLSEY.

H. Con. Res. 69: Ms. MCCOLLUM.

H. Con. Res. 87: Mr. GARY G. MILLER of California.

H. Con. Res. 126: Mrs. CUBIN.

H. Con. Res. 165: Mr. GARY G. MILLER of California.

H. Con. Res. 247: Mr. WAMP.

H. Con. Res. 266: Mr. ROGERS of Michigan.

H. Con. Res. 280: Mr. MARIO DIAZ-BALART of Florida, Ms. CORRINE BROWN of Florida, Mr. JANKLOW, and Mr. BUYER.

H. Con. Res. 285: Mr. WOLF, Mr. GOODE, and Mr. EHLERS.

H. Con. Res. 288: Mr. TIERNEY, Mr. LANTOS, Mr. CROWLEY, Mr. LEVIN, Mr. BERMAN, Mr. DAVIS of Florida, Mr. SANDLIN, Mr. RAHALL, Mr. PALLONE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FROST, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. WYNN, and Mrs. TAUSCHER.

H. Con. Res. 292: Ms. CARSON of Indiana, Mr. ACKERMAN, Mr. BAIRD, Ms. KAPTUR, and Mr. MURPHY.

H. Res. 38: Mr. MCNULTY.

H. Res. 300: Mr. FLETCHER and Mr. DEMINT.

H. Res. 307: Mrs. DAVIS of California, Mr. ANDREWS, Mr. KUCINICH, and Mr. NADLER.

H. Res. 387: Mr. BERMAN, Mr. MCDERMOTT, Mr. MEEKS of New York, Mr. KENNEDY of Rhode Island, Mr. HOLDEN, Mr. HOEFFEL, Ms. LOFGREN, Ms. DELAURO, Mr. EHLERS, Mr. HONDA, Mr. RYAN of Ohio, Mr. KILDEE, Ms. MILLENDER-MCDONALD, and Mr. WYNN.

H. Res. 400: Mr. HYDE, Mr. SENSENBRENNER, Mr. FOLEY, Ms. BORDALLO, Mr. ANDREWS, Mr. LAMPSON, Mr. MURPHY, Mr. DUNCAN, Mr. KENNEDY of Minnesota, Ms. ROS-LEHTINEN, Mr. GRIJALVA, Mr. JOHN, Mr. QUINN, Mr. REYES, Mr. KING of New York, Mr. HOLDEN, Mr. ALEXANDER, Mr. CAMP, Mr. RENZI, and Mr. WOLF.

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PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, FRIDAY, OCTOBER 17, 2003 No. 146

Senate

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

PRAYER

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

Let us pray.

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

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

We pray this in Your holy name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will be proceeding immediately to a series of stacked votes on some of the pending amendments to the Iraq-Afghanistan supplemental. Last night, we were able to reach an agreement which has put us in a position to finish this bill today. Following the early sequence of votes, the chairman will be working on either clearing or scheduling for votes the other pending amendments.

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

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

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

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

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

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

RESERVATION OF LEADER TIME

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

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

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

The legislative clerk read as follows:

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

Pending:

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

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

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

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

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

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

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

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

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

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

AMENDMENT NO. 1837

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

The Senator from Alaska.

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

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

The PRESIDING OFFICER. The Senator from Illinois.

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

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

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

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

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

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

The legislative clerk called the roll.

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

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

[Rollcall Vote No. 390 Leg.]

YEAS—96

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

NAYS—3

Inhofe Kyl Nickles

NOT VOTING—1

Lieberman

The amendment (No. 1837) was agreed to.

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

The motion to lay on the table was agreed to.

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

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

AMENDMENT NO. 1854

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

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

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

The PRESIDING OFFICER. The Senator from South Dakota.

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

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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

The assistant legislative clerk called the roll.

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

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

[Rollcall Vote No. 391 Leg.]

YEAS—55

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

NAYS—44

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

NOT VOTING—1

Lieberman

The motion was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senate will be in order.

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

The next amendment is the Landrieu amendment.

AMENDMENT NO. 1859

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

The Senator from Alaska is recognized.

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

This amendment states that no further funds will be committed for reconstruction beyond those in the underlying bill; all future reconstruction funds must come from revenues from Iraqi oil production.

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

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

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

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

Ms. LANDRIEU. I thank the Chair.

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

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

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

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

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

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

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

I yield the floor.

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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

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

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

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

[Rollcall Vote No. 392 Leg.]

YEAS—52

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

NAYS—47

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

NOT VOTING—1

Lieberman

The motion was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1843

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

The Senator from Alaska.

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

The PRESIDING OFFICER. The Senator from California.

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

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

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

The assistant legislative clerk called the roll.

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

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

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

[Rollcall Vote No. 393 Leg.]

YEAS—99

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

NOT VOTING—1

Lieberman

The amendment (No. 1843) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1879

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

The Senator from Illinois.

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

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

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

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

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

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

The Senator from Mississippi.

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

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

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

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

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

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

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

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

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

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

Sincerely,

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

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

The PRESIDING OFFICER. Is there a sufficient second?

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

The legislative clerk called the roll.

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

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

[Rollcall Vote No. 394 Leg.]

YEAS—56

Alexander	Bennett	Breaux
Allard	Biden	Brownback
Allen	Bond	Bunning

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

NAYS—43

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

NOT VOTING—1

Lieberman

The motion was agreed to.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Without objection, it is so ordered.

AMENDMENT NO. 1882

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

The PRESIDING OFFICER. The amendment is pending.

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

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

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

Mr. CORZINE. I would presume 10 minutes.

Mr. REID. Ten minutes.

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

The PRESIDING OFFICER. Is there objection?

Mr. REID. No objection.

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

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

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

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

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

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

Mr. REID. You have your 10 minutes.

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

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

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

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

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

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

Mr. REID. Byrd-Durbin amendment.

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

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

The PRESIDING OFFICER. Is there objection?

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

The PRESIDING OFFICER. That is correct.

Without objection, it is so ordered.

AMENDMENT NO. 1882

The PRESIDING OFFICER. Who yields time?

The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise to express my very strong opposition to the Corzine amendment, not in terms of intent but in terms of substance.

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

The PRESIDING OFFICER. The Senator from Georgia.

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

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

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

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

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

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

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

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

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

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

So I urge my colleagues to vote against this amendment.

The PRESIDING OFFICER. The Senator from Kansas.

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

The PRESIDING OFFICER. The Senator from Mississippi.

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

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

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

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

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

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

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

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

Mr. ROBERTS. Mr. President, may I inquire of the Senator from New Jersey if he would like to respond on his time or what his plans are? I have several speakers. I did not want to dominate the discussion.

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

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

The PRESIDING OFFICER. The Senator from Virginia.

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from West Virginia.

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

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

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

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

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

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

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

The PRESIDING OFFICER. Who yields time?

The Senator from Kansas.

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. That is correct.

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

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

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. How much time do I have?

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

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

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

My opposition to this amendment is simple. I disagree with its underlying principle that Congress somehow is incapable of thorough, independent, and nonpartisan analysis of the prewar intelligence on Iraq. As I address you today, the professional staff, 10 of them, of the Senate Intelligence Committee are diligently conducting the very review this amendment now seeks. Working together, as has been indicated by the distinguished vice chairman, Senator ROCKEFELLER and I have broadly framed the mandate for the committee's review. Our efforts have focused on the following: The quantity and quality of U.S. intelligence concerning Iraqi WMD programs; Iraq's ties to terrorist groups; the regime's human rights violations; and the effect of Saddam Hussein on regional stability. Secondly, the objectivity, the reasonableness, the independence, and accuracy of the judgments of the intelligence community—whether those judgments were properly disseminated to policymakers; and finally, whether inappropriate pressure regarding politics was brought to bear on intelligence analysts.

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

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

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

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

I have also invited all Members of this body who are interested in prewar Iraq intelligence to seek answers to their questions from the committee. I renew that invitation to Senator CORZINE. Come on down; take a look at our committee's work. Our staff can direct you to the information that will answer every question set forth in your amendment. I remind the Senator that ours is not the only review of the intelligence community's performance. The able members of the House Intelligence Committee have conducted their review. The President's Foreign Intelligence Advisory Board is examining the topic. The State Department and the CIA have carefully examined the Niger uranium issue. This list doesn't include the efforts of the 9/11 Commission, the joint inquiry of the congressional intelligence committees, and the efforts of the other congressional committees. All told, over 40 Members of Congress, numerous professional staff, and countless career and nonpolitical employees of the executive branch will have looked into this topic. We don't need another 12 members to duplicate that effort.

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

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

How much time do I have?

The PRESIDING OFFICER. The Senator has 4½ minutes remaining.

The Senator from New Jersey is recognized.

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

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

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

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

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

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

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

He said:

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

I just believe there are enough questions in the public's mind, and they grow incrementally all the time, that it is time for us to have an independent view of this matter. That in no way is undermining what is going on in the Intelligence Committee. It builds on it. That is the purpose. That is certainly where I come from. That is the argument I have tried to make and I will continue to make.

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

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

I yield to my distinguished colleague from New York.

The PRESIDING OFFICER. The Senator from New York.

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

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

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

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

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

To say that a 10-staff-member group that has been thoroughly involved in intelligence matters cannot add much perspective is totally wrong, but just as much, to say that a new commission of fresh blood with a new look at the matter might come to some different conclusions than that 10-member staff is equally totally wrong and hurts America.

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

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

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

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

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

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

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

The PRESIDING OFFICER. Is there objection?

The assistant minority leader.

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

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

Mr. STEVENS. I withdraw the request.

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from New York.

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

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

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

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

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

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

Mr. ROBERTS. I thought there was granted—

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

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

The PRESIDING OFFICER. That is correct.

Mr. ROBERTS. Mr. President, I ask unanimous consent for an additional 2 minutes so I may conclude my remarks and also yield to the distinguished Senator from Missouri for 2 minutes.

The PRESIDING OFFICER. Is there objection?

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

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

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

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

Mr. CORZINE. I have no objection.

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

The Senator from West Virginia now controls 2½ minutes.

Who yields time?

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

The PRESIDING OFFICER. The Senator from West Virginia.

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

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

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

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

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

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

Who yields time?

Mr. CORZINE. How much time remains?

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

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

The PRESIDING OFFICER. The Senator from Illinois.

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

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

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

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

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

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

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

Who yields time?

The Senator from New Jersey.

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

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

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

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

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

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

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

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

Who yields time?

The Senator from New Jersey.

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

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

This amendment underscores a commitment to support the ongoing congressional reviews regarding the collection and analysis of data. It is not to undermine it. We all have tremendous faith in the chairman and the ranking member of the Intelligence Committee, but this is to restore the confidence of the American people, to restore the confidence of all of us who have to use the information to draw the conclusions that are necessary as to whether we are going to put men and women in harm's way.

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Missouri.

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

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

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

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

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

Sandy Berger, National Security Adviser, same day:

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

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

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

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

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

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

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

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

I urge my colleagues to oppose this amendment.

How much time do I have?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

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

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

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

Regretfully, I must oppose this amendment.

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

the question is on agreeing to the amendment.

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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

The legislative clerk called the roll.

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

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

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

[Rollcall Vote No. 395 Leg.]

YEAS—67

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

NAYS—32

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

NOT VOTING—1

Lieberman

The motion was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1884 TO AMENDMENT NO. 1819

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

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

The legislative clerk read as follows:

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

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

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

The amendment is as follows:

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

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

SEC. 3002. Notwithstanding section 3001 of this Act, all of the amounts provided in section 3003 of this Act, excluding amounts contained in subsections (j), (k), (1) and (m) of section 3003 of this Act, are designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress).

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

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

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

''Operation and Maintenance, Army'', $66,600,000;

''Operation and Maintenance, Navy'', $118,400,000;

''Operation and Maintenance, Marine Corps'', $9,200,000;

''Operation and Maintenance, Air Force'', $166,900,000; and

''Other Procurement, Air Force'', $2,200,000.

(c) For an additional amount for ''Military Construction, Army'', $65,200,000, to remain available until September 30, 2008, to be used only to repair facilities damaged by Hurricane Isabel at Fort Monroe, Virginia: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

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

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

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

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

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

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

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

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

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

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

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

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

(n) The entire amount in:

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

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

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

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

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

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

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

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

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

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

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

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

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

According to the Congressional Research Service, if we purchased those petroleum products at market prices, it would cost $704 million. I wonder who is profiting from this sweetheart deal at the U.S. taxpayers' expense. And that is to say nothing about the billions of dollars being requested to upgrade the transportation, water, and energy sectors of the Iraq economy to levels not seen in decades.

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

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

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

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

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

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

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

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

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

effort to shut down Iraq's weapons dumps.

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

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

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

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

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

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

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

The President's budget request includes just $799 million for relief and reconstruction in Afghanistan. This is not enough. The situation in Afghanistan appears to be deteriorating as the Taliban shows signs of reconstituting itself. The House Appropriations Committee allocated an additional $375 million to speed up the reconstruction efforts in Afghanistan. The Senate should do no less. So this amendment adds $386 million for Afghanistan.

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. MCCAIN. I am glad to yield.

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

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

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

As the Senator from Virginia said, it could increase the casualties and risks to the American men and women fighting there. I am sure that that is not the intent of the Senator from West Virginia. So I hope we can dispense with this amendment rapidly. I do believe that in the upcoming weeks and months we will be examining our programs and progress. There are numerous amendments that require auditing by the GAO. They require reporting as to how money is expended. There are numerous requirements included in this legislation, both in its original form and through amendments.

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

The PRESIDING OFFICER. The Senator from Delaware is recognized.

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

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

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

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

I can tell you, having been the first Senator to go over there, that it will enhance them. If you give them a choice of whether they agree with Senator BYRD and me, that we should redirect the money from garbage trucks to securing those stockpiles of weapons, I guarantee what they will say.

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

Mr. BIDEN. Sure.

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

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

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

Mr. BIDEN. I am happy to respond.

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

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

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

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

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

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

The best-preserved missile, the 15-footer, appeared to be another Exocet—

Et cetera, et cetera.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In addition to that, as my friend from Virginia remembers, we sat in a leadership meeting with the three leading Iraqi members of the council from Iraq. We asked them: Did anybody vet this with you? He will remember, they said no.

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

They said no.

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

That is what they said.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Now I hope I can answer some of the questions my friend from Arizona raised. First, we have redirected $600 million in savings to the Army to accelerate securing and destruction of Iraqi's vast stockpiles of conventional weapons.

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

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

[From the New York Times, Oct. 17, 2003.]

AT IRAQI DEPOT, MISSILES GALORE AND NO GUARDS

(By Raymond Bonner and Ian Fisher)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Continuing:

And it is all not securable.

He goes on to say:

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

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

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

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

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

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

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

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

A story last Wednesday in the New York Times:

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

They related that coalition soldiers—that is basically American soldiers, although there are brave Poles and brave Brits, but we are the bulk of it—have been unable to locate possibly hundreds of shoulder-fired missiles, which as all of us who pay a lot of attention to what is going on in Iraq know is why the Baghdad Airport is not open.

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

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

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

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

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

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

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

Now, why Afghanistan? Look, there are bookends around a little country called Iran, with 40 million people, which is seeking a nuclear weapon. It is now run by an oligarchy made up of ayatollahs who control the military and all the security apparatus. You have a failed state on your east and a failed state on your west. You have an incredibly emboldened Iran. Kiss goodbye modernity—the fancy word we like to use for modernizing the Arab world. Kiss goodbye democracy.

We cannot afford to let Afghanistan fail.

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

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

Mr. WARNER. Will my colleague yield?

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

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

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

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

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

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

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

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

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

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

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

We also increase schools.

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

President Karzai says: Help me.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sickness and hunger have affected much of the population.

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

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

We are saying that the Congress, based on priorities, sends the wrong message with $1.5 billion of the $20 billion. That is an oversight responsibility of the Congress, whether it is Iraq, whether it is a missile system, or whether it is a leave-no-child-behind proposal for education.

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

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

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

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

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

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

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

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

Mr. BIDEN. I will be very brief.

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

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

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

We have taken a long time here. Our colleagues are getting restless in their offices all over the Capitol. I don't want to continue this. We have a difference of opinion as to this amendment and to how the money should be spent. But to take money from Iraq and send it to Fort Monroe, VA, which is a worthy cause, is not appropriate for the way this bill was designed.

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

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

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

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

Mr. BIDEN. Absolutely.

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

Mr. BIDEN. Agreed. Agreed.

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

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

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

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

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

I also point out the military said there is no explanation for why Saddam would have these caches all over the country. I suggest we look to history. It is for the same reason Tito had the same kind of caches all over the former Yugoslavia. He trusted no one anywhere, and he wanted to be certain that if he was ever deposed or moved, he would have access to a cache sufficient to keep him in the game. That is why it is done. Read history.

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

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

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

I yield the floor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Many Afghans remain displaced, living in squalor. They have too little to eat, not enough fuel for the winter, and many tens of thousands remain homeless.

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

The crop of opium poppy is the largest in years.

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

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

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

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

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

I thank the Senator from West Virginia for his amendment.

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

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

The PRESIDING OFFICER. Is there objection?

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

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

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

Mr. REID. Maybe afterwards.

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

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

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

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

Without objection, it is so ordered.

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

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

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

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

Mr. STEVENS. Senator BYRD still has time.

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

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

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The legislative clerk called the roll.

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

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

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

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

[Rollcall Vote No. 396 Leg.]

YEAS—51

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

NAYS—47

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

NOT VOTING—2

Domenici	Lieberman

The motion was agreed to.

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

The motion to lay on the table was agreed to.

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

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

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

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

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

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Reserving the right to object.

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

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

Mr. LEAHY. Reserving the right to object.

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

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

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

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

The PRESIDING OFFICER. The Senator from Vermont is correct.

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

The PRESIDING OFFICER. Is there objection?

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

Is there objection to the unanimous consent request?

Mr. BOND. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Missouri.

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

Mr. STEVENS. I have not.

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

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

The PRESIDING OFFICER. The request is withdrawn.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

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

Mr. STEVENS. Senator BYRD is first in line.

AMENDMENT NO. 1886

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

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

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

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

The amendment is as follows:

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

At the end of title I, add the following:

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

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I thank the Chair.

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

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

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

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

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

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

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

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Alaska.

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

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, we have addressed this matter before. I think all of us are concerned about the time that has been taken up with the National Guard and Reserve being deployed overseas. This, however, is what they signed up for. We are in a war on terrorism. The war in Afghanistan and the war in Iraq are very important and critical elements in that war. We believe the Defense Department has to be more concerned about the time the Guard and Reserve are deployed. There is no question it causes strain on the families and causes strain on employment opportunities.

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

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

I yield to the Senator from Alaska.

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

The PRESIDING OFFICER. There are 2½ minutes remaining.

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

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

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

How much time remains?

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

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

The PRESIDING OFFICER. The Senator from Virginia.

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

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

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

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

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

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

I yield back the remainder of my time.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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

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

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

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

Mr. REID. Would the Senator yield?

Mr. STEVENS. Yes.

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

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

Mr. REID. That was not the agreement.

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

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

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

The PRESIDING OFFICER. Objection is heard.

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

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

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

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

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

[Rollcall Vote No. 397 Leg.]

YEAS—82

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

NAYS—15

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

NOT VOTING—3

Alexander	Domenici	Lieberman

The motion was agreed to.

Mr. STEVENS. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1887

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

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

The clerk will report the amendment.

The legislative clerk read as follows:

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

The amendment is as follows:

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Alaska.

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

Mr. WYDEN. Yes.

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

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

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

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

The PRESIDING OFFICER. All time is yielded back.

Without objection, the amendment is agreed to.

The amendment (No. 1887) was agreed to.

Mr. STEVENS. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

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

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

Mr. BYRD. Yes.

Mr. STEVENS. I thank the Senator.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 1888

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

Mr. STEVENS. Which amendment is that?

Mr. BYRD. No. 1888.

Mr. STEVENS. Very well.

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

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

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

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

The amendment is as follows:

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

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

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

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

On page 15, strike Section 312;

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

On page 27 of the supplemental bill it reads:

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

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

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

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

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

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

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

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

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

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

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

Here is what it does. Here is what it does to the bill. It tears it up. The President can just reallocate it. The heck with the bill.

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

Mr. BYRD. Yes.

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

Mr. BYRD. Yes.

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

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

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

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

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

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

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

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

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

Mr. BYRD. Very well.

I hope the Senate will support my amendment.

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

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

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

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

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

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

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

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

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

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

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

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

Moreover, this new authority is completely unnecessary.

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

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

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

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

Let's not go down that road again.

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

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

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

The PRESIDING OFFICER. The Senator from Alaska.

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

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

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

Madam President, has all time been yielded back?

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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

The legislative clerk called the roll.

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

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

Mr. REID, I announce tha the Senator from Massachusetts (Mr. KERRY) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

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

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

The result was announced—yeas 49, nays 46, as follows:

[Rollcall Vote No. 398 Leg.]

YEAS—49

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

NAYS—46

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

NOT VOTING—5

Alexander	Kerry	Lott
Domenici	Lieberman	

The motion was agreed to.

Mr. STEVENS. Madam President, if I can have the attention of Senators, I have three amendments we have worked out. We have one more to work out. I ask unanimous consent that there be 1 minute for Senator BOXER and 1 minute for Senator SCHUMER to explain the modification of their amendment, which we will accept. I have a statement to make with Senator DOMENICI on his amendment. Senator BROWNBACK has his amendment. He has agreed to limit his remarks to 8 minutes, and we have 5 minutes if we want to use them after that.

I remind the Senate, after these amendments are handled, there will just be one more vote. We then have to proceed to a vote on final passage. I understand there are some Senators who wish to make a statement before final passage.

Mr. REID. Will the Senator yield?

The Senator from Florida, Mr. GRAHAM, was going to speak. He has now indicated he will very briefly address the Senate and make his speech after the passage of the bill—I assume passage. Senator BYRD is going to speak for up to 25 minutes.

Mr. STEVENS. Before passage?

Mr. REID. Before passage. We are still working with Senator LEAHY on our side.

Mrs. BOXER. Will the Senator yield?

Mr. STEVENS. After those speeches, there still will be a vote on final passage.

AMENDMENTS NOS. 1807, AS FURTHER MODIFIED, 1850, AS MODIFIED, AND 1860, AS MODIFIED, EN BLOC

Mr. STEVENS. Madam President, I send to the desk three amendments

that have been cleared by both sides: Senator LEAHY's amendment No. 1807, which is on the list; Senator CLINTON's amendment which is amendment No. 1850, which is on the list; and Senator HARKIN's amendment which is amendment No. 1860. Two of them are modified. I ask that they be modified and presented to the Senate so we may call them up en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered en bloc and agreed to en bloc.

The amendments were agreed to, as follows:

AMENDMENT NO. 1807, AS MODIFIED

(Purpose: An amendment, with offsets, to provide emergency assistance to the people of Liberia)

On page 29, line 17, strike ''$100,000,000, to remain available until expended'' and insert ''$200,000,000, which shall be made available for assistance for Liberia of which $100,000,000 shall be derived by transfer from funds appropriated under any other heading of this Chapter''

On page 29, line 18, after ''heading'' insert '', shall remain available until expended, and''

(Purpose: To provide for an audit of funds appropriated under this Act by the General Accounting Office, and for other purposes)

On page 28, line 15, before the period, insert the following: *Provided further,* That funds appropriated under this heading shall be made available to the General Accounting Office for an audit of all funds appropriated under this Act, including tracking the expenditure of appropriated funds, a comparison of the amounts appropriated under this Act to the amount actually expended, and a determination of whether the funds appropriated in this Act are expended as intended by Congress.

AMENDMENT NO. 1860, AS MODIFIED

(Purpose: to provide up to $13,000,000 for conflict resolution, rule of law and democracy activities)

On page 28, line 15, insert before the period: : *Provided further,* That of the funds appropriated under this heading, up to $13,000,000 may be made available to facilitate inter-ethnic and inter-religious dialogue, conflict resolution activities, support rule of law programs, and train Iraqi leaders in democratic principles.

Mr. LEAHY. Mr. President, let me take a very short time to summarize what amendment No. 1807 does. This is a very important amendment offered by myself and the Senator from Rhode Island.

The Chafee-Leahy amendment is supported by the Archbishop of Monrovia. A man, who for years, stood up to the brutal regime of Charles Taylor.

It provides $200 million to address basic needs—food, water, shelter—of the people of Liberia. There is a humanitarian emergency in that country, as 74% of Liberians lack access to safe drinking water, 60 percent lack access to acceptable sanitation, and 75 percent live in poverty.

The administration's own number for Liberia is $200 million. In testimony before the House, the top Africa official at the State Department said the U.S. needed $200 million to address this crisis.

The amendment is extremely flexible. It allows the administration to spend these funds virtually any way it wants, including humanitarian, reconstruction, long-term development, or security assistance.

The amendment is fully offset. It does not add a dime to the Iraq supplemental.

Relief groups with operations in Liberia strongly support this amendment. Catholic Relief Services, Amnesty International and a range of other NGOs strongly support this amendment.

Mr. President, I want to thank the cosponsors of this amendment Senators COLEMAN, BIDEN, LIEBERMAN, DASHLE, REID, FEINGOLD, REED, LAUTENBERG, LANDRIEU, and JEFFORDS.

I especially want to thank the chairman of the Appropriations Committee for working with me on this amendment. This amendment will be adopted, and I will not insist on a rollcall vote. This is a very important amendment and I am glad that the Senate has acted decisively to approve it.

Mr. HARKIN. Mr. President, I thank the managers of the bill for accepting my amendment, directing that $13 million of the relief and reconstruction funds in the bill may be used to facilitate inter-ethnic and inter-religious dialog, conflict resolution activities, support rule-of-law programs and train Iraqi leaders in democratic principles. In my view, the United States Institute of Peace is uniquely qualified to undertake these activities.

We have been debating the President's request for $87 billion in supplemental funds for Iraq and Afghanistan. At times, it has seemed that we in the Senate agree on very little. But there is one goal that I believe every Senator strongly endorses: We all want to bring our American troops home from Afghanistan and Iraq as soon as possible.

Without so much as batting an eye, we appropriate billions for war, billions for weapons, and billions for post-war reconstruction. Meanwhile, it seems that we overlook one key activity—conflict resolution and peacemaking. Conflict resolution and peacemaking must be addressed specifically and not simply as a by-product or hoped for outcome of rebuilding roads and repairing infrastructure.

The U.S. Government has one agency that can help to reduce conflict, build democratic institutions, and even assist in the drafting of the new Iraqi constitution—all prerequisites to bringing our troops home sooner rather than later. I am talking about the United States Institute of Peace. This institute has a proven track record of accomplishing those prerequisites which I just mentioned.

I am going to take a few minutes to explain the origins of the United States Institute of Peace because I am concerned that very few Americans know about this institute and its remarkable work.

Throughout our long history, America has been proud of its strong, well-led military. And this outstanding military leadership is no accident. It is possible because we maintain prestigious, world-class military academies which train some of the best and brightest minds in America in the art and science of war.

But Americans also have a long history as a peace-loving people. Time and again, we have brokered peace between warring nations, and we have intervened to head off potential conflicts. The Institute of Peace draws on this proud tradition, and today makes a vital intellectual investment in the art and science of peacemaking.

Today's Institute of Peace is the fruit of a dream and vision that goes back to our Nation's Founders. Benjamin Banneker, often called ''the first black American man of science,'' and physician Benjamin Rush, a signer of the Declaration of Independence, noted and lamented the Constitution's failure to establish a Department of Peace to balance the Department of War. In their correspondence with Thomas Jefferson in 1792, Banneker and Rush envisioned a ''Peace Office'' which would be on an equal footing with the Department of War and would be charged with promoting and preserving perpetual peace in the United States.

George Washington also supported the establishment of a Peace Office. And his support was not just casual. He believed that such an office should be an essential pillar of the new Nation. When he died in 1799, Washington's last will and testament bequeathed in perpetuity 50 acres in Potomac County to be used ''toward the endowment of a university—under the auspices of the general Government.'' This bequest was intended to make possible the proper ''Peace Establishment'' that President Washington had written about as early as 1783.

More recently, in a 1980 report by the Matsunaga Commission strongly recommended the establishment of the United States Academy of Peace. In the course of more than 70 meetings and hearings all across the United States, Senator Matsunaga of Hawaii and other Senators surveyed the full range of threats to world peace, and explored ways to counter those threats.

After much thoughtful debate a compromise was reached and the United States Institute of Peace Act was passed and signed into law by President Ronald Reagan in 1984. A board was installed and the Institute's first meeting was held in February 1986. Since that time, the Institute has done remarkable work in such disparate nations as Afghanistan and Korea, Bosnia and the Philippines.

Today, at the direction of Congress, the Institute actively pursues six interrelated activities:

Expanding society's knowledge about the changing nature and conduct of international relations and the management of international conflict;

Supporting policymakers in the legislative and executive branches;

Facilitating the resolution of international disputes;

Training international affairs professionals from the United States and abroad in conflict prevention, management, and resolution techniques;

Strengthening the education of emerging generations of young people in the United States and in foreign zones of conflict;

Increasing public understanding about the nature of international conflicts, as well as approaches to their prevention, management, and resolution.

I also want to stress that in accord with the agency's enabling legislation, the Institute of Peace does not advocate specific policies, nor does it take policy positions.

In recent years, the Institute has pursued several special initiatives that I believe are particularly noteworthy and germane to our debate on the Iraq supplemental bill.

I especially want to highlight the Institute's work in Bosnia. After the Dayton Accords of 1995, the Institute activated the Bosnian Inter-religious Council, which now provides a model for reconciliation among Bosnia's Muslim, Catholic, Serb and Jewish communities. The Institute worked on the ground in both Bosnia and Washington addressing contentious issues such as rule of law, peace agreements, political restructuring, and the role of religion in conflict.

I would also cite the Institute's Special Initiative on the Muslim World, which addresses a broad range of political, social, cultural, and religious issues—many of which are acutely relevant in the wake of the September 11 terrorist attacks.

At the same time, the Institute's Religion and Peacemaking Initiative is doing excellent work enhancing the capacity of faith communities to be forces for peace.

In another example of the Institute's work with a Muslim community, in May 2003 the administration asked the Institute of Peace to play a facilitating role in peace talks between the government of the Republic of the Philippines and the Moro Islamic Liberation Front. A team from the Institute visited the Philippines in August. And in meetings I conducted just 2 days ago, I learned that significant progress is being made.

In Afghanistan the institute, through its role of law program, has participated in efforts to reconstruct the judicial system. USIP was the originator of the concept to establish a judicial commission. The institute is also working on the integration of new judicial system with traditional Afghani legal practice.

The Institute stands alone among U.S. agencies in these efforts to work with the international Muslim community. Based on the Institute's brilliant work in other Muslim countries, I believe that it can play an especially constructive role in Iraq. In particular, it will take a lead role in building up Iraq's civil society, and in nurturing Iraq's fledgling democratic institutions.

With adequate funding, the Institute wants to go to Iraq to facilitate inter-ethnic and inter-religious dialogue among community, political and civic-society leaders. One of the biggest threats to our reconstruction effort in Iraq is the possibility that full-fledged fighting could break out between religious and ethnic communities. The Institute can play a vital role in preventing this. The Institute also will work to establish the rule of law by supporting the constitution-writing process and designing a framework for bringing to justice leaders of the former dictatorial regime. So, exactly as envisioned by our Nation's founders, the United States Institute of Peace is playing a vital role in restoring and strengthening peace around the world—and now, in particular, in Iraq. As I said, this is the key to bringing our troops home soon, with their mission truly accomplished.

I am pleased that we have allocated $13 million for conflict resolution and peacemaking in Iraq. In order to adequately fund the Institute's work in Iraq the Institute needs only one hundredth of one percent of the President's total request. Surely this is not too high a price to pay for ''making peace.''

Time and again in recent years—including in Iraq—our Nation has shown that it is brilliant at winning wars. But time and again, we have had difficulty winning the peace. As we continue to increase funding for the Department of Defense by tens of billions of dollars each year, we must also be generous in our support and funding for this all-important agency, the United States Institute of Peace.

Mr. REID. Madam President, through the Chair to the Senator from Alaska, Senator SCHUMER does not wish any time.

Mr. STEVENS. Very well.

Mr. REID. I ask that that be stricken.

Mr. STEVENS. Does Senator BOXER wish her time?

Mr. REID. Yes, she does.

Mr. STEVENS. I yield to Senator BOXER.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 1845, AS MODIFIED

Mrs. BOXER. Madam President, I thank Senator STEVENS for helping me on this amendment, and I thank Senator COCHRAN as well.

Senator SCHUMER and I have been very concerned about the threat of shoulder-fired missiles to American commercial aircraft. What we have found out is that there are a number of planes—about 900 planes—that are also used in the civil reserve air fleet, meaning that many times our military will ask a commercial company, such as United Airlines or USAir, to make planes available for our armed services personnel. We simply say in this amendment that when countermeasures are placed on commercial aircraft, the first priority will be those planes.

To conclude, all we are saying in this amendment is when we do start to make sure that our commercial aircraft are protected from shoulder-fired missiles and we place those defenses on those commercial aircraft, the first priority will be the civil air reserve fleet because, again, that entails protecting our men and women in uniform.

I again thank everyone. Madam President, is this going into the managers' package, I ask Senator STEVENS, or do we need a separate vote on it?

Mr. STEVENS. Madam President, I send to the desk amendment No. 1845, as modified, the one Senator BOXER just described, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself, Mr. SCHUMER, and Mr. LAUTENBERG, proposes an amendment numbered 1845, as modified.

The amendment, as modified, is as follows:

(a) FINDINGS.—The Senate finds that—

(1) In May 2002, the Federal Bureau of Investigation issued a warning to law enforcement personnel to be alert to the potential use of shoulder-fired missiles against U.S. aircraft;

(2) In May 2002, al-Qaeda was suspected of firing a shoulder-fired missile at U.S. military aircraft near Prince Sultan Air Base in Saudi Arabia;

(3) In November 2002, an Israeli commercial jetliner was fired upon by a shoulder-fired missile shortly after take-off in Mombasa, Kenya;

(4) In August 2003, a weapons smuggler was arrested after agreeing to sell a Russian SA–18 to an undercover FBI agent posing as a Muslim extremist;

(5) During recent operations in Iraq, U.S. commercial airlines—as part of the Civil Reserve Air Fleet (CRAF)—flew nearly 2,000 flights carrying U.S. troops and supplies into Kuwait, Saudi Arabia, the United Arab Emirates, Qatar, and Bahrain;

(6) No U.S. commercial airliners are currently equipped with defenses against shoulder-fired missiles.

(b) PRIORITIZATION.—

When counter measures against the threat of shoulder-fired missiles are deployed, the Secretary of Homeland Security, in conjunction with the Secretary of Defense and the Secretary of Transportation, shall make it a priority to equip the aircraft enrolled in the Civil Reserve Air Fleet.

The PRESIDING OFFICER. Is there further debate?

Mrs. BOXER. Madam President, what is the modification? I thought we had agreed on this amendment.

Mr. STEVENS. It is the one the Senator sent to us.

Mrs. BOXER. It is the same one. Absolutely. I just ask that we do this by voice vote and get this done.

Mr. STEVENS. That is what we seek to do.

Mrs. BOXER. Mr. President, during the recent operations in Iraq, and as recently as this June, U.S. commercial airliners, such as Delta and U.S. Airways, flew nearly 2,000 flights carrying

U.S. troops and supplies into Kuwait, Saudi Arabia, the United Arab Emirates, Qatar, and Bahrain.

Unlike U.S. military transport aircraft, such as the C–17, none of these commercial jets were equipped with defenses against shoulder-fired missiles.

Yet these aircraft, known as the civil reserve air fleet, CRAF, are contractually obligated to support Department of Defense airlift requirements during times of emergency, when the need of airlift exceeds the capability of military aircraft. Civil reserve air fleet carriers must make aircraft available for the start of assigned missions within 24 hours after callup when stages I or II are activated and within 48 hours when stage III is activated.

These constitute our most vulnerable aircraft. They land in areas that are highly volatile, where we know terrorists groups operate, where we know they have shoulder-fired missiles, and where they have attempted to use them.

The bottom line is, it is only a matter of time before terrorist succeed in bringing down a commercial airplane with a shoulder-fired missile. We cannot afford for our luck to run out.

The administration has presented a plan that would fail to equip any aircraft until fiscal year 2006, at the earliest. We need to move faster. Thousands of these weapons are in the hands of terrorists all around the world and are easily available on the black market.

The Federal Bureau of Investigation has issued a warning to law enforcement personnel to be alert to the potential use of shoulder-fired missiles against U.S. aircraft given al-Qaida's demonstrated objective to target the U.S. airline industry, its access to U.S. and Russian made systems and its targeting of U.S.-led military forces in Saudi Arabia. In August 2003, a weapons smuggler was arrested after agreeing to sell a Russian SA–18 to an undercover FBI agent posing as a Muslim extremist. At least 19 missiles have been launched against coalition aircraft since the end of major combat operations in Iraq. In November 2002, an Israeli jetliner was fired upon seconds after takeoff in Mombasa, Kenya; al-Qaida is suspected. And, in May 2002, al-Qaida was suspected of firing a shoulder-fired missile at U.S. military aircraft near Prince Sultan Air Base in Saudi Arabia.

That is why I am pleased that the Senate has accepted my amendment to ensure that when countermeasures are placed on commercial aircraft, the civil reserve air fleet receives first priority. This is a commonsense amendment that will protect our flying public and our military personnel.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 1845), as modified, was agreed to.

Mrs. BOXER. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Madam President, I ask unanimous consent that Senators FEINSTEIN and CRAPO be added as original cosponsors to amendment No. 1864.

AMENDMENT NO. 1864, AS MODIFIED

Mr. STEVENS. Madam President, I send amendment No. 1864, offered by Senator DOMENICI and others, to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. DOMENICI, for himself, Mr. BOND, Mr. BENNETT, Mr. CRAPO, and Mr. ALEXANDER, proposes an amendment numbered 1864, as modified.

The amendment is as follows:

(Purpose: To require reports on the United States strategy for relief and reconstruction efforts in Iraq)

Insert where appropriate in the bill:

SEC. . (a) INITIAL REPORT ON RELIEF AND RECONSTRUCTION.—Not later than 60 days after the date of enactment of this Act, the President shall submit to Congress a report on the United States strategy for activities related to post-conflict security, humanitarian assistance, governance, and reconstruction to be undertaken as a result of Operation Iraqi Freedom. The report shall include information on the following:

(1) The distribution of duties and responsibilities regarding such activities among the agencies of the United States Government, including the Department of State, the United States Agency for International Development, and the Department of Defense.

(2) A plan describing the roles and responsibilities of foreign governments and international organizations, including the United Nations, in carrying out such activities.

(3) A strategy for coordinating such activities among the United States Government, foreign governments, and international organizations, including the United Nations.

(4) A strategy for distributing the responsibility for paying costs associated with reconstruction activities in Iraq among the United States Government, foreign governments, and international organizations, including the United Nations, and for actions to be taken by the President to secure increased international participation in peacekeeping and security efforts in Iraq.

(5) A comprehensive strategy for completing the reconstruction of Iraq, estimated timelines for the completion of significant reconstruction milestones, and estimates for Iraqi oil production.

(b) SUBSEQUENT REPORTS ON RELIEF AND RECONSTRUCTION.—(1) Not later than 60 days after the submittal of the report required by subsection (a), and every 60 days thereafter until all funds provided by this title are expended, the President shall submit to Congress a report that includes information as follows:

(A) A list of all activities undertaken related to reconstruction in Iraq, and a corresponding list of the funds obligated in connection with such activities, during the preceding 60 days.

(B) A list of the significant activities related to reconstruction in Iraq that the President anticipates initiating during the ensuing 60-day period, including—

(i) the estimated cost of carrying out the proposed activities; and

(ii) the source of the funds that will be used to pay such costs.

(C) Updated strategies, objectives, and timelines if significant changes are proposed regarding matters included in the report required under subsection (a), or in any previous report under this subsection.

(2) Each report under this subsection shall include information on the following:

(A) The expenditures for, and progress made toward, the restoration of basic services in Iraq such as water, electricity, sewer, oil infrastructure, a national police force, an Iraqi army, and judicial systems.

(B) The significant goals intended to be achieved by such expenditures.

(C) The progress made toward securing increased international participation in peacekeeping efforts and in the economic and political reconstruction of Iraq.

(D) The progress made toward securing Iraqi borders.

(E) The progress made toward securing self-government for the Iraqi people and the establishment of a democratically elected government.

(F) The progress made in securing and eliminating munitions caches, unexploded ordinance, and excess military equipment in Iraq.

(G) The measures taken to protect United States troops serving in Iraq.

Mr. DOMENICI. Mr. President, this amendment requires reporting on the reconstruction of Iraq. This amendment ensures congressional oversight for the $20.3 billion portion of the supplemental bill designated for the reconstruction of Iraq.

As I look at what is going on in Iraq, I see tremendous progress and good that is taking place. Unfortunately, the media have not seen fit to report on these good things and the fact that our men and women there are making life better for the Iraqi people.

But my amendment puts in place a way to measure that progress so as to clearly show the American people what we are doing. It requires that the plan for reconstruction is regularly reported so Americans can plainly see that Iraq is moving toward independence and toward a day when our troops will come home.

I have been fortunate enough to talk to people in Iraq with firsthand knowledge of the situation on the ground. Based on my conversations with these individuals, it seems to me there are a few critical elements that must be met in order to achieve the kinds of things we want.

For example—we need to get the electricity working. We also need to get the water running. We need to get the oil pumping, and the police trained. I believe improving these services is the key to a new civil society in Iraq, and I think Mr. Bremer is working very hard to make them happen.

My amendment gives clarity for measuring the progress that is being made in these areas because it calls for the reporting of specific timelines and objectives relating to that progress.

In a word, this amendment ensures accountability—accountability through reporting requirements. And I would submit that these are substantially detailed reporting requirements and that they are fair requirements.

For example, my amendment contains provisions such as submission of a ''master plan'' for reconstruction efforts within 60 days of enactment. Also, it requires submission of subsequent reports every 60 days thereafter detailing how funds have been expended and how they will be expended.

Furthermore, these reporting requirements cover many specific issues, such as a description of expenditures and the progress made in restoring basic services such as water, electricity, sewer and oil infrastructure; a description of the goals to be achieved by these expenditures; a description of the roles of foreign governments and international organizations in the Iraq reconstruction efforts; and a description of the progress made toward securing Iraqi democracy.

This is a very fair amendment because it respects the Constitution by giving the executive branch primacy in the area of foreign affairs policymaking, while at the same time giving Congress appropriate oversight of the funds used for implementing that policy. I also think this is a very important amendment because it satisfies the concerns of many Senators—especially in the area of submitting a clear plan that has guideposts for measuring progress.

It is my hope that Senators will support this amendment that will ensure funds are spent wisely and in a way that will hasten the day when our troops will come home.

Mr. STEVENS. I ask for consideration of the amendment.

The PRESIDING OFFICER. Without objection, the amendment is considered and agreed to.

The amendment (No. 1864), as modified, was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1825

Mr. STEVENS. Madam President, I yield 3 minutes each to Senator BOND and Senator MIKULSKI concerning amendment No. 1825.

The PRESIDING OFFICER. Without objection, the Senator from Missouri is recognized.

Mr. BOND. Madam President, I rise to speak in support of this amendment on behalf of my colleague, Senator MIKULSKI, and a number of other colleagues. I ask unanimous consent that Senator SPECTER be added as a cosponsor.

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

Mr. BOND. This amendment provides $1.3 billion in emergency funding for VA medical care to address the medical care needs of returning service members from Iraq and Afghanistan. I believe the $1.3 billion in emergency funding meets the criteria under section 502 of the budget resolution. This is consistent with the final figures approved in the budget adopted. This meets the figures included in the original budget. Unfortunately, the Office of Management and Budget sent us a budget that achieved these goals by increasing fees on veterans, and neither body has shown any enthusiasm for that.

Under section 502, an expenditure may be designated an emergency if it meets five criteria: One, necessary, essential, or vital; two, sudden, quickly coming into being, and not building up over time; three, an urgent, pressing, and compelling need requiring immediate action; four, unforeseen, unpredictable, and unanticipated; and five, not permanent, temporary in nature. It is clear that this amendment meets the five criteria due to the compelling, vital, and essential needs of veterans who seek medical care services from the VA.

As I trust all of our colleagues know, the VA cannot currently keep up with the demand of the current veteran population. Tens of thousands of veterans have been told to wait at least 6 months. Even more distressing is the fact that many of them have to wait up to 2 years to see a doctor. That is unacceptable. If the VA cannot help those who are in the system, how will they help the veterans returning from Afghanistan and Iraq?

In the legislation before us today, we provided the funds that I think are vitally needed to the Department of Defense to fight these wars and reconstruction funds to ensure that the peace is secure and we bring our troops home. I strongly support these funds, but I believe we must ensure that when our troops do return home, the Government will be there to treat their medical care needs. If we are willing to provide emergency funding to fight wars, we must be willing to provide emergency funding to meet the medical care needs to treat injuries and wounds suffered from the war.

In other words, we would have to ensure there is a continuum of care for our service members from basic training to deployment to discharge.

Let me illustrate the urgent and pressing needs for these emergency funds. According to a recent VA analysis, 15,813 service members who served in Operation Iraqi Freedom have separated from military duty as of September 22, 2003. Among these service members, almost 2,000, or 12.4 percent, had sought VA health care during 2003. I point out that these numbers do not include those military men and women who are returning from Afghanistan and other parts of the world fighting the war on terrorism.

Every day in the news we hear the unfortunate and sad news of American soldiers killed in Iraq, but as illustrated by the VA's analysis and scores of news reports, there are thousands of service members who were fortunate to live but who were wounded in combat.

As reported in the October 1, 2003, edition of the USA Today: ''At least seven times as many men and women have been wounded in battle'' as those killed in battle. As these wounded service members are discharged from the military and confront new and challenging hardships in piecing together a new life, most of them will depend on the VA to meet their needs.

According to the VA, some of our returning servicemen and women are currently being served through VA/DoD sharing agreements and others, such as Pvt Jessica Lynch, are being discharged and turning to VA for specialized services, services that only the VA can provide not found in the private sector. This level of demand for VA services has not been foreseen or anticipated.

Further, we know that the overall demand for VA medical care is not going to lessen. We have already seen the VA medical care system being overwhelmed by the staggering increase in demand for its medical services. Since 1996, the VA has seen a 54 percent in growth or 2 million patients in total users of the medical care system. Further, the VA projects that its enrollments to grow by another 2 million patients from a current level of 7 million to 9 million in 2009.

Again, I urge my colleagues to support these emergency funds. In a time of war with thousands of injured troops returning from battle, it is clearly an emergency to include these funds. It is our moral responsibility to ensure that we provide adequate resources to the VA to meet the vital medical needs of our veterans. If these emergency funds are not included in this bill, the VA will have enormous difficulties in treating veterans returning from Iraq and Afghanistan due to the current backlog of veterans waiting for medical care. Without these funds, those waiting veterans will wait longer for medical care and the VA will be forced to deny medical care to another 585,000 veterans. I cannot accept these outcomes. This is medical care they have earned through risk of life and all too often at the cost of their limbs and their long-term health.

I ask my colleagues to think about our service members who have already returned from service, about our service members who are currently serving, and about those who want to serve. If we do not provide these funds, what kind of message does this send to those currently fighting overseas and those who will be sent overseas? I hope my colleagues agree with me that we want to tell these men and women that we will not turn our backs on them and that we will keep our promises to them. I urge your support on the Bond-Mikulski amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I am sorry to interrupt the Senator from Maryland. I ask consent that the Senator from Vermont be recognized to speak for 1 minute following the Senator from Maryland.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Maryland is recognized for 3 minutes.

Ms. MIKULSKI. Madam President, I rise as an enthusiastic advocate of the Bond-Mikulski VA medical care amendment. I ask unanimous consent that Senator DEBBIE STABENOW be added as a cosponsor.

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

Ms. MIKULSKI. Madam President, along with Senator BOND, I urge my colleagues to support this amendment. It provides $1.3 billion for veterans medical care. It is necessary for three reasons: One, it will deal with the growing long lines in which some of our veterans have to wait in order to see a doctor or a specialist. Second, it rejects the concept of having to pay a membership fee to get veterans medical care if they are a category 7 or a category 8. Third, it also rejects the ballooning copayments that were suggested by the administration.

First, in the administration's budget, the request was to charge veterans $250 a year to be able to pay their dues. Well, Senator BOND and I believe the veterans did pay their dues. They paid them at Iwo Jima, Pork Chop Hill, the Mekong Delta, and now the burning sands of the Iraqi desert. We are working on a bipartisan basis to reject these new co-fees and these new toll charges. We need this amendment to ensure that the VA can care for returning service members.

Under the legislation that was passed by this Congress, the law requires the VA to provide 2 years of medical care for returning service members. You bet we ought to do that. But if we are going to pass the legislation, we should not only put it in the Federal law books, we have to put it in the Federal checkbook, and that is what Bond-Mikulski does.

The VA has already treated 2,000 returning soldiers from the war, but this VA system, with its wonderful doctors and nurses, is strained to the limit. There are now many who are waiting for care. There are many who ought to get care. They should not have to pay membership fees. Adopt Bond-Mikulski and keep the promises made to America's veterans.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Madam President, I believe that most Americans are very aware of the human cost of the Iraq war and the significant toll it has taken on the lives and health of many American military personnel. We all have anguished over the casualties and rejoiced in the moments of relief, such as the rescue of Jessica Lynch. Americans, regardless of their views on the war, hung on every bit of news of her recovery, and watched with fascination as she spoke her few but powerful words upon returning home to West Virginia. We just assumed that the cost of her health care and rehabilitation would be covered by the U.S. Government. After all, that is only fair.

The system that is responsible for caring for wounded service members after they are discharged is over-burdened and under-funded. The Veterans Administration health care system has been shortchanged for years, with health care budgets falling well short of inflation. While the Bush administration proposed a slight increase in funding this year, it is still not enough to keep up with inflation. Vietnam Veterans of America has estimated that at expected appropriations levels for this coming fiscal year, the VA health care system is $52 million short of the amount needed to implement existing VA programs and to keep pace with inflation since 1997. Every VA hospital has been forced to do more with less, to continuously reduce costs, year after year, and to limit services to veterans. Long waiting lines have developed at many VA centers, sometimes keeping veterans waiting as much as a year for an initial appointment. Due to inadequate funding, Secretary Principi, a strong advocate for veterans, has been forced to deny an entire category of veterans treatment at VA hospitals.

I compliment my colleagues, Senator BOND and Senator MIKULSKI, for their efforts to address this funding shortfall. As the chair and ranking member of the subcommittee with jurisdiction over appropriations for the Veterans Administration, they are well aware of the urgency of the VA's needs. I am pleased to be a cosponsor of their amendment to add $1.3 billion to this legislation specifically for VA health care. In drafting the VA's appropriations bill for the coming fiscal year, they identified this funding as urgently needed by the VA, and it is imperative that this funding be provided in this bill.

Our top priority must be caring for the men and women who answered the President's call and stepped into harm's way. They must be taken care of. If the Federal Government has any obligation to its people, is not its first obligation to care for the wounds of its soldiers?

Every day we hear of more Americans injured in Iraq. I cringe for them and for their families. It is a great burden that most of them will carry all their lives. I also fear that in the years to come, we will learn that the harsh conditions in Iraq today have in more subtle ways damaged the health of our troops stationed there. The burden of studying these problems and caring for these soldiers will fall on the VA health care system.

I, for one, cannot stand by while the VA is starved for resources. This is the time to act. I urge all my colleagues to support the Bond-Mikulski amendment to add $1.3 billion to care for America's veterans.

Mr. GRAHAM of Florida. Madam President, as ranking member on the Committee on Veterans Affairs, I rise to lend my support to the Bond-Mikulski amendment for an additional $1.3 billion for VA health care. I think it is abundantly clear to everyone in the chamber that the VA health care system is in dire need of additional and significant resources.

The administration has extolled the proposed VA budget as a historic increase, when in reality this type of increase is beyond what anyone could expect in the current economic climate. It has been touted as an increase of 7 to 11 percent over last year's budget, depending on who is speaking.

When you look at the budget proposed by the administration, a different story comes to light. Once the new copayments and fees are stripped away, the theoretical management efficiencies discounted for what they really are, and the accounting tricks are identified, we are left with an appropriation that barely keeps pace with inflation.

As we shape VA's budget for the next year, we must move beyond hopeful rhetoric and quack accounting to take an honest assessment of the needs of veterans.

We all know—and many of us have mentioned—that more than 100,000 veterans must wait more than 6 months to see VA physicians. While VA's committed professionals are struggling to handle the increased patient load, they are doing it without a corresponding increase in resources. This must be rectified.

When we debated and voted on the first war supplemental bill in April, I secured additional health dollars for VA to care for servicemembers returning from the Gulf. This money was simply a start, since VA will continue to see troops coming home and seeking health care in the coming years. If we can afford to send tens of billions of dollars overseas to support the troops while in conflict, how can we possibly not fully fund their care when they return home?

Veterans groups know that the VA health care system is in crisis—and so do both the House and Senate. Congress passed a $3.1 billion increase in the budget resolution, meeting the mark for VA health care determined by experts in the veterans community. Yet, it has proven difficult to secure these funds for VA.

It is important to note that there is still a $300 million deficit in veterans health spending for next year. While the Bond-Mikulski amendment ensures that a large portion of the money will be there for veterans without the subjective emergency spending designation, it is just a first step. We need to finish the job and make sure that health care is fully funded for our veterans.

I am proud to lend my name to this amendment. Indeed, my good friend JAY ROCKEFELLER and I were planning on offering a similar one to the VA spending bill. I urge all my colleagues

to support this amendment—we owe our servicemembers and veterans nothing less.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, is amendment No. 1825 before the Senate now?

The PRESIDING OFFICER. Yes, it is.

Mr. STEVENS. We have held this until last because of the budget problem involved. This takes $1.3 billion from the amount that has already been allocated to the VA/HUD Subcommittee that causes considerable consternation as to what we are going to do with it in the future. We all admit that is the problem. We all know there is a severe problem for veterans to deal with medical care, and we look forward to working with the Senators from Missouri and Maryland to work out this problem.

To the best of my knowledge, we now have one remaining amendment to be debated, and that is the amendment of Senator BROWNBACK.

I ask that amendment 1825 be adopted.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1825.

The amendment (No. 1825) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Could we make the inquiry as to who intends to speak after the Brownback amendment so Members might know how long it will be before the vote on final passage?

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, through you to the distinguished Senator from Alaska, Senator BYRD wishes to speak for not to exceed 25 minutes. Senator GRAHAM, as I indicated, will make a very brief statement, a matter of a couple of minutes, and then give his full statement after passage of the bill.

Senator LEAHY, we will talk to him to find out what is his desire.

Senator DAYTON desires to speak after the vote.

At this stage, I ask unanimous consent Senator BYRD be recognized for not to exceed 25 minutes. We will work on the others.

Mr. STEVENS. We have no objection to that, but I do not want to indicate—we have not had any requests yet from this side. We will have to determine that. But it will mean a vote on final passage will start sometime after 4 o'clock.

I yield the floor.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

The Senator from Kansas.

AMENDMENT NO. 1885, AS MODIFIED

Mr. BROWNBACK. Madam President, I call up amendment No. 1885, as modified, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 1885, as modified.

Mr. BROWNBACK. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To reduce the amount appropriated for reconstruction in Iraq by $600,000,000 and to increase the amount available to the Iraqi Civil Defense Corps by $50,000,000, the amount available for Afghanistan by $400,000,000, and the amount available for Liberia)

On page 38, between lines 20 and 21, insert the following new sections:

SEC. 2313. (a) The total amount appropriated in chapter 2 of this title under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT'', is hereby reduced by $600,000,000.

(b) Of the total amount appropriated in chapter 2 of this title under the subheading referred to in subsection (a), $5,186,000,000 shall be available for security, including public safety requirements, national security, and justice, of which not less than $126,000,000, shall be available for the Iraqi Civil Defense Corps.

SEC. 2314. None of the funds appropriated by this Act may be used to fund the following:

(1) Solid waste management in Iraq.

(2) WiFi capabilities for IPTC in Iraq.

(3) Housing in Iraq.

(4) Market-oriented specialized training for Iraqis.

(5) Catch-up business training for Iraqis.

(6) Development or construction of the Abu Gharaib Memorial, or any similar memorial.

(7) The Athletes Committee in Iraq, including any conference or memorial that addresses atrocities committed against Iraqi athletes.

SEC. 2315. Not more than $450,000,000 of the funds appropriated by this Act may be used to fund petroleum product imports.

On page 28, beginning on line 18, strike ''$422,000,000'' and all that follows through ''*Provided*,'' on line 20 and insert ''$822,000,000, to remain available until September 30, 2005, for accelerated assistance for Afghanistan, of which not less than $60,000,000 shall be available for disarmament, demobilization, and reintegration; $50,000,000 shall be available for a venture capital fund to promote development of the private sector; $150,000,000 shall be available for accelerated funding for the National Army of Afghanistan; $60,000,000 shall be available for the Government of Afghanistan to provide security and minimal services, collect revenue, and pay salaries for military and civilian officials; $15,000,000 shall be available for power generation projects; $35,000,000 shall be made available for additional activities that are specifically targeted to advancing the social, economic, and political rights and opportunities of women; $25,000,000 shall be made available for emergency food, fuel, clothing and shelter materials for Afghans who are internally displaced; and $5,000,000 shall be available for natural resources assessments: *Provided*,''.

On page 29, line 17, strike ''$100,000,000'' and all that follows through ''*Provided*'' beginning on line 17, and insert ''$250,000,000, to remain available until expended, of which not less than $200,000,000 shall be made available for humanitarian relief and reconstruction activities in Liberia: *Provided*, That funds appropriated under this heading shall be made available for Sudan: *Provided further*,''.

Mr. BROWNBACK. Madam President, this is a very simple, straightforward amendment. It does some of what the House has done. I will explain this briefly because I think most of the people are knowledgeable of these particular issues.

What we do with this particular amendment is rescind $600 million from nonsecurity accounts—none of the security money, all nonsecurity grant funding—that is not immediately necessary for reconstruction. It prohibits projects such as memorials, athletic committees, solid waste removal, catchup business training, telephone/postal company, housing. It would limit some of the petroleum product imports. That is where we take the funds from.

The resulting savings would be reallocated to a couple of areas—enhancing security efforts in Iraq, where we would put $50 million above the President's request for the Iraq civil defense corps. It would, too, bolster funding for reconstruction of Afghanistan. There we put $400 million into Afghanistan. We take the funds there and reallocate them into Afghanistan, into a series of areas that are high priority.

I think it is important to remember we invaded and fought to remove terrorists in Afghanistan. Afghanistan is somewhat the forgotten child. We have not put nearly the resources forward that resource-poor country needs. This is in line with some of the thinking and the actions the House took.

We also put a portion of resources into the United States Emergency Fund For Complex Foreign Crises, increasing this account to $250 million—80 percent of which, or $200 million, will go to Liberia, earmarked for humanitarian relief and reconstruction in Liberia. I think colleagues are well familiar with what is taking place in that country.

So we have taken $600 million from nonsecurity accounts, key areas a lot of people identified as areas that may be useful to fund but not high priorities, not things into which we need to put these emergency funds, and shifted them into Afghanistan, Liberia, and $50 million to increase the civil defense in Iraq. This is what is going to help us bring our troops home faster, the faster we stand up an Iraqi military and paramilitary force.

It is pretty straightforward. This is a Brownback-Leahy amendment. It is a bipartisan amendment a number of my colleagues are supporting. I ask for favorable consideration.

I do ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The Senator has asked for the yeas and nays. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Madam President, $600 million from Iraqi reconstruction funds? The Senate has just acted along with the House to cut approximately $1.6 billion. This amendment also prohibits funds appropriated in this act from being used for solid waste management, housing, and other items.

Some of the solid waste management involves contaminated materials, materials with unexpended ordnance, all sorts of hazards. We have already reduced this amount, as I said, by $1.6 billion. Any further reduction, as far as I am concerned, would further weaken the assistance we are trying to give the Iraqi people in order to bring our people home.

I move to table this amendment and ask for the yeas and nays.

The PRESIDING OFFICER. The motion to table can only be made after the sponsor's time has expired.

The Senator from Kansas.

Mr. BROWNBACK. I yield a minute to my colleague from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I urge this amendment be adopted. I think Senator BROWNBACK has been very careful in what he has taken out of the measure. It does mirror pretty much what the House did. The lion's share of the $20 billion is going to be there. But I think Congress has the right to prioritize, and I think these are better priorities.

I yield the floor.

Mr. STEVENS. Do I have any time left?

The PRESIDING OFFICER. The Senator from Alaska has 4 minutes 20 seconds remaining.

Mr. STEVENS. Madam President, I merely point out we voted now on this subject, further reductions, reconciliation moneys, six times today. We have finally agreed to reduce by $1.6 billion, as much as the House has. I think this would be a further redundant reduction and I urge the motion to table.

I yield the remainder of my time.

Has the Senator yielded the remainder of his time?

Mr. BROWNBACK. Senator LEAHY is a cosponsor. I wanted to offer a minute. I just saw Senator LEAHY step inside.

I do have one other comment I would like to make.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Madam President, I think these are very carefully crafted areas we are going at. We have looked through this bill. I have worked in this region for some period of time. So I think it is important we consider higher priorities and we really think about what we are doing in shifting some of these resources. It is important to take from lower priority areas in Iraq which a lot of people identified, and put in higher priority areas.

With that, I yield a minute to my colleague from Vermont, who is a cosponsor of this particular amendment, if he seeks recognition.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I will not add to what the Senator from Kansas has said other than to say I do support this amendment. I think it shows the priorities that have to be met by the United States, priorities we sometimes overlook.

I commend the Senator for his support of this. I hope the Senate will pass it overwhelmingly.

I yield the floor.

Mr. BROWNBACK. I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Nevada.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. STEVENS. Madam President, has the vote started?

The PRESIDING OFFICER. The motion to table has not yet been formally made.

Mr. REID. Madam President, if I could direct this question to the Senator from Alaska, does the Senator wish to table or just an up-or-down vote?

Mr. STEVENS. I was willing to agree to go ahead with the Senator's speech, if he wishes to do that.

Mr. REID. Madam President, the Senator from Alaska has been gracious enough to allow the Senator from West Virginia to proceed. Under the previous order, he is to be recognized to speak up to 25 minutes on this bill. I ask that time begin now.

Mr. STEVENS. So there is no misunderstanding, I make the motion to table this amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. I ask that be set aside so the Senator may speak.

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

The Senator from West Virginia.

Mr. BYRD. Madam President, I thank the distinguished chairman of the Appropriations Committee, Senator STEVENS, and I also thank the distinguished Democratic whip for their courtesies.

Madam President, in 1837, Danish author Hans Christian Andersen wrote a wonderful fairytale which he titled ''The Emperor's New Clothes.'' It may be the very first example of the power of political correctness. It is the story of a ruler of a distant land who was so enamored of his appearance and his clothing that he had a different suit for every hour of the day.

One day two rogues arrived in town, claiming to be gifted weavers. They convinced the emperor that they could weave the most wonderful cloth, which had a magical property. The clothes were only visible to those who were completely pure in heart and spirit.

The emperor was impressed and ordered the weavers to begin work immediately. The rogues, who had a deep understanding of human nature, began to feign work on empty looms.

Minister after minister went to view the new clothes and all came back exhorting the beauty of the cloth on the looms even though none of them could see a thing.

Finally a grand procession was planned for the emperor to display his new finery. The emperor went to view his clothes and was shocked to see absolutely nothing, but he pretended to admire the fabulous cloth, inspect the clothes with awe, and, after disrobing, go through the motions of carefully putting on a suit of the new garments.

Under a royal canopy the emperor appeared to the admiring throng of his people—all of whom cheered and clapped because they all knew the rogue weavers' tale and did not want to be seen as less than pure of heart.

But, the bubble burst when an innocent child loudly exclaimed, for the whole kingdom to hear, that the emperor had nothing on at all. He had no clothes.

That tale seems to me very like the way this Nation was led to war.

We were told that we were threatened by weapons of mass destruction in Iraq, but they have not been seen.

We were told that throngs of Iraqis would welcome our troops as liberators. They have not been seen as liberators but as occupiers.

We were told that the throngs of Iraqis would welcome our troops with flowers, but no throngs or flowers appeared.

We were led to believe that Saddam Hussein was connected to the attack on the twin towers and the Pentagon, but no evidence to that effect has ever been produced.

We were told in 16 words that Saddam Hussein tried to buy ''yellow cake'' from Africa for production of nuclear weapons, but the story has turned into empty air.

We were frightened with visions of mushroom clouds, but they turned out to be only vapors of the mind.

We were told that major combat was over but 101—as of October 17—Americans have died in combat since that proclamation from the deck of an aircraft carrier by our very own emperor in his new clothes.

Our emperor says that we are not occupiers, yet we show no inclination to relinquish the country of Iraq to its people.

Those who have dared to expose the nakedness of the administration's policies in Iraq have been subjected to

scorn. Those who have noticed the elephant in the room—that is, the fact that this war was based on falsehoods—have had our patriotism questioned. Those who have spoken aloud the thought shared by hundreds of thousands of military families across this country, that our troops should return quickly and safely from the dangers half a world away, have been accused of cowardice. We have then seen the untruths, the dissembling, the fabrication, the misleading inferences surrounding this rush to war in Iraq wrapped quickly in the flag.

The right to ask questions, debate, and dissent is under attack. The drums of war are beaten ever louder in an attempt to drown out those who speak of our predicament in stark terms.

Even in the Senate, our history and tradition of being the world's greatest deliberative body is being snubbed. This huge spending bill—$87 billion—has been rushed through this Chamber in just 1 month. There were just three open hearings by the Senate Appropriations Committee on $87 billion—$87 for every minute since Jesus Christ was born—$87 billion without a single outside witness called to challenge the administration's line.

Ambassador Bremer went so far as to refuse to return to the Appropriations Committee to answer additional questions because, and I quote: ''I don't have time. I'm completely booked, and I have to get back to Baghdad to my duties.''

Despite this callous stiff-arm of the Senate and its duties to ask questions in order to represent the American people, few dared to voice their opposition to rushing this bill through these halls of Congress. Perhaps they were intimidated by the false claims that our troops are in immediate need of more funds.

But the time has come for the sheeplike political corrections which has cowed Members of this Senate to come to an end.

The emperor has no clothes. This entire adventure in Iraq has been based on propaganda and manipulation. Eighty-seven billion dollars is too much to pay for the continuation of a war based on falsehoods.

Taking the nation to war based on misleading rhetoric and hyped intelligence is a travesty and a tragedy. It is the most cynical of all cynical acts. It is dangerous to manipulate the truth. It is dangerous because once having lied, it is difficult to ever be believed again. Having misled the American people and stampeded them to war, this administration must now attempt to sustain a policy predicated on falsehoods. The President asks for billions from those same citizens who knew that they were misled about the need to go to war. We misinformed and insulted our friends and allies and now this administration is having more than a little trouble getting help from the international community. It is perilous to mislead.

The single-minded obsession of this administration to now make sense of the chaos in Iraq, and the continuing propaganda which emanates from the White House painting Iraq as the geographical center of terrorism is distracting our attention from Afghanistan and the 60 other countries in the world where terrorists hide. It is sapping resources which could be used to make us safer from terrorists on our own shores. The body armor for our own citizens still has many, many chinks. Have we forgotten that the most horrific terror attacks in history occurred right here at home? Yet, this administration turns back money for homeland security, while the President pours billions into security for Iraq. I am powerless to understand or explain such a policy.

I have tried mightily to improve this bill. I twice tried to separate the reconstruction money in this bill, so that those dollars could be considered separately from the military spending. I offered an amendment to force the administration to craft a plan to get other nations to assist the troops and formulate a plan to get the U.N. in, and the U.S. out, of Iraq. Twice I tried to rid the bill of expansive, flexible authorities that turn this $87 billion into a blank check. The American people should understand we provide more foreign aid for Iraq in this bill, $20.3 billion, than we provide for the rest of the world.

I attempted to remove from this bill billions of dollars in wasteful programs and divert those funds to better use, but at every turn my efforts were thwarted by the vapid argument that we must all support the requests of the Commander in Chief.

I cannot stand by and continue to watch our grandchildren and their children become increasingly burdened by the billions of dollars that fly out of the Treasury for a war and a policy based largely on propaganda, hype, and prevarication. We are borrowing $87 billion to finance this adventure in Iraq. The President is asking this Senator to pay for this war with increased debt, a debt that will have to be paid by our children and by those same troops who are currently fighting this war.

I cannot support outlandish tax cuts that plunge our country into potentially disastrous debt while our troops are fighting and dying—four more died within the last 24 hours—in a war that the White House chose to begin.

I cannot support the continuation of a policy that unwisely ties down 150,000 American troops for the foreseeable future with no end in sight.

I cannot support a President who refuses to authorize the reasonable change in course that would bring traditional allies to our side in Iraq.

I cannot support the politics of zeal and ''might makes right'' that created the new American arrogance and unilateralism that passes for foreign policy in this administration.

I cannot support this foolish manifestation of the dangerous and destabilizing doctrine of preemption that changes the image of America into that of a reckless bully.

The emperor has no clothes and our former allies around the world were the first to loudly observe it. I shall vote against this bill because I cannot support a policy based on prevarication. I cannot support doling out 87 billion additional of our hard-earned tax dollars when I have so many doubts about the wisdom of its use.

I began my remarks with a fairytale. I shall close my remarks with a horror story in the form of a quote from the book ''Nuremberg Diaries,'' written by G.M. Gilbert, in which the author interviews Herman Gehrig:

> We got around to the subject of war again and I said that, contrary to his attitude, I did not think that the common people are very thankful for leaders who bring them war and destruction.
>
> . . . But, after all, it is the leaders of the country who determine the policy and it is always a simple matter to drag the people along, whether it is a democracy or a fascist dictatorship or a Parliament or a Communist dictatorship.
>
> There is one difference. . . . In a democracy the people have some say in the matter through their elected representatives, and in the United States only Congress can declare wars.
>
> Oh, that is all well and good, but voice or no voice, the people can always be brought to the bidding of the leaders. That is easy. All you have to do is tell them that they are being attacked and denounce the pacifists for a lack of patriotism and exposing the country to danger. It works the same way in any country.

I yield the floor.

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

Mr. STEVENS. Mr. President, the Senator's speech demonstrates the greatness of our country in terms of freedom of speech. I could not be more proud to stand where I am standing today to support our President and to support our people in uniform and those who are part of this authority trying to restore freedom and democracy in Iraq.

Sometimes I wonder how I ended up here. I have no real background that ever gave me thought I would ever be here. But when I hear speeches like that, I know why I am here. I believe in this President. I believe in this military.

I voted for this intervention. The Senator from West Virginia did not. I am urging the Senate to support this bill, $66 billion for our men and women in uniform and $20.3 billion—they have taken $1.6 billion out—but nearly $20 billion for the operation to try to assure there is a new government in Iraq, Iraq committed to freedom and committed to work with the United States in trying to bring peace to that region.

If there is a volatile part of the world, it is the Middle East. We have been involved in strife there longer than I can remember. I remember when President Eisenhower sent troops into

Lebanon. This has been a thorn in our side as long as I have been involved in government. That is over 50 years.

Again, the Senator is entitled to his point of view. I saw those intelligence reports. I believe there were weapons of mass destruction being thought of and being prepared in Iraq. I believe they had chemical weapons. I believe they were trying to buy uranium and sought a new weapons program as they did before the Iraqis destroyed that first program with their famous raid on Iran which was 15 years ago. I don't understand people who say this was a falsehood. Think of the young men and women in Iraq. They are watching this program. They get it on C–PAN. They get it on the Internet. Think of what they are thinking when a Senator says they are over there because of a falsehood, because the President of the United States lied. I don't believe he lied. I believe he told the truth.

I believe he is now on an important mission around the world. I have never heard a President criticized so much when he was overseas as this President has been criticized. He is on a mission to China. He is on a mission to many places in the Pacific. I believe the Senate should vote today in support of this bill.

Those who vote against this bill will be voting against supporting our men and women in the field. They are still in harm's way. That is one point on which I agree. There are too many people still being killed in Iraq, but they are being killed because there is too much confusion over there. There is not the ability to bring about the control we should have. We need a civilian force from the Iraqis. We need to stand up a new army for the Iraqis as we are trying to do in Afghanistan. This is an important move of the United States, a move to establish freedom in the Middle East.

We are dependent upon oil now. I wonder how many know that within 10 years we will be dependent upon Qatar for liquefied natural gas. They have 1,000 times the amount of natural gas we have in our State of Alaska, and we have half the natural gas in the United States. That region of the world will be important to the United States for 50 to 100 years from now. Our future depends upon having people there who understand freedom, who seek freedom, who seek stability through governmental control and are willing to make agreements and keep them and not willing to build up armaments such as Saddam Hussein did. He was a threat not only to that part of the world, he was a threat to the whole world. I said I believed he was a new Hitler, and he would have been a new Hitler.

I urge the Senate to vote for this bill, to vote for it and vote to support the men and women in uniform who have fought the war we asked them to fight.

Mr. BYRD. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 8½ minutes remaining.

Mr. BYRD. I thank the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. May I say to the distinguished Senator from Alaska that he holds no monopoly on the support for the troops. I was supporting American troops before the Senator from Alaska ever came to Washington. I have been supporting the American troops for over 50 years.

And let the RECORD not stand with the Senator's words, if I interpreted them correctly, that those who vote against this bill are voting against the troops. I defy that statement. I defy that statement, and I hurl it back into the teeth of the Senator from Alaska.

I support the troops. I would say that every Senator here, regardless of how he or she votes, supports the troops. So do not throw that old canard over here, over this way.

I am sorry that the Senator from Alaska takes that view. I thought each of us could have our own viewpoint here without being charged with not supporting the troops. I regret the Senator from Alaska takes this view.

I am sure that there are a lot of the American people out there—millions of them—for whom I speak and for whom those who vote against this bill today speak who do not believe that this war was justified, who do not believe in the doctrine of preemption, who do not believe that there were weapons of mass destruction in Iraq. They have not been found yet.

So, Mr. President, I close by congratulating those Senators who have the courage to speak their will, to stand up for their own consciences, and who speak for those soldiers, men and women, who are in Iraq today who did not ask to go there but who feel that those of us who speak our will speak for them and who do not support the doctrine of preemption.

Fie on that doctrine of preemption! Fie on it! Here we have an America that has invaded another country that did not invade our country, that did not attack us. That is a dangerous doctrine. Those who vote against this bill are voting against that doctrine. So do not be ashamed of it.

I close with the words written on a statue to Benjamin Hill that stands in Atlanta, GA:

> Who saves his country, saves himself, saves all things, and all things saved do bless him! Who lets his country die, lets all things die, dies himself ignobly, and all things dying curse him!

Vote to save your country, I say to my colleagues. Vote to save your country. I was not brought here by any Commander in Chief. No Commander in Chief brought me here, and no Commander in Chief is going to send me home.

My first and last stand by which I live and by which I hope to die is this Constitution of the United States. It says I have a right, and the men and women of this Chamber have a duty, to speak the people's will.

There are millions of people out there, millions of men and women, there are many men and women in Iraq who believe that we who vote against this bill today speak for them. I am not ashamed to do it. I am proud to do it.

Yes, I voted against sending American troops into Iraq. Yes, I am one of the 23. And if I had it to do over again, I would vote the same way again—10 times, 10 times 100 against this doctrine, this doctrine of preemptive strikes.

Fie on that doctrine! Fie on it!

Now, if the Senator from Alaska wishes to talk further, I will be glad to hear him.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. Under the previous order, at the conclusion of Senator BYRD's time, a vote was to take place on the motion to table the Brownback amendment.

Mr. STEVENS. Mr. President, there is still my minute and a half left of time.

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

Mr. MCCAIN. Mr. President, is there 2 minutes?

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thought I had a minute and a half left on Brownback.

The PRESIDING OFFICER. The Senator from Alaska has no time remaining.

The Senator from West Virginia has 2 minutes remaining.

Mr. BYRD. Does the Senator wish for me to yield him 2 minutes?

Mr. MCCAIN. I thank the Senator.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 2 minutes.

Mr. MCCAIN. I thank you, Mr. President.

AMENDMENT NO. 1885, AS MODIFIED

Mr. President, I want to speak on the Brownback amendment. It will be the last signal that we send before final passage.

My colleagues should know that it diverts $450 million out of Iraq into what are largely unspecified projects. It ignores the fact that the reconstruction of Iraq is as vital as is the defense of Iraq and the military portion of it.

Basically, the sponsor of the amendment has decided what is necessary and what is not necessary to be allocated to Iraq, whether it be housing or other programs that have been deemed necessary by the administration, and decided that $450 million would go to Afghanistan and to Liberia.

So the fact is, this is another micromanagement amendment, point No. 1. No. 2, it ignores the fact that the reconstruction of Iraq is equally as vital as the military side of it.

There are some provisions that I do not particularly agree with, but the fact is, these have been scrutinized, and I believe it would be a terrible mistake to divert this money from the

projects for which they are intended. The Appropriations Committee had hearings and discussion with the administration and with Ambassador Bremer.

This amendment is not very much different from the Byrd-Biden amendment which the Senate decided not to accept some time ago.

I urge a ''no'' vote on the part of my colleagues on this amendment.

The PRESIDING OFFICER. All time has expired. The question is on the amendment.

The assistant Democratic leader.

Mr. REID. Mr. President, I have a unanimous consent request. I ask unanimous consent that there be no speeches prior to the final passage vote, except for a 2-minute speech by the Senator from Florida, Mr. GRAHAM. All other speeches would come after final passage.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. No objection.

The PRESIDING OFFICER. Hearing none, it is so ordered.

The question is on agreeing to the motion to table Brownback amendment No. 1885, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Idaho (Mr. CRAIG) are necessarily absent.

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

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

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 399 Leg.]

YEAS—55

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

NAYS—43

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

NOT VOTING—2

Alexander	Craig

The motion was agreed to.

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

The motion to lay on the table was agreed to.

Mr. STEVENS. The Senator from Florida has 2 minutes. After that 2 minutes, there will be a vote on final passage. After the vote, there will be some speeches concerning the bill. This next vote will be the final vote on this bill.

The PRESIDING OFFICER. Under the previous order, the Senator from Florida will be recognized for 2 minutes.

The majority leader.

Mr. FRIST. Mr. President, just for the information of our colleagues, on Monday we will have a vote in the afternoon around 5 or 5:30. I am discussing with the Democratic leader what we will be doing on Monday. We initially talked about bringing forward Healthy Forests, but I think we will not be doing that at this juncture. We will have an announcement later about that.

I know a lot of people will be leaving after the vote, so for their information, we will be having one vote I know for sure on Monday around 5 or 5:30. We will pin that down later tonight.

The PRESIDING OFFICER. The assistant minority leader.

Mr. REID. Mr. President, I have conferred with the distinguished chairman from Alaska and he has no objection. I hope no one else does. I ask unanimous consent that Senator LEAHY be the first speaker after the final vote.

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

The Senator from Florida.

Mr. GRAHAM of Florida. I thank the Chair.

Mr. President, it is my intention to vote no on final passage of this legislation. I am deeply concerned about the implications of this $87 billion expenditure on domestic fiscal issues, such as the enormous addition this will make to an already enormous deficit this fiscal year and the effect this will have on pursuit of important priorities within the United States of America.

My fundamental reason for voting against this is that I think we have two choices: We can either continue to go it alone in Iraq, or we can seriously internationalize this occupation and reconstruction. By seriously, I mean something beyond the words of the U.N. resolution that was passed yesterday and the reality of troops on the ground and dollars in the Treasury for reconstruction.

I believe this $87 billion blank check appropriation removes whatever incentive this administration may have had to negotiate seriously a burden sharing and a decisionmaking sharing with those countries which have the capability of providing real support in Iraq.

Because I believe the effect of the $87 billion appropriations will be to make our troops less secure, more exposed to danger without any exit strategy, I will vote no.

At an appropriate time after this vote, I am going to ask recognition to give a fuller statement of my position.

The PRESIDING OFFICER. All time has expired. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

AFGHAN WOMEN'S PROGRAMS

Mrs. MURRAY. I ask the Chairman, as you know, late last night a very important amendment regarding funding for Afghan women's programs previously authorized by the Afghanistan Freedom Act of 2002 was accepted in the House version of this bill. The amendment was introduced by Congresswoman CAROLYN MALONEY of New York.

I know you share my concerns about the treatment of women in Afghanistan. And as we discussed earlier today, I have agreed not to offer my amendment, which was similar to the one accepted in the House bill, with the understanding that you will support this issue in conference.

Mr. STEVENS. I am aware of the House amendment. I appreciate your interests in this area and will work with my colleagues in conference to support funding for women's programs in Afghanistan.

Mr. BYRD. I would like to echo Chairman STEVENS' remarks and thank the Senator from Washington, Mrs. MURRAY, for bringing this issue before the Senate.

Mrs. MURRAY. I thank the Chairman and Senator BYRD.

USNA HURRICANE ISABEL DAMAGE

Ms. MIKULSKI. Mr. President, I have introduced an amendment to provide for recovery of the United States Naval Academy from damage caused by Hurricane Isabel. I appreciate Senators COCHRAN, SARBANES, and MCCAIN cosponsoring this amendment. The four of us serve on the U.S. Naval Academy's Board of Visitors. We share a commitment to this outstanding institution to educate and develop America's future military leaders.

On September 18, Hurricane Isabel struck the eastern seaboard. It was one of the worst storms in the last 100 years. Isabel left some Marylanders homeless and most Marylanders without electricity. From Bowley's Quarters to Shadyside, the storm surge caused by Isabel flooded homes and businesses. I appreciate the help that FEMA has provided to so many of my constituents in their time of need.

The U.S. Naval Academy in Annapolis, MD was one of the places most devastated by Hurricane Isabel. Over 8 feet of water surged through Bancroft Hall, where the midshipmen live, as well as the kitchens and dining hall where they eat. Classroom and laboratory facilities were flooded, leaving them unusable.

I went to Annapolis to see the damage with the new Naval Academy Superintendent, ADM Rod Rempt. Bancroft Hall still had several feet of standing water. A few midshipmen were boating across the yard. Boats and debris littered the fields. Labs were under water. The chiller and electrical systems were flooded. Mold and rot was beginning to set in, despite great efforts to contain the damage.

The U.S. Naval Academy was not shut down by a storm. Classes are being held on a barge tied up on the Severn River. But we must get the Naval Academy repaired and restored. As the Senior Senator from Virginia has pointed out, the military can't turn to FEMA, they have to turn to Congress.

I joined with Senator WARNER and others in offering an amendment which provides $500 million to address storm damage to military and NASA facilities. I believe that amendment covers what I intended with my amendment. The Warner amendment was accepted last night. The funds should be sufficient to provide the Navy Operations and Maintenance and Military Construction funding needed to make the Naval Academy whole. I would appreciate the distinguished chairman of the Armed Services Committee, and the former Secretary of the Navy, confirming that that was his intent in offering his amendment. But first I would yield to one of the Naval Academy's distinguished alumni, the Senator from Arizona.

Mr. MCCAIN. Mr. President, I share Senator MIKULSKI's commitment to the U.S. Naval Academy, and I greatly appreciate her outstanding leadership in addressing all matters that concern the health and welfare of midshipmen, especially in this matter of the serious damage which occurred at the Academy. I join her in seeking assurances from the Appropriations Committee and the Department of Defense that the funding provided by Chairman WARNER's Amendment will include funding to fully meet the needs of the Naval Academy to recover from Hurricane Isabel. Admiral Rempt, the Superintendent of the Naval Academy, and Mullen, the Vice Chief of Naval Operations, are still determining the extent of the damage and its total costs caused by the hurricane. According to ADMs Rempt and Mullen, there may be additional resources that may be required to relocate the Chiller Plant which provides critical heating and air conditioning and was seriously damaged by the floods from Hurricane Isabel. I thank Senator MIKULSKI for her leadership in this matter.

Mr. WARNER. Mr. President, I thank Senator MIKULSKI for joining with me in offering the amendment to address the damage done by Hurricane Isabel to military facilities, and for her help in getting that amendment adopted. I can assure you that I intend the needs of the U.S. Naval Academy and all other military facilities damaged by the storm to be fully met from the funds provided by that amendment.

Ms. MIKULSKI. The House also provides funding in its bill to address Hurricane Isabel's damage to military facilities. I would appreciate assurances that the conferees will work to ensure that the needs of the U.S. Naval Academy will be funded as this supplemental bill goes to conference.

Mr. BYRD. I am fully in agreement with the Senator from Maryland on this issue. I look forward to working in conference so that the needs of the U.S. Naval Academy to recover from Hurricane Isabel are fully funded.

Ms. CANTWELL. Mr. President, I rise to discuss the emergency supplemental spending bill before us that will give our troops the resources they need to do their jobs; hold the President more accountable for his postwar plan; and help the Iraqi people get back on their feet.

I believe that the Iraqi people very much deserve U.S. assistance getting their country back on its feet. It is for this reason that I am supporting funding in this supplemental appropriations bill for Iraqi reconstruction.

However, I am very concerned that the administration does not have a clear, comprehensive and convincing plan to do this.

It is for this reason that I have strongly opposed providing the Bush administration with a blank check in the expenditure of funds in this supplemental.

Instead, this supplemental bill includes a broad set of reports and oversight mechanisms, including:

A permanent inspector general charged with overseeing the Coalition Provisional Authority on its operations and financial transactions.

Audits for the use of reconstruction funds, including how they are solicited, bid and granted.

A monthly report from the Coalition Provisional Authority on its progress in the stated goal of replacing U.S. troops with multinational forces and Iraqi security personnel.

A report on the administration's utilization of National Guard and Reserves, and the impact that this has on our country's homeland security.

A requirement for the President to submit to Congress its projected costs for Iraqi operations through 2008 and any changes to these projections.

Quarterly reports to Congress on the status of the hunt for weapons of mass destruction.

These are important mechanisms that demonstrate clearly that this funding does not come without strings attached. On the contrary, these mechanisms will hold the administration accountable for developing a strategy and ensure transparency in supporting Iraqi reconstruction.

We also need to be clear that the U.S. cannot do this alone. I believe the U.S. must take the leadership role to ensure that Iraq benefits from the legitimacy, cooperation and money that only a broad coalition can guarantee.

That is why I supported a provision in this bill that requires the President to report to Congress on his efforts to increase international donations and to assess how the U.S. can best leverage U.S. taxpayer dollars for international support and international debt forgiveness.

The administration has had some successes in gaining international support, notably yesterday's United Nations Security Council resolution, which was a unanimous statement supporting multilateral efforts to stabilize, reconstruct and support Iraq's transition towards a sovereign democracy.

Also, the administration has taken an important step in engaging foreign countries to commit troops, including the recent agreement from Turkey. The administration has also shown progress in soliciting financial contributions, including the $1.5 billion Japanese commitment.

However, this is really just a start. Foreign troops and foreign contributions remain terribly lower than where they need to be.

The administration needs to be committed to broadening its coalition of support and making the Iraqi reconstruction a global challenge met by the international community.

I believe that it is also very important that the administration speaks with a solid, unified voice regarding its efforts and strategy in Iraq.

It seems that every day we hear a different plan, a different projection, a different statement on needs and demands from one of several agencies and ''spokespeople'' that claim to speak for the administration.

The American people need and deserve accountability and clarity—not only on the challenges that we face, but on the solutions that we are seeking to execute.

This clarity is particularly important for the central questions of how long reconstruction will take, what the U.S. role will be, and, perhaps most importantly, how long our troops will remain in harm's way.

The uniformed men and women of our armed forces have served their country well. Their military efforts have demonstrated historic success, and they continue to sacrifice for our country on a daily basis in securing and stabilizing Iraq.

Washington State is proud to be the home of thousands of troops, sailors and airmen that have served in Iraq and Afghanistan from home bases from such places as Fort Lewis, Fairchild Air Force Base, and Everett Naval Station.

These men and women are meeting the call of duty superbly and we must provide them with the equipment and support that they deserve.

We also owe a particular debt of gratitude for our National Guard and Reserve units, which have been mobilized in historic numbers and for sustained lengths of time—leaving their jobs

and families to serve their countries. In fact, in my state, the 81st Armored Brigade—almost 4,000 citizen-soldiers—were alerted for a possible deployment to Iraq.

Given this important sacrifice made by reservists, I am particularly pleased that this supplemental package includes my bipartisan fair deployment amendment.

Like many guard and reservists—including the National Guard Association, the Reserve Officers Association, and the National Military Families Association—I was disturbed last month by the administration's sudden change in deployment policy.

My amendment addresses the change by requiring that deployment times for guard and reserves begin as soon as they are activated, we ensure that every day of service counts.

I have long said that we need to be consistent in how we calculate the deployment times for our Guard and Reserve personnel and this will do this by starting the clock ticking when their boots are out of the house.

In addition, this includes resources for health care for reservists and their families, as well as critical funding for our veterans.

First, I was a proud co-sponsor of an amendment that will extend TRICARE coverage to reservists and their families who are not currently covered by health insurance, and provide assistance to those reservists who are called up to duty so that they do not have to cancel their existing health care coverages.

Second, I also proudly cosponsored a Bond-Mikulski amendment that will provide $1.3 billion in funding for veterans health care. This amendment means that Washington State will receive approximately $30 million in new VA health care funding, providing care to approximately 6,000 veterans who would not receive it.

This has been an important, productive and historic debate for the future of Iraq, the Middle East region and, most importantly, in shaping America's role in the world.

This ultimate bill ensures that Congress will retain a major role in overseeing the way this money is spent and I remain committed to ensuring that we give our troops the tools they need to do their jobs; get the international support that we need; and making sure that our mission in Iraq is completed quickly and that our troops can come home.

Mr. PRYOR. Mr. President. I rise today to address the historic legislation before the Senate. I refer to S. 1689, the Emergency Supplemental Appropriations for Iraq and Afghanistan Security and Reconstruction Act, 2004.

Let me begin with what seems to be the reaction of most Americans. I am captivated by the sheer sum of the bill—$87 billion.

Once beyond the initial sticker shock, I began to look at the content of this package. I was sent to the Senate by Arkansans in part to watch over the Federal budget so I wanted to know what Americans were getting for their hard-earned $87 billion—$87 billion that will propel our Nation even further into debt.

I want to go on record commending the work of my colleagues on the Appropriations Committee. They did the best that they could given the circumstances. I think that I am a fair-minded American but this $87 billion request was dumped in Congress's lap by the President on September 17, 2003.

Today is October 17 only 4 weeks since we have received this package. It takes most people longer to do their taxes than we have had to figure out an $87 billion package. And while we have heard testimony from the top brass in the Defense Department, we have not from any outside witnesses with views that might differ from the administration. For instance, would it not make sense to hear from the Iraqi Governing Council regarding this bill?

Regardless, here we are, and I have made every effort to fairly examine this package. This is what I have found.

The $87 billion package is broken down into two titles—National Security and International Affairs.

Title I, the National Security section of the bill, provides $66.5 billion to carry out the war in Iraq and Afghanistan. The committee report accompanying S. 1689 says that these funds are for increased operational tempo, military personnel costs, military construction, procurement of equipment, increased maintenance and military health care support.

Title II, the International Affairs section of the bill, provides $21 billion to help secure the transition to democracy in both Iraq and Afghanistan. The committee states that these funds are for enhanced security and reconstruction activities including border enforcement, building a national police service in Iraq, standing up a new Iraqi army and continued building of the Afghan National Army, reconstituted judicial systems, rehabilitation of Iraq's oil infrastructure, and provision of basic electricity, water and sewer services and other critical reconstruction needs in Iraq and Afghanistan.

Let me tell you that once into the details, there is much in this bill that is straightforward and I wholeheartedly support.

For example, under the National Security section, this bill contains $1.2 billion for enhanced Special Pays including Family Separation Allowance, Imminent Danger Pay, and Hostile Duty Pay. The Senate Appropriations Committee should be commended for their decision to support the continuation of the Family Separation Allowance and the Imminent Danger Pay at the levels authorized for all of fiscal year 2004, rather than the Defense Department's request.

Title I contains other essential funding for personnel, operation and maintenance, procurement, the Defense Health Program, and military construction that one would expect to support our obligations to the uniform services totaling around $62–$63 billion.

I support this funding. It is responsible. It is necessary and part of our obligation to our troops.

The National Security section further provides funding for the Iraq Freedom Fund, the Overseas Humanitarian account, the Disaster and Civic Aid account, drug interdiction and counterdrug activities, and the intelligence community management account. While I wish we had greater details about these programs, I will put my trust in this administration who believes that these funds are needed to support the missions in Iraq and Afghanistan.

However, I can only extend so much good faith and trust—which brings us to Title II of the bill. Title II or the International Affairs section of the supplemental is intended to help secure the transition to democracy in both Iraq and Afghanistan. Its price tag is $21 billion.

Some of this reconstruction request makes sense to me, such as the $35 million to establish a U.S. diplomatic presence in Iraq and Afghanistan and the $90 million for emergencies in the Diplomatic and Consular Service which includes reward funds to be paid for information leading to the capture or whereabouts of Osama bin Laden and Saddam Hussein. It is expensive, but we have to back the work that our troops have done and keep our commitment to the Iraqi people.

But overall I, along with many Arkansans, struggle to embrace the administration's obtuse and costly approach to reconstruction in Iraq.

I have followed the progress of the war in Iraq keenly. I have attended the administration's war briefings faithfully. I have gone to the Senate Armed Services Committee hearings consistently. I have had the benefit of first-hand accounts from Secretary Rumsfeld, Ambassador Bremer, and General John Abizaid, to name a few.

Yet I was not prepared for the strategy, or lack thereof, of rebuilding Iraq.

I was never told that the American people would be footing the entire bill for Iraqi reconstruction. Therefore, I understand the reaction of many Americans. I understand that they have questions and concerns. So do I, and they are reasonable questions:

We must ask: One, what reconstruction efforts should the U.S. be solely responsible for and what should the Iraqis pay for? Two, what does Iraq need, and what does Iraq need right now?

There are many reconstruction items that this administration is asking for that should be scrutinized so we can properly determine whether they are truly needed to stabilize Iraq. I fully understand that Iraq has needs, but Arkansas has needs, too.

The Senate has just had an important debate on this bill and I have used

this time to be open to fresh ideas. There have been a few good alternatives to consider and I have supported several alternatives. One such measure was Senator BYRD's amendment that would have split U.S. troop funding from the Iraqi reconstruction proposal and given Congress an opportunity to sort through some of the administration's more questionable funding requests.

I want to hold this administration accountable but I do not wish to hold our troops hostage. By separating this money, we can ensure our troops get the support they need while making sure we are spending taxpayers' money in a wise and effective manner.

I also supported Senator DORGAN's amendment that would have used Iraqi oil revenues to offset the U.S. direct grant payments. Unfortunately, both amendments failed.

I came to Washington to protect the best interests of my constituents and all Americans. In spite of the rhetoric that many Americans hear every day about the partisan nature of Capitol Hill, last night a vote was held on the Senate floor that demonstrates that my friends on both sides of the aisle take their commitments very seriously.

In the spirit in which this Nation was founded, last night the Senate adopted, with my support, a bipartisan agreement on Iraqi reconstruction. I am proud to support this bipartisan agreement sponsored by Senators BAYH, BEN NELSON, ENSIGN, GRAHAM and CHAMBLISS, to name a few.

Under the bipartisan agreement, the proposed $20 billion grant to rebuild Iraq will be divided into two parts: One, a $10.2 billion grant for security efforts in Iraq; and, two, a $10 billion loan.

Importantly, the $10 billion loan will be converted into a grant if 90 percent of Iraq's preliberation debts are forgiven. I am told that Iraq may have the largest oil reserve in the world, but is currently captive to more than $100 billion in foreign pre-war debt owed to countries such as Saudi Arabia, France and Russia. Even if the United States were to provide the $10 billion up front as a grant, Iraq will have a very difficult time recovering economically from the burden of the $100 billion debt. This amendment encourages the international community to forgive the debt incurred by Saddam Hussein by leveraging our negotiations for debt relief with the incentive that the United States will provide a $10 billion reconstruction grant—above the $10 billion already provided for in the supplemental—if the international community forgives 90 percent of its bilateral debt.

I support this proposal. It would help the Iraqi people and it would provide a long-term solution to rebuilding Iraq. More importantly, it helps the United States to move forward on our own important domestic spending, as the Iraqi debt issue will hopefully be resolved. I hope that the administration will join in supporting this bipartisan plan.

Wars must be paid for and I intend to honor our commitments. I will support the amended version of the $87 billion Iraq supplemental bill. It supports our troops and it starts to address a long-term solution for the economic viability of Iraq. I believe that this amended request offers a better solution than what was originally offered by administration. It is a small, but positive step toward meeting our obligations in Iraq while protecting the American taxpayer.

Mr. VOINOVICH. Mr. President, as we continue discussion on the supplemental spending request to support military operations and reconstruction in Iraq and Afghanistan, I would like to take a few minutes to again express my strong support for the funding included in this bill.

I believe these resources are essential to our efforts to secure a stable future for the people of Iraq. This funding is also crucial to American soldiers serving on the ground in Iraq, providing necessary resources to help them finish the job, and to bring them back home as quickly as possible.

This is true not only of the military portion of the request, totaling approximately $66 billion, but also the $20.3 billion in funding for reconstruction in Iraq.

Some of my colleagues believe this funding for reconstruction should be in the form of a loan. While I understand their rationale, after carefully considering the situation and listening to the points raised by Ambassador Bremer and our colleagues, I have concluded this funding must be in the form of a grant. It is important for several reasons.

First, if we tell the American people we are going to loan this money and that it is going to be paid back somewhere down the road, many of them will be very cynical about whether or not we will get the money back. There is no Iraqi government to agree to repay a loan. I think we ought to level with them and say, this initial grant is a grant. If we are asked to look at additional funding down the road, then that is a different story. However, there is very little chance that Iraq would be able to pay back this money in the near future.

Next, as we look to increase contributions from the international community, I think this funding must be in the form of a grant and not a loan. This is particularly important as we approach the Donors' Conference in Madrid next week. We must do all that we can to make this a shared responsibility, and if we make U.S. funds for infrastructure projects contingent upon a loan, I do not think our friends and allies would be willing to come to the table and support additional money for Iraq.

This is also crucial as we call on those countries that did business with Saddam Hussein to eliminate the debt owed to them by the former Iraqi dictator. I would suggest to those who have made loans to the former regime in Iraq that they step up quickly and waive those loans. This will go a long way in helping a new, democratic Iraq move forward.

I am pleased that the Senate accepted an amendment that I introduced on October 2, 2003, which requires the President to report to Congress within four months regarding steps taken to increase financial commitments from the international community. The amendment also requires a detailed list of countries that have contributed funds, as well as information on those countries that have eliminated debt owed to them by the former Iraqi regime.

Further, as we encourage other countries to eliminate their debt, we should not saddle Iraq with any more loans. Countries that chose to do business with Saddam should, as I said, eliminate that debt as a way to share in the task of rebuilding a democratic Iraq.

Iraq's debt is already mountainous, totaling nearly $200 billion in debts and reparations. As Ambassador Bremer has pointed out, Iraq can hardly service its existing debt, let alone take on more. As a matter of fact, as one member of the Iraqi Governing Council has said, in his opinion, those loans are morally repugnant to the Iraqi people because they were made to a dictator who killed thousands of their brothers and sisters and who made them live under a 35-year reign of terror.

Finally, providing assistance to Iraq at this time in the form of a grant is the right thing to do.

As I remarked on the floor of the Senate on October 1, 2003, we now have the chance of a lifetime to create a new paradigm of democracy in the Middle East, and to do for this part of the world what we did for Germany and Japan in the aftermath of World War II.

As we consider this question, it is appropriate that we look to the lessons of history. We should look to the peace that prevailed in Europe following World War II under the Marshall plan, when our assistance was given as a grant, as contrasted with the events that took place following the signing of the Treaty of Versailles.

Ambassador Bremer said it well in testimony before the Senate a few weeks ago. He observed that after World War I, the allied forces ''celebrated their victory, mourned their dead and demanded the money they were owed.''

He said, ''We know the results of that policy. Extremism, bred in a swamp of despair, bankruptcy and unpayable debts, gave the world Fascism in Italy and Nazism in Germany.''

Today we find ourselves with another historic opportunity to promote a new era of peace, stability and democracy in Iraq and in the Middle East. By extending support to help Iraq in the form of a grant, our actions will demonstrate better than any rhetoric could

that we are genuinely interested in supporting humane reconstruction in Iraq, as we did following World War II.

We must remember that our war on terrorism began after 9/11. Two years ago, after it happened, I said, ''Our actions must be ongoing and relentless, and dedicated to excising the cancer of terrorism wherever it raises its ugly head. We owe it to the victims and their families, especially their children and grandchildren, to make sure this never happens again. Most of all, we owe it to the American people and the world community to bring an end to terrorism everywhere and forever.''

There are millions of young people under the age of 20 in the Middle East and we want them chanting, ''Freedom and Democracy!'' not Jihad against the rest of the world.

This funding is critical as we continue that effort.

Mrs. LINCOLN. Mr. President, as debate about the supplemental appropriation for military operations and reconstruction in Iraq and Afghanistan comes to a close, I would like to ensure that our focus remains on the welfare of our Nation's troops.

That is why I would like to speak on behalf of the men and women who are serving in our Nation's Armed Forces—those currently on active duty as well as in the National Guard and Reserves—who are serving today in Iraq, Afghanistan, and across the globe.

Since the President declared an end to major combat operations in Iraq 5½ months ago, 195 American troops have died in action, and over 1,900 have been wounded.

Even if combat in Iraq is being waged at a lesser level than it was 6 months ago, it is still agonizingly clear that, in many parts of Iraq, our troops remain in danger.

The imminent and ever-present danger of guerilla attacks is one of the most severe threats that our soldiers in the field are facing.

Many U.S. troops have expressed concern that they are not adequately trained for the specialized demands of peacekeeping and policing that the reconstruction effort requires. Despite the fact that many of these soldiers are burdened with jobs and responsibilities outside their area of expertise, they have shown themselves to be resourceful and resilient in taking hold of their assignments.

But, alarmingly, the dangers and difficulties that our troops face go far beyond the threat posed by attacks from insurgents and guerillas.

There are additional threats to their safety and security that we cannot neglect. I have grown increasingly concerned about the conditions under which many of our troops are being forced to serve in the Middle East.

Currently, the difficult conditions posed by a desert deployment—including brutal temperatures of 120 degrees or even higher in the summer months, along with high winds and sandstorms—are compounded by shortages of quality water and food.

While the military has emphasized to these troops the need to drink plenty of fluids and to eat properly, we have seen reports that military field hospitals in Iraq are contending with cases of dehydration and heat exhaustion on a fairly regular basis.

Given the nature of the desert climate, are our soldiers adequately supplied? It has become quite clear that they are not.

Troops are limited to a ration of two 1-liter bottles of water per day, according to numerous reports we have heard from the field.

I know of at least one mother in Arkansas who has routinely shipped cases of bottled water to her son who is serving in Iraq. I hear frequently from spouses or mothers who are forced to ship food, water, or other needed supplies to their loved ones in the field, at their own expense.

In many respects, the food supply situation is also a cause for concern.

One news report from this summer detailed the dismay of American troops who, while surviving on MRE rations, learned that Italian troops serving alongside them were being fed freshly cooked pasta.

These shortages of quality water and food are causing troop morale to flag.

On top of that, many soldiers are growing concerned, confused, and frustrated by the length of their deployments—particularly members of the National Guard and Reserves who are now bumping up against what should be the end of their deployment time.

Many of these soldiers have already served longer than they had been led to believe, causing great stress and hardship for them and for their families.

Adding to the uncertainty and frustration, news reports from earlier this summer indicated that the Bush administration was exploring a cost-cutting proposal to reduce the pay of reservists and guardsmen.

The administration quickly backpedaled from this plan in the face of an outcry from the public, but the pay-cut proposal was the next in a series of indignities and insults to the thousands of brave men and women who left their jobs and families for what they were led to believe would be a short stay in the Middle East.

On the front page of yesterday's Washington Post is a story about the dissatisfaction of our troops in the field, based upon an informal survey of soldiers conducted by the Stars and Stripes newspaper. According to the survey, half of the troops questioned rated their unit morale as ''low'' or ''very low.'' Forty percent, according to the survey, believe that the jobs they are doing have ''little or nothing to do'' with what they have been trained to do.

Right now, Arkansas reservists in the 39th Infantry Brigade have been called up for rotation into Iraq beginning early next year. Nearly 3,500 Arkansas soldiers are being activated, which is the largest deployment of troops from our State in Arkansas history. As a Senator and as an Arkansan, I want to know that these troops are going to receive the supplies that they need to do the job, and the pay that they deserve for their service.

When this President ran for office 3 years ago, one of his central promises was that he would make the needs of the uniformed military a paramount concern.

But the record of this administration in supporting our troops and their families suggests otherwise.

Now the President comes to Congress seeking an additional $87 billion to sustain our engagement in Iraq and Afghanistan.

While this legislation was being crafted, I asked that the President use his leadership to place a higher priority on the well-being and quality of life of American troops serving in these war-torn nations.

The President has expressed his great pride in our troops, and I share that pride. I ask that he now match that pride with a commitment to these troops and their families.

First, the President and the Pentagon need to review the allocation of rations, water, and supplies to our troops to ensure that they can maintain their strength and health, as well as a modicum of comfort, in an extremely harsh desert environment.

Third, the President should instruct military commanders to develop greater certainty with regard to the length of combat assignments, so that troops and their families can plan for their futures.

Finally, the President should continue working to build an international coalition of countries to share in the burden of post-war Iraq.

American troops have paid with their lives and American taxpayers are paying for the reconstruction at rates that are greatly disproportionate to the rest of the free world.

The model of international forces working together for security and reconstruction has worked before. In fact, this model is working right now in places like Afghanistan, where troops from Germany and Holland, among other countries, are working alongside United States troops to bring security and peace to that nation.

Although Afghanistan still faces a number of security challenges and we still face a long commitment to the Afghan people, there is no doubt that the country is much better off now than it was at this time 3 years ago. This progress is a direct result of the multinational force working to secure and reconstruct Afghanistan today.

We should continue to seek a similar force structure for the stabilization and reconstruction of Iraq. The United Nations Security Council resolution that was passed today is one step in the right direction. Even if we don't yet have concrete commitments of troops or funding, it does help bring our allies to the table. It does give us an opportunity to begin the process of healing

the rifts in the global community and perhaps to ensure a more peaceful future. I urge the President to continue working to secure the support of our allies and the United Nations.

At this point, it is clear that there is a great deal of work to be done in Iraq, and that our commitment of troops in the Middle East is going to last for several more years at the least.

This latest request for billions of dollars to support operations and reconstruction in Iraq is the clearest suggestion from the administration that our commitment is only going to grow more intense in the coming months and years.

It is important to recognize that these decisions are not made in a vacuum. We have a responsibility to ask how these funds are being spent. We have a right to know what further resources will be needed beyond this supplemental appropriation. And we have an obligation to ask what effects this spending will have on our domestic priorities and the needs of our constituents.

I have heard repeatedly from my constituents in Arkansas, who are deeply concerned about this funding and how it is being spent. In Arkansas, we have a tremendous need for water projects, for education funding, for health care, for infrastructure, and for all the necessities that federal investment can bring. My constituents ask, how can we afford $87 billion for Iraq when we're repeatedly told that there is no money for projects at home? Where is this money going to come from? How is it going to be spent?

Further, I support providing a substantial portion of the funding in this legislation designated for reconstruction projects in the form of a loan. I do not believe my children and possibly my grandchildren should be required to pay for this effort without at least some help from the Iraqi people. I was pleased the Senate approved an amendment with my support that converts $10 billion of the reconstruction funding contained in the bill into a loan.

I also believe that to be successful in the long run, the Iraqi people and the global community must have a vested interest in this reconstruction effort.

When constituents from Arkansas come to ask me for help with projects in their communities, I have to tell them in most cases that I can't help them with funding to construct buildings, but I can help secure money for equipment, training and programming.

The rationale behind this Federal policy is that projects are much more likely to succeed if the participants have a vested interest. I think the same policy holds true for Iraq.

I am voting in favor of this supplemental appropriations bill, because I believe it is important that we support our troops and it is important that we assist the people of Iraq with rebuilding their country so that our men and women in uniform can finish the job and return home to their loved ones as soon as possible.

Even though we have made some significant improvements in this bill during consideration in the Senate, I do have some reservations. I remain concerned that we are spending too much money on reconstruction projects of dubious value, and too little on ensuring the safety and security of our troops. And I am deeply, deeply concerned of the effect of this additional spending on our burgeoning deficit—a burden that our children and grandchildren are going to have to bear.

In the weeks and months to come, I expect the administration to make a better effort to improve communications with Congress on the progress we are making in Iraq. I expect the administration to keep Congress better informed about progress in Iraq, and to present a clear plan for the future—how this money is being spent, how it is to be paid for, and what the results of this spending will be. I have supported legislation that promotes greater disclosure from the administration, and encourage the President to cooperate with Congress in good faith.

President Bush and members of his administration have told us repeatedly that this funding is needed in order to ensure that Iraq is stabilized and secured, and to ensure that we can bring down troop levels and casualty levels. I, along with the people of Arkansas, intend to hold them accountable for those goals.

Mr. CORZINE. Mr. President, after giving this matter considerable thought, I have decided to vote for this emergency supplemental. I do so with great reluctance, and I wanted to take a few moments to explain how I came to this decision.

Let me begin by saying that I voted in October 2002 against the resolution to give the President broad authority to go to war in Iraq. At the time, I believed the administration had failed to make the case that Iraq posed an imminent threat; had failed to develop a meaningful international coalition with whom to share the burdens and costs of war; had failed to prioritize the more serious risks of global terrorists, North Korea and Iran; had failed to develop a plan for reconstruction once the war was over, and had failed to be straight with the American people about why we were going to war in the first place.

Looking back at my decision, I am more convinced than ever that it was correct. It has become increasingly clear that numerous administration claims about the Iraqi threat were either exaggerated or simply wrong. With little international support, America has been left to fight the war and rebuild Iraq largely on our own. America is shouldering 90 percent of the costs, providing 90 percent of the troops, and tragically bearing 95 percent of the casualties on the ground. In that context, the administration still has not put forward a meaningful, long-term plan to rebuild Iraq and move toward its self-governance. And, after all this time, the Bush administration still has not developed a consistent position about the rationale for this war. In fact, each passing day leads me to be more certain that the development and use of intelligence pre-conflict has been misused for political justification, not informed policy formulation. This is why I continue to call for an independent, bipartisan commission to investigate the development and use of intelligence related to Iraq.

Having said all that, the decision to go to war has long since passed. And the question before the Senate today is how to move forward from here.

Needless to say, all of us are glad that Saddam Hussein, a tyrannical dictator, is out of power. However, notwithstanding Saddam's departure, Iraq is now a country with very serious problems. Violence against American soldiers, and crime generally, plagues the country. Iraq's economy is struggling. Many Iraqis have lost jobs and are having a hard time making ends meet. And we have made very little progress in shifting power from American forces to Iraqis themselves.

While I opposed this war, I also am convinced that we cannot and must not just walk away from Iraq at this point. Having invaded the country and created a situation with such problems, we have a responsibility to help address them. Even more fundamentally, helping Iraq get back on its feet is very much in the interests of the United States itself.

A strong, democratic Iraq could well help stabilize the entire Middle East region, even if this rationale is often overstated. By contrast, an unstable Iraq would not only destabilize the region, but is likely to further become a breeding ground for terrorists. Our own national security could be put at risk as a result, as it was by a festering Afghanistan.

So, I do think we need to address the problems facing Iraq in a meaningful way. And that, inevitably, is going to cost money. I voted for the first supplemental appropriations bill, which provided almost $80 billion for the effort. And I recognize that we are going to have to provide much more in future years.

At the same time, we in the Congress have a responsibility to do it right. And I have had serious concerns about the approach recommended by the administration.

Let me be clear: I fully support the funding requested for our military. But, as I see it, the administration's request for reconstruction funding was problematic in many ways.

First, the administration asked for a huge amount of money, but failed to identify a single penny in savings to offset that cost. Every dollar requested was a dollar to be added to the debt that our children, and their children, will be forced to bear long into the future. That, in my view, is fiscally irresponsible. And that is why I was

pleased to join Senator BIDEN in cosponsoring an amendment to fully offset the bill's cost by merely scaling back a portion of the large new tax breaks for those with taxable incomes well over $300,000. Unfortunately, our amendment was defeated. So this bill now will be financed entirely by new debt. That is troubling to me.

I also am concerned about the sheer size of the administration's request. There is no need to appropriate $87 billion today. Funds already appropriated are sufficient to get us through the end of this year, and perhaps well beyond that. And we could sustain operations well into next year at a cost far below $87 billion. In my view, Congress would be wiser to keep the Iraq operation on a short leash, to help ensure greater accountability.

Along the same lines, I remain very concerned about the widespread reports of abuses in the management of the reconstruction effort. Huge contracts have been awarded to companies with close ties to administration officials, often without any bidding, and there already have been major cost overruns. Halliburton is the most notorious example. But there are others. I was pleased to cosponsor an amendment with Senator LAUTENBERG in an effort to address some of these abuses, and I am pleased that another amendment, proposed by Senator COLLINS, should help block future no-bid contracts. It is important that this type of protection be included in the final conference report.

Another concern I have had about the administration's $87 billion request is that it has not been matched by an effective or coherent outreach to bring other countries into the reconstruction process. So far, America has borne the overwhelming share of the costs of Iraq operations, and there is little evidence that this will change in the foreseeable future. While I was pleased that the U.N. approved a resolution yesterday that seemed to signal at least some outreach to the international community and some reciprocal accommodation, many of our allies who voted for the resolution, including France, Germany, and Russia, said that because the resolution did not go far enough, they will not provide any additional resources beyond those already pledged. As a result, American soldiers, and American taxpayers, will continue to bear a grossly disproportionate share of the operation's ongoing costs. That needs to change.

I believe it would be especially appropriate to ask the Iraqi people themselves to help share in the immediate costs of reconstruction, given that Iraq has vast oil reserves that, in the long term, will produce a huge stream of—revenue conservatively estimated $30- to $40 billion per year. As I see it, Iraq should securitize those revenues—borrowing today, using future oil production as collateral. That securitization would help relieve the huge burden that the President is imposing on American taxpayers.

Unfortunately, the administration has been unyielding in its determination to simply hand out $20 billion in grants to Iraq, with no strings attached. As I see it, that is not a responsible way to manage the people's money. Nor is it an effective way to build long-term public support for the effort in Iraq. That is why I supported the Bayh amendment, which would turn half of the President's requested grants into loans that could be forgiven only if most of our allies agree to forgive debts incurred by the regime of Saddam Hussein.

Another concern of mine about the administration's request is that it failed to include sufficient mechanisms to ensure that reconstruction money is well spent, and well accounted for. The request asks Congress to give the executive branch largely unfettered discretion to shift funding approved by Congress for virtually any other purpose related to Iraq. That is why I was pleased to support amendments by Senator BYRD to eliminate these broad grants of authority, and to improve reporting requirements. I also supported the proposal to establish an inspector general to review related spending. These accountability measures must remain in the final conference report.

Yet better reporting and monitoring of spending in Iraq still does not address the more fundamental need for the administration to develop a long-term plan for operations in Iraq. Some will argue that the administration recently did submit a document to the Congress. But that document contains few details about the number of troops that will be needed, the cost of operations beyond this year, or the process by which power eventually will be shifted from the Coalition Provisional Authority to Iraqis. In my view, it is premature, at best, to appropriate such a massive amount of money until the administration produces a real long-term plan, and until that plan is subject to full public debate.

Having said that, I was pleased that the Senate did approve an amendment I drafted that will require the President to report every 90 days to the Congress about the long-term costs of Iraq operations, including military operations and reconstruction. This requirement would force the administration to think beyond the short-term. And it would give Congress the ability to plan long term. I hope the provision will be retained in the final version of the legislation.

Today I have detailed many of the problems associated with the administration's request for Iraq. Some of those problems have been addressed on the floor through the amendment process, and I am proud to have been part of those efforts. Yet serious shortcomings remain, and the bill before us remains substantially flawed.

At the end of the day, however, I have reluctantly concluded that this flawed bill, for all its problems, is better than nothing. There is no getting around the fact that our troops are in Iraq, and they must be supported. Similarly, we have to accept that, even if we shouldn't have begun this conflict, it is now our Nation's responsibility, and it is in our Nation's interest, to ensure that Iraq is rebuilt and emerges as a modern democratic state in the context of its own culture. We simply can't walk away from Iraq. And it is imperative that we demonstrate to the Iraqi people, and the international community, that Americans across the political spectrum are committed to this cause, and will fully support the Iraqi people as they move toward a free Iraq.

Reluctantly, after balancing these many considerations, I will cast my vote ''aye.''

Mr. KOHL. Mr. President, 2 weeks ago when the Appropriations Committee marked up this $87 billion supplemental spending request from the President, we spent an entire day attempting to improve one of the largest supplemental requests in our history. Most of the amendments voted on that day were defeated on party-line votes, but the issues raised remain unresolved and continue to engage this body and the American people. We voted to send this request to the floor without prejudice, and it is no surprise that there has been tremendous interest in continuing to debate the substance of the funding proposed for Iraq, and the timing for disbursing that funding. The interest in this bill reflects the broader concerns that persist about the direction of our policy in Iraq.

We need to take as much time as necessary to review the administration's plans to rebuild Iraq. By way of comparison, when Congress approved the Marshall plan, it spent 11 days debating an authorization bill submitted by the Truman administration before appropriating any funds. The time, planning, and extensive oversight that went into the Marshall plan helped ensure its success. Given the miscalculations that have occurred during our time in Iraq, it behooves us to be cautious and put in place mechanisms to ensure the most vigorous oversight of the reconstruction of Iraq.

If we approve this supplemental—and I believe we will—every provision that we have added to this measure to increase accountability and to hold the administration to benchmarks and timetables must be retained in conference. I voted to support Senator BYRD's amendment to add reporting requirements for the Coalition Provisional Authority and to mandate GAO audits of Iraqi reconstruction activities and numerous other amendments were adopted by voice vote that strengthen our ability to oversee the disbursement of these funds. We could have done even more to guarantee the success of the ambitious nation building proposed by the administration if we had adopted the Leahy-Daschle amendment to transfer reconstruction authority from the Pentagon to the

Department of State. It makes sense that those with the most expertise in this area be in charge of Iraq's reconstruction. The administration's indecision about how to manage the reconstruction suggests that we have not heard the last on this matter.

Americans' sense of unease about United States policy in Iraq is compounded by the sheer size of this supplemental. I have heard from countless constituents who are concerned that we are spending vast resources in Iraq when we have so many pressing needs here at home. I share their sense of irony that we are sending money to Iraq to build roads and schools, to construct housing and health facilities, and to spur economic development, when these same needs go unmet in our own States. That is why I would have voted to support the Stabenow amendment to spend $5 billion on veterans' health care, school construction, health care and transportation needs here in the United States. Addressing these vital needs would have helped create as many as 95,000 jobs at a time when the numbers of unemployed who have given up and stopped looking for work at all is climbing.

In this time of economic uncertainty, I have joined many of my colleagues in questioning why we have not been more responsible in paying for military operations and reconstruction costs in Iraq now, instead of burdening future generations with the staggering cost of this operation. That is why I voted for the Biden amendment that asked the wealthiest 1 percent of this Nation's taxpayers to give up a small portion of their future tax breaks to fully offset the $87 billion cost of the supplemental before us. And that is why I would have voted for the Dorgan amendment to require that Iraqi oil revenues be used as collateral to pay for the reconstruction in Iraq, an amendment I supported in the Appropriations Committee. Iraq is not a poor nation it has the second largest oil reserves in the world—and it is only a matter of time before the oil will begin flowing again. How can we worry about burdening the Iraqis with debt when our own debt looms so large? I hope that when Congress completes action on this bill, the Bayh amendment is a part of the final version and we will have found a way to have the Iraqis help pay for the cost of reconstruction.

We also need to do much more to gain the support of the international community in this endeavor. The U.N. Security Council vote on Thursday was an important step in that direction but the resolution itself glossed over important differences with our allies. After the vote, representatives from Russia, France, and Germany made clear that they do not plan to lend further support issuing a joint statement saying, ''The conditions are not created for us to envisage any military commitment and no further financial contributions beyond our present engagement.''

I have always believed that before we commit troops abroad, we must do so with international support and involvement. As I said when I cast my vote to authorize the President to use force against Iraq, I did so with the belief that ''moving to disarm Saddam Hussein—in concert with the international community—was the President's great goal.'' And last year, before we voted, the President vowed to seek the support of the international community on Iraq. Working with the support of the international community made sense when we waged war against Iraq in 1991, and it would have made sense last year.

I wish the President had taken the time to build a broader international consensus before we went into Iraq. The price of going it alone is being paid in many ways. We have damaged our relations with some of our oldest allies. Our attitude in Iraq, coupled with this administration's approach to other international efforts has done real damage to our image in the world. While reasonable people can disagree about whether the treaties, protocols, and conventions the United States has opted out of over the last few years were good or bad for our national security, the fact remains that our friends around the world were surprised, and in some cases snubbed by our actions. At the time we may have thought the cost of leaving them behind was small but the bill has now arrived—and the first installment is $87 billion.

Even the ''coalition of the willing'' has come with a price. While the United Kingdom has stuck by us admirably, many of the other countries that the administration points to as cooperating with us in Iraq are being compensated for their efforts. A Washington Post article this summer pointed out that the international division headed by Poland will face roughly $240 million in expenses, $200 million of those will be paid by the United States. The supplemental before us contains some $900 million for Pakistan—to pay them to police part of their own border.

Last year, the Congress and the Nation heard all about the advantages of unilateralism. We heard that only weak countries that could not control their own destinies had to wait for the approval of the United Nations or the international community. But now we are learning the limits of our own strength. We hear stories about how our military is stretched thin and we are asking more and more of our Reserve Forces. The United States military strategy was to be ready for two nearly simultaneous major military conflicts, but now it appears that our operations in Iraq and Afghanistan are pushing the military to the limit. I believe our Armed Forces are up to the job that lies before them, but we did not have to ask this much of them. Better coordination with our allies earlier this year, or even now, could do a lot to ease the burden on our men and women in uniform.

While there has been a great deal of discussion regarding the reconstruction dollars included in this bill, no one has disputed that the military funding is crucial to the support of our troops in Iraq. Our men and women in uniform need the $67 billion included in this package to replace damaged equipment and stores of spare parts. They need it to buy necessities like body armor and improve security around facilities. They need it so they can move out of tents and into air conditioned barracks. Some of my colleagues may have opposed the war from the beginning, and others may now be doubting the value of this military adventure, but we all agree that the troops who are over there now need the best that we can give them to accomplish their mission quickly and safely. In that spirit, I supported the Dodd amendment that would have taken $322 million from Iraqi prison building and witness protection funds on the reconstruction side of this bill and would have used those funds to pay for sorely needed personnel equipment for our troops.

I wish we could have considered the reconstruction funding separately. Much of that funding is far less urgent than the military spending in this bill. That is why I supported the Byrd amendment that would have separated the reconstruction funds from the $67 billion in defense funds. If we had approved that amendment, we surely would have approved the military and security funds expeditiously and then taken the necessary time for the administration to provide us with more specificity on the plan for the political and economic reconstruction of Iraq.

Mr. President, we are being asked to approve this $87 billion request for Operation Iraqi Freedom; yet, no one can say authoritatively how long this operation will last. We are being asked to approve $87 billion when we have no information on the extent to which the international community will shoulder some of the burden of stabilizing and reconstructing Iraq. And we are being asked to approve $87 billion with no idea of how much more we will be asked to commit in taxpayer dollars and human lives.

I plan to support this supplemental. I do so after having supported amendments to try to improve the reconstruction package, and I do so because we cannot delay any further the military spending so crucial to making this mission a success. We owe our fighting men and women in the field our full support and we owe the Iraqi people a fighting chance to rebuild their nation. And while it may be true that these debts were amassed through misguided policies of unilateralism, they are debts nonetheless, and they must be paid. So I will vote for this supplemental and urge my colleagues to do the same.

I yield the floor.

Mrs. MURRAY. Mr. President, it has been a year since the full Senate debated military action in Iraq, and now

the President is asking Congress for $87 billion.

It is time to assess where things stand, to look at the reality facing our troops, and to see if we are on the right track in Iraq.

Unfortunately, it is clear to me that today we are not where we need to be in protecting our troops, gaining international support, or even having a plan to win the peace.

As the daughter of a disabled World War II veteran and the representative for hundreds of thousands of Washington State veterans and military families, I will fight for every dollar our troops need to protect themselves, and to complete their mission successfully, and I am deeply troubled that the President still does not have a plan for success in Iraq.

I have invested a lot of time examining the President's $87 billion request.

I am taking a close look at what is needed and who will foot the bill.

I have attended hearings and briefings where I have questioned administration officials, from Defense Secretary Rumsfeld to Ambassador Bremer. And I have heard a great deal from the citizens I represent in Washington State.

Everywhere I go at home, I am approached by people who have a family member who is now serving or a family member who is going to be called up.

As we speak, 3,500 soldiers with the Army's 1st Stryker Brigade Combat Team at Fort Lewis are being deployed to Iraq. About 2,100 Washington reservists are serving in Iraq today. About 300 Washington National Guard are already serving in Iraq and another 3,300 are on ''ready alert.''

Like their families, I am very concerned about what they—and all of our troops—will encounter overseas.

Each day in Iraq, our American soldiers face vicious attacks from snipers, car bombs, roadside explosives, and rocket-propelled grenades. These attacks are taking a deadly toll. We learned this morning that four more soldiers were killed in Iraq. Our hearts and prayers go out to their families as we continue to support all of the men and women who are still there.

Five months ago, President Bush stood on an aircraft carrier—under a sign that read ''Mission Accomplished''—and told us that major combat operations had ended. Since that day, however, more than 180 American soldiers have been killed, including four from Washington State. Their families will never be the same. Their communities will never be the same. They—and all of our troops—deserve our thanks and our gratitude. But they deserve much more.

They deserve a plan that will help them complete their mission successfully and return home safely. So far, there is no plan.

Many of the questions I asked on the Senate floor a year ago still have not been answered, but today we must focus on the reality on the ground.

We have about 130,000 troops in Iraq, according to the Defense Department. They are working hard in dire circumstances, and they are facing deadly attacks every day. There is still no plan for winning the peace. There is still no real international support, either in troops or treasure.

Anyone who asks a legitimate question or who talks about what is really happening is criticized. And now the administration wants $87 billion without accountability.

The way to fix this is for the White House to ''swallow some pride,'' face reality, be accountable, and offer a credible plan. But instead of a plan, the administration is offering a public relations campaign.

Today we have complaints about media filters and a lively policy debate within the administration, but we still have no plan.

So as I assess where things stand in Iraq, I see no real international support; no tolerance for important questions; no consistent policy—even within the administration; no accountability as to how money is spent in Iraq; no plan for success; and a PR campaign to ''paper-over'' the failures.

With all due respect, that is not a formula that will help bring our troops home.

We have to deal with the situation as it is and figure out how to make it better.

Sound bites and speeches are not going to help our troops finish their mission and come home. A credible plan, accountability, and international support will. We do not need a PR campaign to make it look like things are going well. We need a plan that will actually help our troops succeed, and the American people are losing patience. That is the context in which we are having this debate.

Now I wish to turn to the specifics of the President's $87 billion request.

Most of it—about $65 billion—would go to military operations. I absolutely support that. Without question, we must provide our military men and women with the resources they need to complete their missions in Iraq, Afghanistan, and every corner of the global war on terrorism.

About one-quarter of the $87 billion is being proposed to rebuild Iraq. I am concerned with how the burden for Iraq's reconstruction is being shared with the rest of the world.

The Bush administration is proposing to spend more than $20 billion in Iraq, while the rest of the international community has currently pledged only $3 billion—$20 billion from American taxpayers and $3 billion from the rest of the world. This is far different than the 1991 gulf war.

In 1991, the first President Bush put together a coalition of countries to liberate Kuwait. The cost of that operation was $60 billion. Because that President had won the support of our allies and had secured the support of NATO and the United Nations, America's allies paid 90 percent of the cost of that war. The U.S. paid only $6 billion.

I am also troubled, both as a citizen who cares about my country and as a Senator who will cast a vote on this bill, that Americans were told a lot of things about Iraq before the war which have turned out to be false.

One repeated assertion was that Iraq's vast oil reserves could pay for its own reconstruction. In fact, the Deputy Defense Secretary Paul Wolfowitz said:

> There's a lot of money to pay for this that doesn't have to be U.S. taxpayer money. We're dealing with a country that can really finance its own reconstruction, and relatively soon.

Just a few months later, it is clear that the bill to reconstruct Iraq is massive, and that bill is being handed to every American family.

As my Republican colleague, Senator LINDSEY GRAHAM, said last night:

> It's very hard for me to go home and explain how you give $20 billion to a country that is sitting on $1 trillion worth of oil.

The American people were told that Iraq's oil reserves would finance its reconstruction but now we are getting stuck with the bill and I believe the American people deserve an explanation. We all agree that we must help Iraq and Afghanistan get back on their feet quickly, but we should not carry the burden alone while our own schools, hospitals, and communities are in need.

We all understand the importance of helping the Iraqi people, but it need not come at the expense of our needs here at home. Even though the administration says that Iraq should be able to produce $35 billion in oil revenues in a few years, the American taxpayer is still getting stuck with the bill.

Let's remember, there is no guarantee that President Bush will not come back to ask U.S. taxpayers to provide even more money for Iraq's reconstruction. The World Bank says Iraq's reconstruction will cost at least $60 billion.

Today our families and communities are being asked to do more with less. Americans everywhere are sacrificing to make up the difference. American families will feel this $20 billion impact in crowded classrooms, delayed transportation improvements, and less access to health care. One of the reasons American taxpayers are so upset is because we need those kinds of investments here at home. This administration's priorities are wrong.

The people I represent want to see that level of effort and resources put back into our own country. After all, we will only be strong abroad if we are strong here at home.

Let's not forget no matter how much we are sacrificing at home, the burden is always far higher on our soldiers overseas. That is why, while they are fighting for us, we must continue to fight for them. We have to make sure they come back to a country that has

jobs that can support them, health care they can count on, retirement they can look forward to, and education and opportunity for their children.

Before we reach for our wallets again, the American people deserve to know how this money will help bring our troops home as soon as possible. It is clear that our concerns and questions will not be fully addressed before we are forced to vote on this legislation. It is also clear that we cannot afford to fail in Iraq.

We have situations in Iraq and Afghanistan that can go either way. Both Iraq and Afghanistan could become either havens for terrorism or nations that can inch their way toward stability. We have to get it right. We cannot allow Iraq or Afghanistan to descend into chaos.

We have tried to make this proposal better through amendments. I voted to separate the military funding from the reconstruction funding. I voted to make the entire $20 billion a loan. I voted to require a long-term plan for the reconstruction. Unfortunately, those amendments failed, but I am very pleased that last night, the Senate took a positive step to improve the proposal.

The Senate passed an amendment that will ensure the burden of debt is shared and will give the Iraqi people a greater stake in their own reconstruction. The progress last night is a dramatic improvement over the President's proposal and is a good reason to support the modified funding request.

At the end of the day, we cannot afford to fail in Iraq. The reality is that we have got 130,000 troops over there. We cannot fail to give them what they need to protect themselves and complete their mission. Reluctantly, I will vote for this $87 billion request because we cannot deny our troops the resources they need even as we demand that the administration offer a real plan.

To illustrate just how badly our troops need resources and equipment, I want to read an email I received on Wednesday from David Willet of Bellingham, WA, about his son Ian Willett.

David writes:

My son, Specialist Ian Willet, a 2001 graduate of Sehome High School, was deployed to Iraq on September 5th, his 21st birthday.

Prior to him leaving he came to me to request money in order to help him buy combat gear he would need to take with him to Iraq. This is gear the Army either would not issue him or was as old and outdated as to be virtually useless. I, of course, bought the gear that he requested.

After talking with other men who have come home or are on their way to combat, I have become quite angry that our government has placed our sons and daughters in combat without the best equipment in the world. As an example, Ian spent $50.00 his grandfather gave him for his 21st birthday on knee pads. The Army-issue knee pads fall down around your ankles when you run with them on.

Now I read a quarter of the combat troops in Iraq don't have the right body armor. I am outraged that it has taken over four years to get this ceramic body armor to our combat troops, and that our troops would even be sent into combat without this necessary technology. The reason front line troops don't have this body armor? Delays in funding, production and shipping. Small solace to family that has their loved one killed in combat for lack of the proper vest.

Other stories in the press talk about wounded soldiers being given bills for food they ate while in the hospital in the U.S. recovering from combat wounds. The Bush Administration wants us to focus on the good news coming out of Iraq.

It is outrageous that we are sending our soldiers to Iraq without the equipment they need, forcing their parents and grandparents to buy things that our government should be providing.

Ian is married and has two children. His family can't wait for him to return home, and the burden of protecting Ian should not fall on his family. It is the job of our Government. I am voting for this amendment so that soldiers like Ian won't have to ask their parents for the equipment they need to protect themselves.

Even as I support this funding, I want to be very clear that this is not over. I am going to watch this administration very closely. I am going to watch how they spend this money; how accountable they are; how our soldiers fare; and how much international support we get.

We will hold this administration's feet to the fire. I will continue to be an aggressive advocate for moving us in the right direction because there is too much at stake to just trust that the President has learned from his failures so far.

America is a strong nation, and Americans are a determined people. In our Nation's history, we have confronted adversity. We have dealt with the challenges that have threatened our democracy. In each case, we had a clear vision and a plan to get there. There were bumps in the road, but at the times of our greatest need, America has come together with resolve and determination. Today is no different.

The American people are ready, and we are waiting for the President to face reality in Iraq and to give us a credible plan to win the war and win the peace.

Mr. BAUCUS. Mr. President, I wish to address my amendment No. 1831 to the Iraq supplemental appropriations bill.

Mr. President, today, our Nation faces three simultaneous challenges. This amendment would address each.

First, we need to support our troops and protect our national security. Second, we must not worsen our fiscal crisis. And third, we must work to restore our ailing economy.

We are considering today a bill that, among other things, provides resources to support our troops.

Now many of my colleagues have made the case, and made it well, that our government could well have avoided the quagmire that has become Iraq. And others of my colleagues have also made the case that the bill before us includes spending that is not appropriate for an emergency supplemental appropriations bill.

The merits of these disputes aside, that is not the subject of my amendment. The bill before us includes funding that will help our fighting men and women who valiantly serve our Nation. For that reason, I, and I expect the vast majority of Senators, will support this bill.

But as I noted at the outset, our entanglements in Iraq and Afghanistan are not the only challenges that face our Nation. We also face crises of fiscal solvency. And we also face a stagnant economy. This amendment would address these two challenges as well.

As would the amendment offered by my colleague from Delaware, Mr. BIDEN, my amendment would pay for the spending in the bill before us today. As was so ably argued by the Senator from Delaware, the two Senators from North Dakota, and others, our Nation faces a fiscal crisis. Even for something as important as this bill, we must now seek to pay for what we do.

The Government's two most-authoritative estimators of our fiscal condition, the President's Office of Management and Budget and the Congressional Budget Office, are agreed: The year just ended set an all-time record for budget deficits.

In its October Monthly Budget Review, CBO stated: ''The federal government incurred a total budget deficit of about $374 billion for fiscal year 2003, CBO estimates, more than twice the deficit recorded in 2002.''

And OMB and CBO also agree that the deficit for the year just started, fiscal year 2004, will again set a record. This summer, OMB projected this year's deficit at $475 billion. CBO projected it at $480 billion. Either way, it will once more be the largest ever.

And these summer projections did not include all of the new funding that we are debating today for the military occupation and reconstruction of Iraq. The bill before us today would provide $87 billion in additional funding, beyond the $79 billion already approved in this spring's supplemental appropriations bill. Of this new funding, the administration says $50 to $60 billion will spend out in fiscal year 2004. This would raise OMB's projection for next year's deficit to $525 to $535 billion.

This number would be in line with private forecasts. For example, the investment firm of Goldman Sachs projects a $525 billion deficit next year.

Now some say that we should ignore that these are record deficits because the numbers are smaller when compared to the size of the economy. But these deficits are large even as a percent of the GDP.

A deficit of $535 billion this year would equal 4.7 percent of the GDP. This would be the same percent of the economy as was the record $290 billion deficit in 1992. It is close on the heels of

the 4.8 percent to 5.1 percent deficits of the mid 1980s. And it is not far from the all-time record 6.0 percent of fiscal year 1983.

And if one excludes Social Security surpluses from the calculation, as required by law, this year's deficit would be almost $700 billion. Not only would this set an all-time record in dollar terms, it would also set an all-time record as a share of the economy.

Over the years to come, both OMB and CBO continue to project unacceptably large deficits. OMB projects deficits larger than $200 billion for as far as it projects—the next 5 years.

And CBO's August report indicates that if one simply extends expiring tax provisions other than the bonus depreciation provision, reforms the alternative minimum tax, and spends the expected $400 billion on a Medicare prescription drug benefit, then the Government will still end the next 10 years running a deficit of more than $400 billion a year.

In other words, if the Government simply stays on its current fiscal course, CBO projects that the Government will still be running unacceptably large deficits in 2013.

Under this realistic, indeed, conservative, scenario, over the next 10 years, the Government will run deficits totaling nearly $4 trillion. And 10 years from now, the amount of Federal Government debt held by the public will almost double, to nearly $8 trillion.

Again, private forecasters back up these scenarios. If anything, their projections are more pessimistic. The investment firm of Goldman Sachs is projecting a $5.5 trillion 10-year deficit.

Using the CBO projections adjusted as I have discussed, from 2001 to 2013, the Government will have piled up $4.6 trillion in debt held by the public, or roughly $15,000 in debt for every man, woman, and child in America. Every American child born in 2013 will come into this world owing $15,000 more in taxes because of the economic decisions that the Government is making right now.

That $4.6 trillion in new debt will come in addition to the $3.3 trillion in debt that we already owed in 2001. So that new baby born in 2013 will have a total debt burden of roughly $26,000 hanging over his or her head.

And more and more of the Government's debt is being held by foreigners, like China. With this greater debt, we are transferring to overseas powers a greater ability to affect our economy.

And that level of debt means that by 2013, the Government will be spending roughly $400 billion on interest on the debt alone. Before the Government can choose to spend anything in 2013 on fighting terrorism or education or national defense, it will have to spend $400 billion—that's about 11½ percent of the total budget—that is nearly 2½ percent of the entire country's economic output—just to pay the interest on the debt that the Government will have accumulated by then.

But that is not all. If the Government stays on its current fiscal course and runs persistent and increasing budget deficits, it will increase its borrowing requirements. It will increase the Government's demand for money.

It will thus raise interest rates for mortgages, car loans, and student loans. It will thus lower economic growth. And it will thus lower the standard of living for millions of Americans.

Our Nation's high national debt and high deficits at the end of the next 10 years will leave our Nation in a vulnerable fiscal condition at exactly the wrong time, as the baby boom generation starts to retire.

We know to a near certainty the number of people who will reach the age of 65 in 2013. Unlike the likely results of particular economic policies, reasonable people cannot and do not disagree significantly over how many people were born in 1948—and thus over how many will be eligible for Social Security and Medicare in 2013. We know that we have a substantial budgetary challenge ahead of us, finding the money to pay for the retirement needs of the baby boom generation.

If we head into the next decade with high deficits, the Government will have no room to accommodate those retirement needs. The current policy will thus leave the Government with fewer choices to respond to the growing entitlement costs of the decades to come. The current policy will thus leave us with the grim choice of raising taxes, cutting long-promised and much-needed benefits, or dramatically cutting defense, education, and other core Government services.

So the first thing we need to do is to stop making things worse. We need to bring back the rule of paying as we go.

And that is what this amendment would do. It would suspend some of the tax cuts that Congress enacted earlier this year.

But my amendment would not do one thing that the amendment offered by my colleague from Delaware would have done. My amendment would not alter any of the tax cuts that Congress enacted in 2001. It would only affect tax cuts enacted earlier this year.

My amendment makes this distinction because I—and many of my colleagues—supported the 2001 tax cuts. We believed then and still believe that the tax law changes enacted in 2001 were important to our economy. And these tax cuts are still important to our Nation's economic growth. And so my amendment would not change them. Not at all.

Instead, it would postpone some of the tax cuts enacted earlier this year. When these tax cuts were debated, we were at war with Iraq. I believe—and continue to believe—that it is irresponsible to enact tax cuts during a time of war. The very fact that we are here debating an additional $87 billion for Iraq proves that.

This amendment would postpone some of the tax cuts that are targeted to wealthy individuals in order to pay for this $87 billion.

It would allow all of the funding in the underlying bill to go forward. It would thus support our troops.

It would pay for the spending in the bill. It would thus keep us from worsening our Nation's deficit crisis.

And it would pay for the spending in this bill without altering the 2001 tax cuts. It would preserve the economically beneficial effects of that tax cut in place. It would thus help our ailing economy.

I shall not press my amendment to a vote on this bill. The votes on this bill are now clear. But I urge my colleagues to consider the policies that I am seeking to advance with this amendment.

Mrs. BOXER. Mr. President, just this past April, I voted for the emergency supplemental appropriations bill authorizing $70 billion for our military operations in Iraq. I felt that funding was necessary at the time. But I expected that the administration would move us toward a multilateral approach, one that would take the burden off our troops and our taxpayers.

Now the President is asking for $87 billion more for Iraq.

While war inevitably carries great costs, both in terms of financial losses and losses in human life, the American people and the families of our troops should not be alone in shouldering those costs and burdens.

We cannot afford to continue down this path without legitimate burden-sharing. Our troops are overstretched, our financial obligations are becoming more taxing by the day, needs at home are going unmet, and the Federal deficit is absolutely soaring.

In Congress we have a responsibility to our constituents to debate and decide upon the path that is best for our country. We should not rubberstamp every proposal the administration puts forward, particularly when lives are being lost.

The American people are not satisfied with the direction of this country. But all that the administration has offered so far is the status quo, another blank check for Congress to sign that offers no plan to genuinely decrease the strain on American resources.

That is why I supported an alternative proposed by Senator BYRD. The Byrd amendment put the needs of our troops first by authorizing 100 percent of the funding requested for military operations, and requiring the administration to gain commitments of funding and manpower from other nations to ease our Nation's incredible burden.

It also would have carefully reviewed the Iraq reconstruction process.

I also supported several worthy amendments that, if passed, would have greatly improved this bill:

The Biden amendment to pay for the cost by reducing the Bush tax cuts for the wealthiest 1 percent of Americans;

The Dorgan amendment to pay for the reconstruction of Iraq with Iraqi oil revenues;

The Dodd amendment to shift $322 million in funding for new Iraqi prisons to protective gear for our troops;

The Stabenow amendment to provide $5 billion in funding for important American domestic priorities such as veterans health care, education, community health centers, and transportation. This amendment was paid for by delaying $5 billion of Iraq's reconstruction money to 2005.

Compared to this $87 billion that will be spent abroad, we are spending annually, $23.9 billion on veterans health care, $23.4 billion on higher education, and $31.8 billion in total highway spending. Our domestic priorities are going unmet.

I am pleased that my amendment to reimburse wounded soldiers for hospital meals was successful, as well as my amendment to call attention to the need to protect commercial aircraft from shoulder-fired missiles.

But basically, we are left with one huge $87 billion check which will be used to continue a policy that has led to 194 American postwar deaths and 903 Americans wounded in action to date.

Administration officials, including Defense Secretary Donald Rumsfeld and Deputy Defense Secretary Paul Wolfowitz, repeatedly, and perhaps even deliberately, downplayed the cost of reconstructing Iraq. They claimed that we would pay for this war with Iraqi oil revenues and with support from the other nations. They told us this would be easy.

No one is suggesting that we abandon our efforts in Iraq. The Byrd alternative responsibly addressed the situation in Iraq by proposing a road map for success. It would have put an end to this blank check policy and established a realistic and responsible plan for the future.

My decision to vote no on the $87 billion request and for the Byrd amendment is a stand against the status quo and for a change in this administration's go-it-alone, pay-it-alone strategy.

Mr. FEINGOLD. Mr. President, I do not support the administration's policy in Iraq. After listening to the administration's hard sell, after hearing a series of ever-shifting justifications for our policy, after discovering that some of these justifications were of extremely dubious credibility, after confronting the administration's reluctance to straightforwardly acknowledge the costs and commitments entailed in the occupation of a major Middle Eastern country, after watching the administration alienate potential allies who could help us share this burden—after all of this, I do not support the notion that American taxpayers should be saddled with astronomical burdens and tremendous debt to support this misguided approach.

I wish our policy had been different. But I must deal with the reality before us today. The stakes are too high to do anything else.

I cannot oppose this bill. I cannot pull the rug out from under our brave troops on the ground, who were called to serve and now find themselves in harm's way, confronting suicide bombings and guerilla warfare tactics. This bill contains resources that they need, and I will cast my vote to get them those resources.

I also recognize that stability and reconstruction in Iraq are in our national interest. For years now, I have urged my colleagues to recognize the dangers inherent in weak and failing states around the world. I have studied the appeal that such states hold to criminal opportunists, including terrorists. And I know that a weak or failing Iraq would present a threat to this country. To abruptly pull the plug on reconstruction, to leave Iraq to the disorder that filled the vacuum left by the fall of the Saddam Hussein regime, would make us less safe, less secure.

So I will not vote against the final passage of this very problematic bill.

But I want to be very clear about two points. My vote does not suggest that I am resigned to accepting the administration's policy. I am not, and I will continue to urge them to change it. That is my responsibility as a Member of this body, and I will not abandon it.

My vote also does not mean that I will support future funding for the Iraq mission if the administration fails to put that mission on a sounder footing. Over 330 U.S. troops have lost their lives in Iraq—and over 190 of those deaths occurred after the President declared an end to major military operations. Many more have been seriously injured.

The administration has tried to argue that Iraq is the central battlefield in the war on terror. I strongly disagree with that point of view. Iraq is at best a distraction from that war, which should be our country's main focus. At worst, our invasion and occupation of Iraq may well turn out to be a major setback in our efforts to combat terror. The extremely well-respected International Institute for Strategic Studies recently released a report indicating that ''war in Iraq has probably inflamed radical passions among Muslims and thus increased al-Qaida's recruiting power and morale and, at least marginally, its operating capability.''

I remember what the Vietnam war did to this country. I remember when good people convinced themselves that they had to keep accepting terrible losses because of sunk costs, I remember those desperate and destructive efforts to salvage the credibility of long-since discredited policy. Iraq is not Vietnam, but the lessons of history must not be forgotten. Without a better plan, without burden sharing, without a clear strategic vision that refocuses on this country's first foreign policy priority—he fight against the terrorists who attacked this country on September 11, 2001, and their allies—without these changes, withdrawing from Iraq will be the right thing to do.

I would like to comment on one of the most contentious issues that arose during the debate on the supplemental bill—the debate about grants versus loans. This week I was unable to support the amendment offered by Senator DORGAN to the supplemental bill before the Senate. I do not believe that it is in our national interest to have U.S. authorities making decisions about how to use future Iraqi oil revenues. On this point, the President is right. To do so would play into the hands of those who would promote the ugliest, most distorted images of American motives abroad, conjuring images of imperialism and corruption, and undermining one of our greatest sources of strength internationally—the compelling power of our principles and ideals.

But while the President is right about that point, he is wrong to place this heavy burden almost entirely on the shoulders of American taxpayers. I am by no means enthusiastic about financing Iraqi reconstruction with huge grants. Iraq's reconstruction needs should be met, to the extent possible, by Iraqis themselves. But the decisions about the use of Iraqi oil should be Iraqi choices, not decisions made by American occupation authorities.

That is why I was pleased to support the amendment offered by Senators BAYH and NELSON, which converted a portion of the grants to loans, and leverages this approach to encourage international debt forgiveness. This amendment did not involve any U.S. decisions about Iraq's future oil revenues, rightly leaving those decisions to the Iraqi people.

Once again, I urge the administration to take concrete steps to build meaningful international support and ensure real burden-sharing in the international community. I was pleased to support the amendment offered by Senators BYRD and KENNEDY, which called on the administration to present a concrete and detailed plan for working with the rest of the world to bring stability to Iraq. I am disappointed that the amendment was defeated. The best way to avoid making unfair demands on the Iraqi and American peoples is to give our allies a meaningful role in the country and ask that they in turn contribute to reconstructing the country.

I am pleased that three amendments I offered to this bill were adopted. First, I offered an amendment to establish an inspector general for the Coalition Provisional Authority, so that there will be one auditing body completely focused on ensuring that taxpayer dollars are spent wisely and efficiently, and that this effort is free of waste, fraud, and abuse. I am troubled by some of the seemingly inexplicable requests and figures contained in the administration's funding request—the $6,000 phones, the state-of-the-art postal system, the new monuments, all of them in an ''emergency'' request. At the very least, we should take concrete steps to ensure that vigorous oversight and auditing mechanisms are in place to protect each and every taxpayer dollar.

I also offered an amendment to help alleviate some of the difficulties faced by families of military personnel deployed or preparing to deploy for a contingency operation. My amendment allows a spouse, son, daughter, or parent who already qualifies for benefits under the Family and Medical Leave Act to use their benefits for issues arising from one additional set of circumstances—the deployment of a family member. Our military families—be they active duty, Guard, or Reserve—are coping with tremendous strains and a great deal of unpredictability. Longstanding childcare arrangements can be suddenly upended; in a matter of days, legal powers may need to br transferred to allow a spouse to maintain control of the home while his or her partner deploys. This amendment has been endorsed by the Military Officers Association of America, the Enlisted Association of the National Guard of the United States, and the National Partnership for Women and Families. I am delighted that it was adopted, and I hope it brings some measure of relief to the families who are sacrificing so much.

I was also pleased that two other amendments to help our Guard and Reserve were adopted. One was an amendment offered by Senator BILL NELSON to provide $10 million for the Family Readiness Program of the National Guard. This program provides needed support services and assistance for Guard families prior to, during, and after deployment. And I was pleased to vote for an amendment offered by Senator DURBIN, which also passed, that would ensure that Federal employees who take leave without pay in order to serve do not see a reduction in their pay.

In addition, I thank the managers for accepting a very modest amendment that I offered calling for the Coalition Provisional Authority to regularly post up-to-date information in both English and Arabic on its Web site about oil revenues, seized and frozen assets, and how these resources are spent. Recently the Advisory Group on Public Diplomacy for the Arab and Muslim World reported on how much needs to be done to address the inadequacies of our current public diplomacy efforts. Making a good-faith effort to be transparent when it comes to what is happening to Iraqi resources is just basic good sense, and that means making an effort to communicate in Arabic.

I believe that the amendments I have discussed are small steps in the right direction, but I remain deeply concerned about where the administration's policy is leading us overall. I hear the concerns of my constituents every day—constituents who wonder when their loved ones in the military will come home, constituents concerned about the massive deficit, constituents who feel betrayed by the mixed messages and shifting justifications of the administration. Voting on this bill does not mean that Congress can set aside the issue of Iraq. In fact, voting on this bill should make it painfully clear to all of us—we have a great deal of work to do to get our policy on a firm footing and we cannot afford to wait any longer.

Ms. MIKULSKI. Mr. President, 1 year ago, America was on the brink of war. One year ago, Congress debated whether America should go it alone to confront Saddam Hussein or get international support to bring the world with us. Now we are finishing work on the President's request for $87 billion for Iraq. Again we have debated whether we go it alone or find a way to share the burden and the cost of war.

Today, I will vote in favor of the supplemental bill for Iraq and Afghanistan because I will not fail in my commitment to support our troops and because the Senate voted to provide loans and not just giveaways.

Through this debate, I fought for five principles I continue to believe are critical for the Iraq supplemental:

First, we need to support for our troops. The men and women putting their lives at risk to serve our country deserve our support.

Second, we need international burden sharing. If the stability of Iraq is in the world's interest, then the world should help pay for the reconstruction.

Third, we need to give Iraq loans, not giveaways. Iraq has the world's second-largest oil reserves and is capable of pumping out millions of barrels a day. This oil revenue should help with the reconstruction.

Fourth, we need accountability and responsibility with the money we provide. We need to stop waste, cronyism contracting and profiteering.

Fifth, we need for a plan to end the occupation of Iraq. There was a plan for war. Now we need a plan for peace.

I have used my voice and my vote in the Senate to stand up for these principles as we considered the supplemental bill.

America's Armed Forces are made up of ordinary men and women that are called upon to do extraordinary, difficult and dangerous things. Last year, when we debated whether to send our troops to Iraq, I asked whether they would be met with flowers or with land mines. Now we know. Our troops are at risk and they need our help. Our troops need equipment and gear, like modern body armor and replacement vehicles to help them complete their missions as safely as possible. Military families need financial support to make ends meet.

The men and women putting their lives at risk to serve our country deserve our support not just with words but with deeds. That Is why I voted for amendments to increase combat pay, to end the practice of charging wounded soldiers for hospital meals, and to improve veterans health care.

I believe we need international burden sharing to share the risks and share the costs of occupying and rebuilding Iraq. We need more troops, but not more American troops. We need more money, but not just American money. Last year, when we debated the war, I voted to go to the United Nations, to have international legitimacy and international burden-sharing. If the stability of Iraq is in the world's interest, then the world should help pay for the reconstruction. That is why I voted 12 times for amendments to promote greater burden sharing.

Wherever possible, American aid should be loans, not give-aways. Iraq has the world's second-largest oil reserves. Iraqi oilfields are already producing close to 2 million barrels a day. That means billions of dollars a year in oil revenue. According to Ambassador Bremer, by 2005 Iraq will produce enough oil to take care of its basic needs and have additional funds.

Congress already provided $75 billion for Iraq last April. It also included $2.5 billion for Iraq relief and reconstruction. That was grant aid. Now the President wants to give Iraq another $20 billion. A better solution would have been to loan Iraq the money and have it repaid from Iraq's oil.

The facts are simple: There is a loan. $87 billion is added to our national debt. The question is whether the American taxpayer must pay it back or whether the Iraqi people will pay some of it back with their oil.

That is why I cosponsored amendments to provide loans rather than grants. I am so glad the Senate voted to make $10 billion of the aid loans. These loans would only be forgiven if the rest of the world forgives its loans to Iraq.

We need to safeguard our troops and safeguard our money. We need responsibility and accountability to stop waste, cronyism contracting and profiteering. We need to use American taxpayer dollars to invest in America. That is why I supported an amendment to require full and open competition for contracts in Iraq. That is why I voted for an amendment to end cronyism contracting by preventing these funds from going to a company in which the President or Vice President or a cabinet member has a financial interest.

The administration must lay out a plan to end the occupation of Iraq. There was a plan for war. Now we need a plan for peace. The American people deserve full disclosure and a real assessment of where we are going and how long we will be there. We must not let Iraq turn into a quagmire. We cannot just send more money and more troops with no end in sight. The President needs to present a clear exit strategy. That is why I voted for an amendment to require a comprehensive plan for Iraqi reconstruction to include goals and timelines.

I worked to fulfill my principles on this bill: to support our troops. International burden sharing; loans, not giveaways; accountability; and the need for a plan to end the occupation of Iraq.

Marylanders are patriotic people, willing to do what's necessary to defend our country and help other people when we can. But they have children to educate, parents to support, houses to buy and retirements to fund. It is not fair to ask them to pay for the rebuilding of Iraq just because this administration made critical mistakes in foreign policy.

I am going to vote for this bill because I will fulfill my commitment to America's men and women in uniform, who are risking their lives for the American people in Iraq and Afghanistan.

I will continue to press for an exit strategy to bring our troops home. I will continue to fight for greater accountability. I will continue to demand that President Bush bring in other nations to share the burden, to share the risks by sending troops to Iraq and to share the costs by contributing to Iraq's reconstruction.

Mr. KERRY. Mr. President, I have said many times, and I will say it again, it is critical that we succeed in Iraq. But it is equally important that we do the job the right way—the way that best protects our troops on the ground, enhances our security, and shields the American taxpayer from undue burden. President Bush's approach fails this test.

I support our troops in Iraq—and their mission. I believe we must do our part to reconstruct Iraq and make it a force for peace and stability in the region. I am prepared to spend whatever it takes to win the peace. But I want to spend that money responsibly and effectively—pursuant to a strategy that will maximize our prospects for success through greater internationalization and burden sharing and provide the transparency and accountability that American taxpayers expect and deserve when we spend their hard-earned money. I want to be sure that the financial costs are distributed, in the spirit of shared sacrifice, among those Americans who can best afford to pay. Unfortunately, the President and his advisers disagree.

I cannot vote for the President's $87 billion request because his is not the most effective way to protect American soldiers and to advance our interests. Simple common sense tells us that we need more countries sharing the burden and more troops on the ground providing security. We need a fairer way to pay the bill.

I had hoped that the Administration would prepare for building the peace in Iraq as well as it prepared for fighting the war. But that was not the case.

Over eager to rush to war, the administration failed to plan adequately or effectively for the peace. American forces are being targeted daily by remnants of Saddam Hussein's Ba'athist regime, newly arrived terrorists hoping to capitalize on anti-American sentiment, or a combination of both. The attacks are becoming more lethal and more sophisticated, and increasingly the attackers are going for high profile targets associated with us or our allies. But the administration played down or, worse yet, ignored the likelihood of this kind of resistance when planning for the postwar period.

It low-balled the number of forces that would be needed to seize the alleged WMD sites for which we fought the war, to protect the infrastructure needed for reconstruction, or to contain civil unrest. It failed to put together a meaningful military coalition to help us meet these needs.

The administration underestimated the magnitude of the reconstruction task and, as we now know, misrepresented the ease with which oil would flow for rebuilding. It refused to tell the American people up front the long-term costs of winning the peace. And it refused, until recently, to ask the international community to join us in this very difficult endeavor.

This administration's brazen go-it-alone policy has placed our soldiers at unnecessary risk and our hopes for success in jeopardy. It has turned American liberators into occupiers in the eyes of many Iraqis. It has created a terrorist presence in Iraq where none previously existed and made Iraq a recruiting poster for terrorists of the future. It has undermined the legitimacy of our efforts at home, abroad, and in Iraq. And it has left Iraqis wondering when they will get their country back. We cannot continue on this course. The stakes are too high—for our troops, for the Iraqi people, for the region, and for American security.

A year ago when we were debating the use of force resolution for Iraq, I said: ''If we do go to war with Iraq, we have an obligation to the Iraqi people, and to other nations in the region, to help create an Iraq that is a force for stability and openness in the region.'' That obligation is upon us. We are now committed—as a result of our military victory and postwar occupation to building a democratic Iraq that is reasonably secure and economically viable. Our credibility and our interests demand that we succeed.

Successful reconstruction of Iraq is critical to peace and stability in the Mideast and to the security of Israel, our closest ally in that volatile region. We cannot allow Iraq to become a failed state or let the Ba'athists return to turn their wrath once again on innocent Iraqis. We must not allow Iraq to be fragmented into mini-states, warring with one another and further destabilizing the region. Nor can Iraq be dominated by Iran or any other state in the region. Success in Iraq is also crucial to our war on terrorism. The terrorist violence which has emerged in the wake of our military victory in Iraq poses a major challenge, but it is one we must meet. Iraq cannot become a terrorist sanctuary like Afghanistan, either as a platform for al-Qaida or Israeli-directed violence.

It is imperative that we succeed in Iraq, but to do so, we have to tackle the challenge of rebuilding Iraq an effective way, not the Bush administration's failed way. We need a detailed plan, including fixed timetables and costs, for establishing civil, economic and political security in Iraq.

We need to internationalize both the military and civilian sides of the occupation and build a coalition that will provide tangible assistance in terms of boots on the ground and money in the coffers for Iraqi reconstruction. Only in this way will we reduce the risk to American service members and alleviate some of the financial burden on the American taxpayer for reconstruction.

We have to give the United Nations a clearly defined, central role in the reconstruction of Iraq and in the process of establishing a new Iraqi Government, and we must provide the necessary security so that U.N. personnel will go back to Iraq. The United Nations is not perfect, but it has far more experience and capacity in these areas than the Pentagon and the Coalition Provisional Authority. The process of reconstructing Iraq and its political system must be an international process—not an American process. Only then will it have legitimacy in the eyes of the Iraqi people and the world.

We have to involve Iraqis more in the process of rebuilding their country and assure them through concrete steps that political power and responsibility will be transferred to them as quickly as possible.

The administration, albeit belatedly, has recognized that we need help in Iraq. The resolution adopted this week by the U.N. Security Council is a step in the right direction. It will provide greater international legitimacy to our efforts in Iraq. It does require that the Iraqi Governing Council lay out by December 15 of this year a timetable and program for the drafting of a constitution and national elections, but this resolution does not fundamentally change the lines of authority and responsibility for the reconstruction and governance of Iraq. It is really more show than substance. Whether it will gain meaningful international support for our efforts in Iraq remains to be seen but the prospects do not look good. Already three of our allies who voted for it—Russia, France and Germany—have indicated that they will not provide troops or funds to support our efforts. And Pakistan, which had been expected to provide troops once a resolution was passed, has now declined. If he is serious about generating funds and troops for the operation in Iraq, President Bush must see this resolution as the beginning of a process of diplomacy—not the end.

The President is asking us to give him $87 billion for Iraq. As we decide whether or not to vote for this package, there are some fundamental questions each of us should be asking.

First, what is it for? Much of it some $66 billion is for our troops on the ground. Another $20 billion is supposed

to be for reconstruction of basic services, such as water, sewer, and electricity, and for training Iraqi security forces. It also includes $82 million to protect Iraq's 36 miles of coast line, new prisons at a cost of $50,000 per bed, a witness protection program at a cost of $1 million per family, nearly $3 million for pickup trucks at a cost of $33,000 each, $2 million for museums and memorials, and a whopping $9 million for a state-of-the-art postal service. I could go on, but the point is obvious: This supplemental is padded with requests that go far beyond Iraq's emergency needs.

Second, who reaps the benefit of this $20 billion for reconstruction? On one level, of course, it is the Iraqi people. But let's not fool ourselves. Halliburton and other select American companies with close, high-level connections to the Bush administration are getting the lion's share of the contracts funded by this money. No one can object to giving contracts to American firms, but those contracts ought to be offered on a competitive, open bid basis. And at a minimum, these firms should be required to seek subcontractors from outside of the United States including Iraqi companies where feasible. Opening and internationalizing the contracting process would provide much-needed transparency and give others in the international community a stake in the success of the reconstruction process.

Third, what is the plan for spending the $20 billion? We don't really know because the administration has only given us a set of goals and vague timetables—not a detailed plan. The President wants us to give him $87 billion on faith. His administration has failed miserably in anticipating the risks to our troops, planning for the peace, and building international support for our effort. Why should we trust him now?

Fourth, how does President Bush intend to pay for rebuilding Iraq? He wants to saddle future generations of American taxpayers with the bill by adding to the Federal deficit. This is fundamentally unfair. There is a better way—the one Senator BIDEN and I offered when we proposed that the tax cuts for the wealthiest Americans be repealed. At a time when men and women in uniform are sacrificing for our interests in Iraq, it is only fair to ask those Americans who can afford it to do their fair share, but President Bush's refusal to accept this approach betrays the spirit of shared sacrifice that has made our nation great.

Fifth, what is the urgency for rushing forward with such a large proposal now? There isn't one. Ambassador Bremer, the head of the Coalition Provisional Authority, has told us that his funds for reconstruction will last until the end of the year. Whether or not Iraq can absorb $20 billion over the next year is another question. The World Bank recently estimated that Iraq could absorb only $5.2 billion in reconstruction funds for next year. Instead of rushing to complete this bill, the administration should be doing more of the hard work of diplomacy to generate contributions from other countries and to generate a more accurate assessment of what Iraq's real needs are over the next year.

Finally, it is incumbent upon us to ask what needs at home are underfunded? The answer is: plenty, including health care, education and homeland security.

The President must be held accountable and he must change course. While he may still salvage success in Iraq, the question we must ask is: at what cost—in terms of dollars and lives? We should do this the right way. We can win the peace in Iraq but we cannot—and should not—do it alone. Our troops on the ground deserve a strategy that will take the target off their backs and bring them home more quickly. The American people deserve a strategy that decreases the bill, pays our costs fairly, and makes America safer. We must have a new approach, one that maximizes international cooperation and burden sharing and minimizes the risk of failure. If the President adopts that new approach, I will gladly support any proposal that funds it.

Mr. JEFFORDS. Mr. President, it is with great frustration that I come here today to address the President's request for an additional $87 billion to pay for the war in Iraq and to confront the aftermath of this conflict.

One year ago, I addressed this body, arguing against the notion that Iraq posed an imminent threat to the United States. I feared that the administration's single-minded obsession with Iraq would cost American lives, poison our relations around the world, divert resources from the real war on terror, and deal a crippling blow to critical domestic needs. I pleaded with the administration to work with the international community to address the Iraqi problem in a cooperative manner. I urged my colleagues not to grant the President a blank check to launch a reckless, unilateral, preemptive attack against Iraq.

Those words fell on deaf ears. The President got his blank check, and we now have to deal with the consequences. While the military campaign in Iraq was predictably swift and effective, the aftermath is a mess. It is now obvious that there was a shameful lack of planning for anything beyond the initial war, leaving us in a much worse position than predicted. Our military is suffering daily losses. The Iraqi population is increasingly restive and hostile. Terrorists are flowing into the region, eager to take a shot at American forces and undermine our reconstruction efforts. Longtime allies are so put off by the administration's arrogant approach to this war that they are reluctant to lend a hand when we, and the people of Iraq, so clearly need the assistance.

Through it all, the administration has refused to give straight answers to the Congress or the American people. It has misrepresented intelligence on the threat posed by Iraq. It has dodged the issue of how much the war and Iraq's reconstruction will cost. And it has refused to provide Congress with a detailed plan for post-war political and economic reconstruction.

Now the President is back before the Congress, asking for what I believe amounts to another blank check. Our economy is in dire straits. Our schools are woefully underfunded. Millions of Americans are seeking work, and many have given up trying. The number of people without health insurance is soaring. This Nation's budget deficit is spiraling out of control, in no small part because of huge tax cuts for the wealthiest Americans pushed through by this administration. Nevertheless, while the President seeks to reduce funding for pressing needs at home, he urges the Congress to quickly pass his $87 billion request for Iraq and Afghanistan.

Just like a year ago, we are presented with incomplete plans for how the money will be spent. We have not been provided with detailed information on steps the administration is taking to involve the international community in the reconstruction effort. Moreover, we are treated to blank stares when we seek concrete answers on how much more this occupation and reconstruction will cost and how long our men and women will be stationed on the ground in Iraq.

Ambassador Bremer testified recently concerning the administration's plan for rebuilding Iraq. This plan is striking in its failure to address the most critical issues. It is silent on the size of the U.S. troop commitment, a timetable for the return of U.S. troops, the financial or troop contributions we might expect from other nations, and the short-term and long-term costs associated with the U.S. invasion of Iraq. Beyond that, the plan makes assumptions that are so unduly optimistic that they call into question the credibility of other key elements of the plan. For example, the plan assumes that U.S. forces will defeat internal armed threats and deter external aggression and subversion by the end of October. That is 2 weeks from now. Anyone who reads a newspaper or watches TV would have difficulty believing this will happen. This plan seems based upon the notion that merely opening the spigot of taxpayer dollars will ultimately overcome whatever shortcomings may exist in our policies toward Iraq.

We have it in our power to do something about this situation. This Senate must demand answers to these critical questions. It has learned the hard way the consequences of granting this administration a blank check in Iraq. Enough is enough. Additional funding for Iraq should be withheld until the administration develops and presents a comprehensive, credible plan that details how the money will be spent, how

the administration plans to broaden the international involvement in reconstructing Iraq, how much more this operation will cost, and when our military men and women will come home to their families. We owe at least that much to the American people. And we owe it to our brave forces on the ground in Iraq.

As a former officer in the U.S. Navy, I know firsthand the importance of supporting our troops and have great respect and admiration for their efforts. On the whole, American military personnel have done an outstanding job of providing leadership and direction in countless Iraqi communities in the wake of the collapse of Saddam Hussein's regime. Our officer corps has received widespread praise for their wise and humane conduct in a role for which they received little preparation. I am proud of many Vermonters' unsung acts of bravery, leadership and humanity. RADM Barry Costello of Rutland, VT, served with distinction and played a pivotal role in Operation Iraqi Freedom as the Commander of the U.S.S. *Constellation* battle group. But Vermont has also suffered great losses. We grieve for Mark Evnin of South Burlington, Eric Halverson of Bennington, Kyle Gilbert of Brattleboro, and Justin Garvey of Proctor, VT. My heart goes out to their families. They are but 4 of over 350 American troops killed since the war began.

We cannot continue to accept such losses. We need to make decisions that will help our troops in the long run. It is our job to ensure that scarce resources are being spent wisely, and it is our responsibility to demand something better than the floundering postwar effort we have seen to date. Writing a blank check for Iraq does a disservice to our military if there is no coherent plan for securing the peace and bringing them home.

Meanwhile, the war in Iraq has distracted the United States from the real fight against terrorism, an issue of critical importance to American security. We have reduced our forces in Afghanistan and lost focus in our hunt for Osama bin Laden. As a result, the stabilization and reconstruction of Afghanistan have suffered serious setbacks in recent months. One could even argue that the U.S. invasion of Iraq actually created an opening for terrorists. Osama bin Laden had long targeted Saddam Hussein, whose secularism he loathed. There is no evidence that Iraq under Saddam Hussein had any significant connection with al-Qaida, even though the Bush administration has tried hard to link the two. Ironically, in the chaos that has followed the collapse of Baath Party rule, Iraq has now become a haven for terrorists who see an opportunity to strike against U.S. forces.

For over 50 years, America's Presidents have led the world in constructing a web of relationships and institutions that have succeeded in promoting peace, stability, and respect for the rights of each and every human being on the face of this Earth. They worked closely with allies to meet common threats and they supported the United Nations and other world bodies as mechanisms that fit naturally with our goals of promoting freedom, trade and democracy around the world.

This administration has turned its back on the work of the last 50 years. This administration has demonstrated time after time that it has neither the patience nor the will to engage in real consultations with allies and world bodies such as the U.N. President Bush and his administration frequently assert that the attacks of September 11 made the world a different place. Their response has been to abandon long-held American policies and justify radical new approaches like the doctrine of preemptive war. I disagree wholeheartedly with this response. While the attacks of September 11 were a horrific, senseless act of evil, they have not diminished the value of the international structure that America and its allies have worked to build since the close of World War II. The new challenges are different, but now more than ever, they demand a strong and unified international community. They demand more international cooperation, not less.

The United States needs its traditional allies and it needs the U.N. It needs them to ensure that the situation in Iraq does not continue to slide toward an American occupation and to help defray the costs and challenges associated with rebuilding a deeply troubled nation. It needs them to undercut assertions that the primary interest of the United States is in controlling Iraqi oil. Moreover, America needs its allies and the U.N. because we have too many pressing needs at home to continue hemorrhaging money in Iraq.

Having spurned the international community on the way to war in Iraq, the administration must be prepared to go the extra mile to enlist international support at this hour. We must be prepared to cede meaningful control over the political and economic rebuilding of Iraq. And we must do more than adopt the ''join us if you want'' approach the President set forth in his recent speech to the U.N. President Bush is correct when he says that it is in the world's interest to join with us in working toward the reconstruction of Iraq. Our longtime allies and other countries around the world are equally correct, however, when they ask for a measure of control over their efforts. While I am encouraged that the U.N. Security Council stands ready to approve a resolution backing American plans for reconstruction of Iraq, this may be too little too late. Our closest allies still have deep reservations about how we have conducted ourselves thus far in Iraq, and it remains to be seen if any of them will contribute any significant funds or any troops at all. Meanwhile, because of the worsening security situation, the U.N. has been forced to withdraw nearly all of the 600 employees it had in Iraq just a couple months ago. There must be a turnaround in current conditions on the ground before most international relief organizations can do any effective work in most of the country.

We are caught in a real bind. Iraq clearly needs our help. Yet the American economy is hurting and basic domestic needs are crying out for funding. While asking for $87 billion more for the war in Iraq, the President's proposed budget shortchanges his No Child Left Behind initiative by $6.2 billion. Special education will receive less than half of what it is authorized by law to receive. The President has proposed cutting $400 million in afterschool programs, and has undermined efforts to make up for the shortfall in early education funding. Pell grants now cover only 40 percent of the cost of attending a 4-year public college, whereas in 1975 they covered approximately 84 percent of the cost. Our entire Department of Education receives only $53 billion.

The list goes on and on, and it speaks to an administration with misplaced priorities. While the administration seeks $87 billion for Iraq, water quality grants have been reduced by 32 percent, environmental enforcement staff has been cut by 6 percent, and funding for land acquisition and conservation has been reduced by 50 percent. The entire Department of Homeland Security is receiving less than half of what the President seeks in this bill. Meanwhile, our borders are porous, and first responders in our State and local governments are starved of resources. The administration seeks $87 billion for Iraq when there are over 1.1 million Americans who have exhausted their unemployment benefits without finding a job and the President's supporters in Congress have refused to extend their benefits.

Meanwhile, tax cuts weighed heavily in favor of our most wealthy citizens are driving up the deficit and politically well-connected firms such as Halliburton and Bechtel are reaping millions from no-bid contracts handed out by the administration.

Just as the President must live up to his responsibilities, so must the Congress. It has a corresponding responsibility to the American people, and to our military forces, to demand from the administration a credible plan for bringing U.S. involvement in Iraq to an end and for bringing U.S. troops home. The Congress must demand that the administration develop a plan for involving other countries in the process. We must have a credible, detailed plan for turning over political and military control to the Iraqis. And the Congress must demand a credible, detailed projection of the costs associated with our continuing presence in Iraq. Previous administration statements and testimony on these subjects have been markedly lacking in candor.

This is the largest supplemental funding request in my memory. Clearly, our military must have the funding needed to carry out its tasks. I also realize that our own security will be damaged if reconstruction efforts in Iraq are not successful. Yet this is the moment for Congress to demand answers to these critical questions, rather than simply hand the administration another blank check to pursue its policies in Iraq. We must get our efforts on the right track before it is too late.

I am left with no choice but to oppose this bill. Anything less does a disservice to the men and women of our military and to the American public.

Mr. LEVIN. Mr. President, there are very many things in the Emergency Supplemental Appropriations for Iraq and Afghanistan Security and Reconstruction bill with which I strongly disagree. For example, I object to the virtually unfettered ability of administration officials to move dollars from one classification of Iraqi relief and reconstruction to other classifications. And I object to Ambassador Bremer's unilateral approach to spend U.S. taxpayer's money on such things as zip codes for Iraq, expensive business school scholarships, and a honey pot for high-priced U.S. consultants.

Nevertheless, I will vote in favor of this bill. I do so in order to provide $67 billion to support the American troops who are in harm's way in Iraq and Afghanistan and elsewhere. And I do so because the Senate wisely decided last night to provide one-half of the funding for Iraqi reconstruction as a loan, which could become a grant only if 90 percent of Iraq's bilateral debt was forgiven. I have long maintained that Iraqis must have a stake in the reconstruction of their own country and Iraqis must have a say in decisions that affect their future. The Bayh, et al., amendment gives them the investment in their own future that is so important to them and to us.

Mr. DODD. Mr. President, 2 weeks ago the Senate began debate on President Bush's $87 billion emergency funding request for Iraq and Afghanistan. Since that time, many amendments have been considered by this body. Most of them have failed largely along partisan lines. That is unfortunate in my view. After all, we are talking about spending 87 billion American taxpayer dollars, and this during a time when so many of our national priorities remain unaddressed. Our education system, our health care system, and our homeland security priorities are all drastically underfunded. More and more Americans are finding themselves out of work. Certainly we need to continue to support our troops in Iraq and to assist the Iraqi people to rebuild their country. But we can't do this alone and ignore the vital domestic needs that so many Americans are today facing.

About a month ago, I rose in this Chamber to share my thoughts about United States policy toward Iraq. I did so shortly after President Bush's September 7th televised address to the Nation on the same subject. In that speech, the President was candid with the American people about what we should expect in Iraq, namely that it is going to be ''difficult and costly'' to rebuild that country and to bring democracy to a people who have had no tradition of political freedom or self-determination.

This Senator welcomed the President's honest assessment of what we are likely to be facing in Iraq. It was a positive change from the doublespeak and ''non-answers'' that the Congress and the American people have been hearing from some officials in the administration since before the outset of our military engagement in that country.

Of course, what the President told us wasn't news. The difficulty and the cost of our involvement are painfully apparent. More than 150,000 coalition forces remain in Iraq 5 months after the President declared the end to major hostilities. One hundred and thirty thousand of those men and women are Americans. And every day there are reports of yet another American service man or woman being killed.

With the approval of this $87 billion emergency supplemental, the United States will have committed more than 150 billion of American taxpayers' dollars in a matter of months for our missions in Iraq and Afghanistan—the vast majority of those sums for the Iraq mission.

In light of those statistics, who could disagree with the President that our mission in Iraq has become difficult and costly—both monetarily and in human terms. I only question why it took our President so long to come to that realization. In fact, it now appears that estimates of human and monetary costs that were formerly discounted by the Bush administration—statements made by Army General Eric Shinseki and the President's former Chief Economic Advisor Lawrence Lindsey—might not have been so far off the mark.

During his most recent address to the Nation, President Bush also explained, in simple terms, United States policy objectives: destroy terrorists, enlist the support of other nations for a free Iraq, and help Iraqis assume responsibility. He was less clear on how he intends to achieve those objectives, or to mitigate the myriad of costs to the American people.

That is why many of our colleagues who have spoken on the floor have decried the fact that at the very time we are being asked to approve $87 billion in additional money for the military and reconstruction costs of Iraq and Afghanistan, the administration has yet to lay out a clear plan for how any of the objectives mentioned by the President are to be achieved. Perhaps progress is now possible in internationalizing the rebuilding of Iraq. I take note in particular of yesterday's unanimous U.N. Security Council vote in support of the United States-sponsored resolution on Iraq. However, it is important to remember that this resolution is only the first step toward achieving a broad international coalition with additional governments and international organizations willing to share the burden of this difficult and costly occupation.

Our military has done an exemplary job in winning the war. They should be commended. But they also need help winning the peace. Our forces are stretched thin and our troops are tired. Tragically, more than 332 American military personnel have now died in Iraq, 1,511 have been wounded, and 335 have sustained other injuries. One hundred and twenty of those deaths were unrelated to hostile fire dehydration, auto accidents, and other causes.

These deaths have prompted legitimate questions about the adequacy of the equipment our troops have been provided for the hostile environment being encountered. Efforts by the U.S. Army to address some of these equipment shortcomings have not been fully funded in the pending legislation. That is the Army's assessment—not mine.

That is why I offered an amendment on October 2, to transfer $300 million from Iraqi reconstruction funds to U.S. Army accounts for the purchase of equipment vital to the safety of our troops or to reimburse them for equipment they were forced to buy for themselves. In the broader scope of things, I continue to believe that those few hundred million dollars were a mere drop in the bucket. But this drop could have helped protect and provide our troops with hydration and other lifesaving equipment that they need. I was very disappointed that my amendment failed, largely along partisan lines, because I strongly believe that the first and most important priority of this funding bill should be to protect our troops.

United States liberation of Iraq has not ended the suffering of the Iraqi people. They continue to suffer, and they are frustrated as well. While the decades of fear and brutality perpetrated by the dictatorial regime of Saddam Hussein are now gone, uncertainty and hardship continue despite the best efforts of U.S. Ambassador Paul Bremer and members of the Coalition Provisional Authority. And this uncertainty and hardship have brought resentment—resentment against U.S. forces, resentment against the U.N. mission headquartered in Baghdad, resentment between and within local communities.

That resentment has brought with it increasing acts of violence.

While I have not yet had an opportunity to make a first-hand assessment of the situation in Iraq, many who have believe that security remains the most immediate and pressing challenge confronting the Provisional Coalition

Authority. It is my hope that the monies contained in this legislation for our troops, coupled with the $5 billion allocated to assemble and train Iraqi police and security forces will improve the security climate so that the road is clear for the equally difficult task of rebuilding the country. I fully support those elements of the supplemental request.

However, I have serious questions about some of the so-called reconstruction priorities that the administration intends to pursue once the emergency supplemental is approved—projects that the administration has identified as high priorities in need of immediate funding. A number of these misplaced priorities have been mentioned during the course of this debate. Let me remind my colleagues of some of these:

No. 1, a $100 million witness protection program for 100 Iraqi families—that is $1 million per family;

No. 2, two maximum security prisons at a total cost of $400 million—$50,000 per prison bed;

No. 3, $15 million for the purchase of computers, with a price tag of $3,000 per computer;

No. 4, $20 million for 4 weeks of business training classes at $10,000 per student; and

No. 5, $30 million to teach English as a second language to Iraqis.

These are just a few of the questionable spending priorities embedded in the measure before us.

I supported President Bush last year when he sought authority from Congress to use all necessary means to secure Iraq's compliance with U.N. resolutions. But even while doing so I was deeply concerned that absent broad international support for preemptively removing Saddam Hussein, the American taxpayer and our troops would be left holding the bag when the time came to win the peace in Iraq. That concern has proven well placed.

Indeed, I am not only troubled by the so-called emergency programs that I just mentioned; what concerns me even more is that we all know that Iraq is going to need more money—above and beyond this current request. A lot more. Yet despite the recent U.N. Security Council resolution, many doubts remain as to the administration's willingness or ability to ensure that other governments and international organizations will begin to share some of those future costs.

The President did not listen to those of us who cautioned him about the implications of removing Saddam Hussein unilaterally. This debate gives him a second chance to listen to similar concerns being articulated about attempting to unilaterally deliver democracy to Iraq. Without significant and meaningful help from others we risk an even more ''costly and difficult'' engagement in Iraq than the President has contemplated. Equally serious, the President risks losing the support of the American people for his policy. Without that support continued U.S. involvement will not be sustainable.

During consideration of this legislation, Members of this Congress have taken certain steps to press the administration on the issue of burden sharing. These were not partisan efforts because this is not a partisan issue. It is not partisan to insist that the President not have a blank check to pay for all of Iraq's reconstruction. It is sound fiscal policy. Quite simply, we cannot afford to write endless checks for this purpose.

Even before the administration's supplemental request, the Congressional Budget Office had calculated that the annual budget deficit would reach $480 billion—the largest in history. Over the past 3 years, 3.2 million Americans have lost their jobs—44,000 alone in July. So there are clearly pressing needs at home that remain unmet. We could do a lot with an additional $20 billion on the domestic side of the Federal ledger.

We could do a lot in the area of health care: $20 billion could provide health coverage for approximately 1.3 million Americans; current Medicare prescription drug proposals include large gaps in coverage; the $20 billion could be used to close those gaps; and $20 billion would provide Medicaid coverage for an additional 300,000 children, adults, senior citizens, and individuals with disabilities.

We could do a lot in addressing our Nation's education shortfalls: $8.5 billion would fully fund No Child Left Behind; $6.15 billion would fully fund title I programs—programs to help our poorest schools better serve our children; $750 million would bring afterschool programs to their fiscal year 2004 authorized levels; $29 million would restore the Troops to Teachers Programs.

We could also do a lot in supporting important programs for our Nation's children. Twenty billion dollars would: provide 4.4 million more kids with childcare; enable participation of 2.8 million kids in Head Start; fund enrollment of 26.7 million kids in afterschool programs; or 16.6 million more kids covered by health care.

The bottom line is that we are not going to be able to do any of those things if we continue to go it alone in Iraq. Moreover, the huge and unprecedented amounts of national debt that we are incurring are going to cripple our economy for the foreseeable future.

Why do we go through this silly budget exercise of declaring all these projects an emergency? It is so that our budget rules won't apply—so somehow it won't count. Well, Mr. President, it does count. And I think we should agree here and now that this is real money. Other programs, real programs, important programs, won't be funded because of the so-called emergency projects I mentioned earlier. There are trade-offs.

It is now clear that these trade-offs aren't going to be confronted by the President unless the voices of the unilateralists in the Bush administration are silenced, or at least the President stops listening to them. The recent U.N. resolution was an important first step toward that end. Hopefully it has taught this administration an important lesson: that to garner international help in building democracy in—Iraq help we desperately need—there must be compromise and respect for other points of view.

There is nothing wrong with compromising or with sharing the costs and responsibilities for Iraq's future. In fact, I believe that Congress has a responsibility to see that those costs and responsibilities will be shared. International burden sharing was a condition of congressional support for funding U.S. peacekeeping efforts in Bosnia and Kosovo. This very Congress included a burden sharing requirement in the legislation passed earlier this year authorizing U.S. participation in the Global HIV/AIDS Fund. Why should Iraq be different? Senate adoption last night of the Bayh amendment, which would convert a portion of the reconstruction monies to loans, should be understood as one small step toward more equitable burden sharing in the rebuilding of Iraq.

During consideration of this legislation we have taken some important first steps. But these are only small steps, and much more needs to be done if the $87 billion we are about to approve is to be effectively used. I will reluctantly support final passage of this bill because I believe we have an obligation to support our troops. However, I want to make it clear, here and now, that if this President expects my future support, he is going to have to bring together a much broader international coalition than currently exists—one that will provide significant financial and military support to our efforts.

The recent U.N. resolution holds out the promise that this may be possible, but it is only a promise—it is up to the President to see it become a reality.

We cannot and must not let this administration continue to deny what we all know to be true; namely, that ''multilateralizing'' the reconstruction and democratization of Iraq is the right thing to do. It is the right thing for America. It is the right thing for Iraq. And it is the only way to ensure that we will be able to fulfill our responsibilities to the American people. Let us hope that the administration will use the resources and authorities contained in this bill to accomplish that goal.

Mr. HOLLINGS. Mr. President, I oppose this appropriation because we refuse to pay for it. Foreseeing our venture into Iraq, in early January I introduced a value added tax to pay for it. On this current bill I was a strong supporter of the Biden amendment. In fact, I negotiated the rewording to require that we forego the tax cut for the top one percent of income tax payers and use that money to pay for this appropriation. Led by the Republican opposition, it was voted down.

Ambassador Bremer testified that by next July oil from Iraq would be flowing at the rate of three million barrels a day, a net export revenue of $16 billion a year and a 10-year net export revenue of $160 billion. Iraq is not Afghanistan. With the second highest oil reserves in the world Iraq is one of the richest countries and could easily pay the bill. Again with White House opposition, the collateralization of this $20.3 billion cost was voted down.

This bill includes many items not just to rebuild, but to build facilities that did not exist at the time of war. While we are denying many facilities and services for our people here in the United States, we are going to the extreme financially to correct the mistake of President Bush. I supported the Stabenow amendment for our facilities and services which also was defeated by the White House.

The attempt to equate 9/11 with Saddam fails. Al-Qaida was not operating from Iraq. Saddam was not a threat to our national security. We had overflights in both northern and southern Iraq. We knew what was going on. We had economic sanctions on Iraq. The resolution I voted for had two resolution clauses: One, to enforce the United Nations resolutions and, two, to protect the national security of the United States. Saddam was not a threat to our national security and we all know it. The United Nations at the time was in Iraq on a search for weapons of mass destruction. We preempted the search with invasion. I don't know whether it was oil or finishing the unfinished business of Desert Storm, but be that as it may, they have not met us with rejoicing in the streets. Saddam still exists. There is a daily killing of our soldiers.

At this moment we are an occupation army and the enemy. While we try to internationalize our effort, there is no question that terrorism has been internationalized in Iraq. The borders are porous and deployment for law and order is inadequate. I call Iraq a mistake because we have more terrorism since our invasion rather than less. As reported in the Financial Times: ''The London-based International Institute for Strategic Studies said in its newly published Military Balance survey that while the invasion of Iraq might have isolated al-Qaida from potential state sponsors, it was also likely to have had the effect of 'swelling its ranks and galvanizing its will.' War in Iraq has probably inflamed radical passions among Muslims and thus increased al-Qaida's recruiting power and morale and, at least marginally, its operational capability, the report states.''

You can't stop the killing until you have law and order. The twelfth Roman Canon still applies: Salus popli sumprema lex—the safety of people is the supreme law. In order to get safety, in order to get law and order we need more troops. The administration's approach is to regenerate the wetlands, build a sewer system, put in internet, make the people happy and then they will stop killing us. It could happen, but first you have to establish the people's security and we are trying to do it on the cheap with troops.

As I have told Secretary Rumsfeld on two occasions, more than a money supplemental we need a manpower supplemental. If our troops are sent to secure, there are too few and if they are sent to be killed daily, there are too many. The cheer to support the President and support the troops by proponents of this supplemental misleads. The cheer should be to stop the killing of our troops by supplying more manpower. My vote supports the troops by emphasizing the need for more manpower. But more particularly, it emphasizes the reality of our situation.

Money will not stop the daily killings, nor will a constitution by December. With the passage of this appropriation we are not only trying to do it on the cheap. We are telling the GI in downtown Baghdad, ''We hope you don't get killed. And the reason we hope you don't get killed is that we want you to hurry home to pay for it. My generation is not going to pay for it. This Congress is not going to pay for it because we need a tax cut to get reelected next year.''

Mr. DASCHLE. Mr. President, I rise in strong support of the Leahy amendment to strike wasteful funding from this supplemental and redirect that spending for humanitarian and peacekeeping assistance to Liberia. I commend my colleague for advancing this important amendment.

Last month, I had a moving meeting with Archbishop Frances of Monrovia. He relayed to me stories of suffering and pain in Liberia, a country that has been ravaged by war and brutal government. He also relayed to me the great hope the people of Liberia place in the United States and pleaded with us to help Liberia in this time of great need. This amendment is an answer to the pleas from Archbishop Frances—and a response to the hope invested in us by millions of Liberians.

Though 85 percent of Liberians are unemployed and 75 percent do not have access to clean drinking water, there are reasons for hope in Liberia. A new leader, Charles Gyude Bryant, has assumed the task of shepherding the people of Liberia from war to peace, from violence and destruction to rebuilding and reconciliation. The open violence that has plagued the country for over a decade has been checked.

An international peacekeeping force will be necessary to ensure outright war does not return. This amendment would help pay for an international peacekeeping force—an African force to stabilize an African nation.

In addition to renewed security, this amendment ensures that disaster relief and humanitarian assistance will get to thousands of Liberian families uprooted by years of conflict and children who have been separated from their parents. The amendment will provide relief for Liberians denied access to food and basic services for years.

In this supplemental appropriations package, Congress is providing funding to our Nation's efforts to restore stability and democracy in Afghanistan and Iraq. We do so not because we are obliged to, but because we need to see democratic government flourish in these countries that have been so crippled by violence and corruption. Liberia, a country to whom we are bound by shared history, enduring interest, and national security, needs our help as much as Afghanistan and Iraq.

I urge my colleagues in the Senate to answer their call.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Tennessee (Mr. ALEXANDER) is necessarily absent.

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

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

The result was announced—yeas 87, nays 12, as follows:

[Rollcall Vote No. 400 Leg.]

YEAS—87

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

NAYS—12

Boxer	Harkin	Kerry
Byrd	Hollings	Lautenberg
Edwards	Jeffords	Leahy
Graham (FL)	Kennedy	Sarbanes

NOT VOTING—1

Alexander

The bill (S. 1689), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 3289.

All after the enacting clause is stricken and the text of S. 1689, as amended, is inserted in lieu thereof. The bill is read a third time and passed, and the motion to reconsider is laid upon the table.

Under the previous order, the Senate insists on its amendments, requests a conference with the House on the disagreeing votes on this measure, and the Chair is authorized to appoint conferees.

The Presiding Officer (Mr. SUNUNU) appointed Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. BURNS, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CAMPBELL, Mr. CRAIG, Mrs. HUTCHISON, Mr. DEWINE, Mr. BROWNBACK, Mr. BYRD, Mr. INOUYE, Mr. HOLLINGS, Mr. LEAHY, Mr. HARKIN, Ms. MIKULSKI, Mr. REID of Nevada, Mr. KOHL, Mrs. MURRAY, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, Mr. JOHNSON, and Ms. LANDRIEU conferees on the part of the Senate.

Mr. STEVENS. Mr. President, I take the opportunity to express my appreciation to the Appropriations Committee staff for the many hours and days they worked on this bill. Their commitment and professionalism is critical to the bill. I have the list of the names of the majority and minority staff who worked so hard on this bill and I ask it be printed in the RECORD in recognition of their efforts.

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

THE MAJORITY STAFF

Jim Morhard, Andy Givens, Sid Ashworth, Kevin Linskey, Katherine Hennessey, Dennis Balkham, Jill Shapiro Long, Shannon O'Keefe, Jessica Roberts, Jennifer Chartrand, Alycia Farrell, Menda Fife, Tom Hawkins, and Robert Henke.

Lesley Kalan, Mazie Mattson, Kraig Suiacuse, Brian Wilson, Nicle Royal, Paul Grove, Brendan Wheeler, Dennis Ward, Sean Knowles, Rebecca Davies, Leo Spivey, Bettilou Taylor, Lisa Sutherland, and Christine Drager.

THE MINORITY STAFF

Terry Sauvain, Charles Kieffer, Charles Houy, Nicole DiResta, Betsy Schmid, B.G. Wright, A. William Simpson, Lila Helms, Kate Elrich, Chad Schulken, Tim Rieser, Mark Lippert, and Christina Evans.

Mr. DASCHLE. Mr. President, I know the regular order is to now recognize Senator LEAHY. I ask unanimous consent that we alternate between Republican and Democratic Senators following Senator LEAHY in speeches regarding the vote just taken.

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

Mr. DASCHLE. Mr. President, I ask unanimous consent that I be recognized for a very short colloquy prior to the time Senator LEAHY is recognized for his remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I discussed the appointment of the conferees on this important legislation with Senator STEVENS and the distinguished majority leader. As I mentioned on the floor earlier, we in the minority have been concerned about our lack of input in conferences that are now ongoing. And that is unsatisfactory. I have made that clear to the majority leader.

This bill enjoys bipartisan support, as we have just seen from the vote, and provides an opportunity to begin anew. As a result, I sought and received the assurance of the chairman of the Appropriations Committee that the minority will be full participants in this conference on the bill. That should be the norm when the Senate seeks to resolve its differences with the House. This means the minority will have the opportunity to provide input on key issues for the duration of the conference and be kept fully apprised of all developments as we seek to get a conference report on this legislation which will enjoy the same broad bipartisan support as did the bill before us today.

I ask if that is in keeping with the understanding of the distinguished manager of the bill.

Mr. STEVENS. Mr. President, the Democratic leader is correct. The conference will meet and the minority will be full participants in the conference.

Mr. DASCHLE. I thank the manager of the bill.

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished Presiding Officer, my friend and neighbor from across the Connecticut River.

Mr. REID. Mr. President, will the Senator from Vermont, who has been so patient, withhold so that the Senator from Pennsylvania, who is here, can make a very important unanimous consent request?

Mr. LEAHY. Mr. President, I will withhold with the understanding that I be recognized after my colleague speaks.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. I thank the Senators from Nevada and Vermont for their indulgence.

UNANIMOUS CONSENT REQUEST—H.R. 7

Mr. President, I rise to ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7, which is the charitable choice bill. I further ask unanimous consent that all after the enacting clause be stricken and the Snowe amendment, which is the amendment on the child tax credit, and the Grassley-Baucus amendment, which is an amendment for the tax extenders, which are at the desk, be agreed to en bloc; that the substitute amendment, which is the text of S. 476, the Senate-passed version of the charitable choice bill, which has the Charitable Giving Act as well as the military fairness provisions, as amended by the Snowe-Grassley-Baucus amendment, be agreed to; that the bill, as amended, be read a third time and passed and the motion to reconsider be laid upon the table; further, that the Senate insist upon its amendments and request a conference with the House; and, lastly, that the Chair be authorized to appoint conferees of a ratio of 3 to 2 and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, Mr. President, I want the RECORD to be spread with the fact that this is why Senator DASCHLE just entered into a colloquy with the distinguished chairman of the Appropriations Committee. Conferences haven't worked very well in this Congress.

We are willing to pass this bill, send it directly to the House. There would be a simple amendment. We can do that quickly, soon. We feel that would be the most expeditious way to handle this most important legislation. We favor the legislation. The minority favors this legislation.

I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, what the Senator from Nevada has suggested is instead of taking the normal course, which is the House has passed a bill, the Senate has passed a bill, and for us to go to conference to negotiate the differences, the Senator from Nevada is suggesting we take our bill and send it back to the House where the House would simply take it and put a bill there and send it back here, which would be fully amendable again, and it would go back to the House and it could go back to the Senate and we never reach a conclusion. I suggest the way to solve this problem is to go to conference. I hope we can do so.

The PRESIDING OFFICER. The Senator from Vermont.

PASSAGE OF S. 1689

Mr. LEAHY. Mr. President, I speak today about the Senate's vote on the President's request for an additional $87 billion in emergency funding for Iraq and Afghanistan, of which $65 billion is for military operations and $21 billion is for relief and reconstruction. The lion's share of the funds are for Iraq.

I attended the three hearings in the Appropriations Committee, when Ambassador Bremer, Secretary of Defense Rumsfeld, General Pace, and several other witnesses testified. Unfortunately, there was not nearly enough time in those hearings to discuss the details of a budget request of such enormous size and complexity. I was also disappointed that the hearings provided a one-sided perspective, as there were no witnesses from the U.S. Agency for International Development or the State Department, and no witnesses from outside the government.

I also reviewed the materials provided by the Office of Management and Budget in support of the request, which

are useful but devoid of detail. For example, a request for $800 million for police training in Iraq is justified with only three vague sentences.

It is also one thing to ask for $400 million to build two new prisons. It is another to fail to explain why on Earth it costs so much, when the price of labor in Iraq is half what it is in the United States. This is one of many examples—$33,000 pickup trucks that cost $14,000 in the U.S. and $6,000 satellite phones that sell in neighboring Jordan for $500, are others—that have been cited in the press and in speeches by Senators.

Of course there are things that need to be done in Iraq. But some of these costs are shocking and inexplicable.

The administration is cutting food aid for poor children in Nicaragua; a million children die of measles each year because they can't get the vaccine which costs pennies; a third of the world's people live in conditions most Americans would find appalling. Yet we are going to build wireless internet access on the Euphrates. It makes no sense.

And then we saw in last Thursday's New York Times that although this is a 1-year, emergency appropriation, only $6 billion, not $20 billion, can be effectively spent in Iraq next year. Could it be that the reason the White House wants this $20 billion now, and not a penny less, is because they do not want to have to defend this increasingly unpopular policy again next year before the November elections? I think the answer is obvious.

I cast my vote against this supplemental. This decision did not come easily. There are strong arguments pro and con. I know that I will be among a small minority. But for me, this is a matter of principle, and after a great deal of thought I have concluded that I can not support this proposal. I did not support the policy that got us into war alone. I do not support the tactics the White House has used to get this supplemental passed. And I do not support appropriating so much money, at one time, for an oil rich nation when the responsible thing would be to approve a portion of the money today and to revisit this again next year.

Before I explain how I reached this decision, I want to make three points.

First, I want to mention the issue of support for our troops. We all support our troops, who have endured great hardship and fought bravely. We worry about their safety. We have spoken to the grieving families of soldiers who have died. I and other Senators have worked to get them better protective equipment, after we learned that some were sent into battle in Iraq without bulletproof vests or the latest available armor for their vehicles.

But supporting the troops is not simply a matter of spending billions of dollars so they can remain in Iraq indefinitely, with no exit plan, targets in a guerrilla war that is likely to drag on for years. The President's policy that caused them to be sent there, and that will require them to remain there, must also be a policy that each of us who has to vote on this supplemental can support. And if we are to make good use of the taxpayers money, there must be an effective plan to implement that policy.

Second, it is beyond dispute that Iraq is infinitely better off without Saddam Hussein, whose rein of terror was a disaster for the Iraqi people and a blight on the civilized world. The Iraqi people have a chance to build the foundations of a more open, tolerant, peaceful and prosperous society. Whether they will succeed in that endeavor may not be know for many years, but I credit President Bush, Secretary Rumsfeld, our troops, and the Iraqi people themselves, for giving them this chance.

Third, I am voting against this proposal. If, instead, I thought the administration was being honest with the American people about its motives and its policy in Iraq and the Middle East; if this supplemental were designed to implement a credible plan to internationalize our policy rather than to continue a unilateral approach; and if this had not been a one-time only, take-it-or-leave-it, partisan approach in which almost every amendment offered by Democrats was defeated along party lines, my vote today might be different.

I want to be clear. Since 1989, I have served as either chairman or ranking member of the Foreign Operations Subcommittee. I am a strong believer in foreign aid. Spent wisely, foreign aid is in our national interests. I am not opposed to helping Iraq rebuild. In fact, I supported the supplemental, passed in April, which contained billions of dollars to rebuild Iraq and to support our military operations there. I also voted for several amendments, which were defeated along party lines, which I believe would have improved this supplemental in important ways.

For example, the Byrd-Kennedy-Leahy amendment would have allowed $10 billion of the Iraq reconstruction funds to be spent immediately. The balance of $10 billion would be withheld pending a certification by the President that the U.N. Security Council has authorized a multinational force under U.S. command in Iraq and a central role for the U.N. in the political and economic development of Iraq, and a second vote by Congress. I am convinced that if we do not truly internationalize our policy in Iraq our troops will continue to face daily attacks, our efforts to rebuild will be in jeopardy, and U.S. taxpayers, virtually alone, will pay the skyrocketing costs.

The Biden amendment would have paid for the $87 billion by repealing a tiny fraction of the President's huge tax cut for the wealthiest Americans. I have no doubt that if the American people had been able to vote on the Biden amendment it would have passed overwhelmingly.

The Dorgan amendment would have paid for the reconstruction with revenues from future Iraqi oil sales. Yearly revenues from Iraqi oil are expected to reach $100 billion in less than a decade. This amendment, had it passed, would have lifted a portion of the staggering financial burden of this war off the backs of American taxpayers.

I offered an amendment, with Senator DASCHLE, to shift responsibility for rebuilding Iraq from the Secretary of Defense to the Secretary of State. The Pentagon's role is fighting wars, which they do superbly. It is not nation building. That is the role of the State Department. It is ironic that President Bush, who ridiculed the Clinton administration for nation building in the former Yugoslavia, is today defending the Pentagon's role in the biggest nation-building effort in half a century.

These are only four of the amendments that I supported, each of which was voted down because the White House and the Republican leadership opposed them.

Mr. President, in the weeks and days leading up to this vote, I have been guided by several things.

First is the importance of multilateralism. There is no realistic alternative in the 21st century to working collectively with other nations to combat terrorism and other grave threats to our security which extend far beyond our borders. Iraq, perhaps more than any foreign policy adventure in recent memory, illustrates the costs we pay for unilateralist thinking—the cost to our soldiers, to our relations with allies and the Muslim world, to our influence with other nations on so many critical issues, and to American taxpayers.

Second, I did not vote for the resolution that President Bush used to justify the invasion of Iraq. I felt it gave the President sweeping authority that the Constitution reserves for the Congress. I was also convinced that the White House, despite its protestations to the contrary, was determined to short circuit the U.N. inspectors and go to war alone.

This administration's policy has been driven by lofty, unrealistic ambitions; White House and Pentagon officials who were so convinced of their own version of reality that they felt no need to ask questions, not to mention listen to the answers; a presumption that other nations would follow us simply because of who we are; and a naive assumption that we would be embraced as liberators and that the Pentagon's chosen exiles, unknown to most Iraqis, would be quickly enthroned in the seat of power.

Detractors were silenced. Other nations were bullied. Members of Congress who did not fall into line were called unpatriotic. The administration's justification for a preemptive war, carried out not in self defense, not in response to 9/11, and without United Nations support, has changed from month to month, depending, it seems, on what the White House's polls say the American people will believe.

And third is my concern that in the 2 years since the tragedy of September 11th, President Bush has squandered the support of the rest of the world and has largely failed to build an effective global response to terrorism.

Mr. President, I am not among those who feel that everything we have done in Iraq has been a failure. To the contrary, thanks to the heroics of our soldiers—many hundreds of whom have paid with their lives and limbs—the Iraqi people have a chance to build a government they can be proud of. But the issues before us are far more complex than whether or not we should help Iraq. We should help in ways that are right for the Iraqi people, and right for the American people.

The question each of us must answer, for ourselves and our constituents, is whether this $87 billion, for the purposes for which the Administration has requested it, is the right way to do that.

Thinking back, as I have often done since President Bush launched an essentially unilateral, preemptive war against Iraq, I believe the President got off on the wrong foot from the moment he made that famous, or infamous, remark ''if you are not with us, you are against us.'' That statement was made shortly after September 11th, when the American people were feeling the brunt of that national tragedy, and it may have been reassuring to hear the President express his world view in such bold terms. But I, like many Vermonters, was uneasy about what the President said, and in retrospect I believe it represented a fundamentally flawed approach to the threat our Nation faced then, and will continue to face for years to come.

What the President's challenge has come to mean is that regardless of who you are, including our oldest, closest allies, if you do not agree with us we will ignore what you say, we will dismiss you as irrelevant, we will punish you if we can, and we will go our own way in spite of you. That, I believe, is a recipe for failure. It is beneath the United States. It weakens the United States.

Not only has the White House done grave damage to our foreign relations, it has squandered its credibility with the Congress and the American people.

After handily defeating Saddam Hussein's army, virtually everything this administration predicted about Iraq has turned out to be wrong. Yet one would hardly know that from listening to senior administration officials on television or in testimony before Congress. Rather than give an honest assessment of the pros and cons, they have preferred to make personal attacks against those of us who ask legitimate questions. Since jamming through a Gulf of Tonkin-like resolution last year, top administration officials have continually ridiculed those opposed to the war in Iraq, calling them pro-Saddam Hussein or pro-Osama bin Laden.

Only weeks ago, Secretary Rumsfeld accused those who were asking questions about the deteriorating security situation in Iraq of giving comfort to our enemies.

That is baloney. Every one of us wanted Saddam Hussein gone. But it is the duty of each Senator to ask questions when young Americans are dying overseas.

The administration said, over and over, that the reason we had to invade Iraq was because of weapons of mass destruction. The Vice President said, ''We believe he [Saddam Hussein] has, in fact, reconstituted nuclear weapons,'' although there was apparently virtually no evidence to support that.

But after blaming the United Nations inspectors for being duped, and after months of searching without any interference, the administration has yet to find any weapons of mass destruction. And now, as reported in the press, they want to spend another $600 million to continue the search.

Not long ago, the Secretary of State said the weapons were the chemical weapons used against the Kurds in 1988, before the first gulf war. The gassing of the Kurds was a horrific war crime, but as much as I respect the Secretary, it is absurd, and contrary to everything we were told a year ago, to use an atrocity of 15 years ago to justify a pre-emptive war.

In fact, when Saddam Hussein used mustard gas against the Kurds, the Reagan-Bush administration did little about it. And they continued to sell weapons to Saddam Hussein for years after. The Secretary of State was a member of that administration.

This Administration apparently has no idea what happened to the weapons of mass destruction, did next to nothing to secure the sites where it believed them to be after the fall of Saddam Hussein's regime, and now seems to want to forget about them altogether.

This time last year, there were daily warnings about mushroom clouds. Yet in his speech to the Nation on September 7, the President barely mentioned the issue.

This is not, as some have suggested, a partisan issue. It is an American issue. These are questions that get to the heart of U.S. security and credibility. Where are these weapons? Were they destroyed? Are they in the hands of terrorists, like the Islamic extremists who are flooding into Iraq to attack our troops? Are they in Syria or Iran? Was this a massive intelligence failure?

The administration's handling of this issue has severely undermined the credibility of our intelligence and of the President's justification for rushing into war.

The White House's other major justification for the invasion of Iraq was to fight al-Qaida and combat international terrorism. Over and over again, hardliners in this administration tried to make this connection. They created a special unit in the Pentagon. They worked hard to link Saddam Hussein with 9/11, even if the facts did not support it.

Only recently, after misleading a majority of the American people, did the President publically concede that there is no evidence of a link. Yet, Vice President CHENEY continues to suggest there is. It would be helpful if the Vice President would agree with the President on this point.

Mr. President, I want as much as any person to mount an effective campaign to deter, prevent, and combat terrorism. But what we have been given is a partisan, ''take it or leave it,'' rushed approach costing scores of billions of dollars that is not backed up with a credible plan.

And by a plan I mean a detailed strategy that shows us a way to internationalize this policy and bring our troops home within a reasonable time.

Many in Congress, Democrats and Republicans, warned of the costs and pitfalls of fighting a war to enforce U.N. resolutions without the support of the U.N. Security Council, and of rebuilding Iraq without the support of other nations. Iraq is a complex country with a long history of ethnic and religious conflict, and it was crucial to have a sound postwar plan and a viable exit strategy. But the administration did not want to hear those warnings. I think my good friend Senator HAGEL spoke for many of us, when he said the administration ''did a miserable job of planning the post-Saddam Iraq'' and ''treated many in the Congress, most of the Congress like a nuisance.''

We also know that the White House ignored concerns expressed by some in the administration, especially in the CIA and the State Department, about the difficulties and dangers involved. Instead, a small, secretive group in the Pentagon dominated postwar planning, and miscalculated. Vice President CHENEY said ''[t]here's no question [that the people of Iraq] want to get rid of Saddam Hussein and they will welcome as liberators the United States when we come to do that.''

Many Iraqis are grateful. But the Vice President says almost nothing about the fact that our soldiers, who have performed so bravely, are under constant attack or threat of attack from terrorists and remnants of the Baathist regime. He and others in the White House don't talk about the hundreds of Americans who have died, or the nearly 2,000 wounded. And many of these injuries are not just a broken bone or scrapes. They are lost limbs. Lost eyesight. Lifetime disabilities.

The Secretary of Defense does not talk about the billions of dollars in this supplemental to repair damage caused by the catastrophic looting of government buildings, electric generating equipment, hospitals, oil refineries, railroads, and communications infrastructure, because the Pentagon did not plan for the war's end and did not have enough troops in place to keep order after the fall of Saddam's government.

This $87 billion request is made by the President of the party that just a few years ago gave great speeches in support of a constitutional amendment for a balanced budget. In fact, it was the Clinton administration that actually had the fiscal discipline to achieve a balanced budget, which President Bush inherited. President Bush and Vice President CHENEY say they are deficit hawks. Yet today we are on the road to putting a $1 trillion deficit squarely on the backs of our children and grandchildren.

This is also a President who says we cannot spend another $1 billion in emergency funds to combat AIDS this year, a disease that kills 8,000 people every day. This Administration's AIDS initiative, which has such promise, is starting looking like more talk than action. Others here have recounted the statements of former chief economic adviser Lawrence Lindsey, who estimated that it would cost between $100 billion and $200 billion to rebuild Iraq. He was right, but his analysis was disputed again and again by administration officials who wanted to paint a much rosier picture. For telling the truth, he was forced out of the administration.

Former OMB Director Daniels said between $50 billion and $60 billion.

Deputy Defense Secretary Wolfowitz said ''We're dealing with a country that can really finance its own reconstruction, and relatively soon. The oil revenues of that country could bring between $50 and $100 billion over the course of the next two or three years.''

Andrew Natsios, Administrator of the U.S. Agency for International Development, said that $1.7 billion was all that America's taxpayers would have to pay. $1.7 billion. That is incredible.

These estimates were wildly off the mark. After so many misstatements, misjudgments, and distortions, I have no idea who to believe. This Administration has been wrong, wrong, and wrong.

As Senator BYRD has pointed out, this $87 billion brings to $194 billion the amount the United States is spending in Iraq and Afghanistan—more than twice what the administration had led the public to believe just a few months ago.

The 1991 gulf war, by contrast, cost $61 billion, of which the United States paid only $7 billion. That is $7 billion spent in 1991 compared to $194 billion today—almost 28 times higher, and this is only the beginning.

The $20 billion that the President wants for rebuilding Iraq is more than we are spending this year on foreign aid for the entire rest of the world. The $87 billion is one and a half times the amount we spend on education in the United States. It is larger than the total economies of almost half the states of the Union.

The administration hopes that it will receive an additional $55 billion for Iraqi reconstruction from other countries and Iraqi oil revenues over the next 2 years. But that, again, may be wildly optimistic.

We are going to rebuild Iraq and put the Iraqis back to work. The President says there is money for that—$87 billion. But there is no supplemental to help the millions of Americans who have lost their jobs here at home. There is no money to fix our broken public schools. There is no money for health care for 44 million Americans who are without insurance. None for affordable housing for the growing number of Americans living in poverty.

Instead of a plan, we get more rhetoric about winning the war on terrorism. Instead of specifics, we get abstract talk about democracy in the Middle East—civilizations that predate ours by a thousand years. This administration continues to support autocratic regimes in the Middle East, Central Asia, and elsewhere, whenever it suits them. Instead of a timetable and a detailed justification of costs, we get simplistic and inaccurate comparisons with the Marshall plan.

The Marshall plan, as I, Senator DASCHLE, and others have pointed out, bore little resemblance to what we are dealing with here. The most specific thing the President has talked about is the pricetag: $87 billion. This is staggering. It gave many Americans sticker shock and awe.

Their so-called ''plan'' is a July 23rd document, totaling 8 pages of text and 19 pages of a hypothetical time line. It is not a plan of anything. It is a vague statement of objectives, which begins by saying, not a little presumptiously, that ''now that Saddam Hussein's regime has been removed, the Iraqi people have the opportunity to realize the President's vision'' for Iraq. I wonder if anyone asked the Iraqi people about their own vision for their country.

This plan, which we did not receive until August 22—the day Ambassador Bremer came to testify before the Appropriations Committee—tells us only what has become obvious to everyone—the President sent our troops into war without a postwar plan.

Is everything going badly? No. Iraq is not engulfed in flames, as some press reports might suggest. The port has been rebuilt. Businesses and schools are opening. Electric power and health services are being restored. Rubble is being cleared. A new police force is being trained. There has been progress, and I commend Ambassador Bremer, USAID, and the many private voluntary organizations who are working assiduously in extremely difficult and dangerous conditions.

But there is another picture that the White House prefers not to talk about. The coordinated, deadly attacks against our troops and Iraqi police are growing in frequency. Aid workers are facing daily threats and acts of sabotage. Many relief organizations are evacuating their employees, as the U.N. has done. Horrific bombings of civilian targets are becoming routine. There is growing resentment among the Iraqi people.

Mr. President, we are at a crossroads, not only in Iraq, but in our relations with the rest of the world. A year ago, I listened as the President suddenly, inexplicably, changed his focus from defeating al-Qaida in Afghanistan to overthrowing Saddam Hussein. I listened to his reasons, which were unconvincing given what we knew at the time, and they are less convincing today. Like many, including some of my friends on the other side of the aisle, I urged patience. We were ignored.

We waited for the evidence. It was distorted and manipulated.

After a brilliant military victory, the postwar strategy and the justification for the war itself have largely evaporated. Faced with an $87 billion down payment on what is likely to be a far more costly, far longer United States involvement in Iraq, I have tried, through hearings and amendments, to promote an approach which I believe could succeed. But the White House and the Republican Majority have been inflexible.

This has been a difficult process. I do not believe the United States, having destroyed Iraq's government, should walk away. But neither can I support a policy that was ill-conceived from the beginning, has seriously eroded our influence with our allies, further poisoned our already frayed relations with the Muslim world and weakened the United Nations. It is a policy which cannot succeed over the long term without a significant change of course.

I have listened to some in the majority argue that ''we have no choice'' but to ''stay the course.'' We may have no choice but to stay in Iraq, but we do have a choice about the course. I believe we need to change course.

We should change course in three key ways.

First, as I and so many others have urged, we should internationalize our policy. The amendment I sponsored with Senator BYRD and Senator KENNEDY would have helped do that, and the U.N. resolution that was adopted yesterday is a welcome and encouraging step, for which I commend Secretary of State Powell. But it is nothing more than an expression of good intentions. We have no idea if it will change anything, as this White House has steadfastly resisted meaningful input from other nations.

Will the multinational force be anything more than a fig leaf for an ongoing U.S. military occupation involving over 120,000 troops? Will other nations contribute significant resources? Or will U.S. taxpayers continue to shoulder 99 percent of the costs?

We need to know if the U.N. resolution represents the change in policy that is long overdue, or if it is nothing more than political cover to continue drifting along as we are today alone, with our troops under fire and U.S. taxpayers mortgaging their children's savings.

Second, we must do a far better job of protecting the taxpayers' money.

Today we should be voting to appropriate not a penny more than the amount of funds that can be spent wisely in Iraq and Afghanistan during the next 12 months. It should be paid for by repealing a portion of the tax cut for the wealthiest Americans, as proposed by Senator BIDEN, not by increasing the deficit. By mid-year we should hold thorough hearings, and vote again on whether to stay the course.

Third, we should get the Secretary of Defense out of the business of nation building and put the Secretary of State back in charge. My amendment would have done that.

These are not radical alternatives, but the President's advisers decided that nothing was open for discussion. It has been their latest version of ''if you're not with us, you're against us.'' They have treated this supplemental as a referendum on the President's policy in Iraq, a policy which I believe is fraught with dangers for our Nation. It is no more the right way to build the peace than the pre-emptive, unilateral use of force was the right way to go to war.

Mr. President, I voted for every amendment that I felt would make the best use of the taxpayer's hard earned money. I voted for every amendment that I felt would support our troops and help them do their jobs better, and come home safely. I support them by spending money wisely. And I support them by voting to change course when I believe the course we are on endangers them unnecessarily.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I thank the Chair. I understood that it would go back and forth between Republicans and Democrats.

The PRESIDING OFFICER. The Senator is correct.

Mr. BENNETT. Mr. President, I take the floor to make a few personal observations. I don't want to revisit all of the arguments that have been made over and over again. But I do want to make a few statements just for the record. I want to make it very clear, speaking for myself—and I think for other Members of the Senate, but they can speak for themselves—that I have never challenged the patriotism, the motives, or the rights of any Senator who has disagreed with the President on this vote.

I have utmost respect for the senior Senator from West Virginia. I have watched him serve for many years. I watched him serve while I was a staff member for my father. He and my father served together in this body for many years. I would never, under any circumstances, suggest that I was challenging his patriotism in any way. I do think he is profoundly wrong in the decision he has made with respect to this war. But I recognize that he has every right to make that decision. He has every right to defend that decision in as vigorous language as possible, but I want to make it clear to him and to any who may have misunderstood that under no circumstances and at no time have I ever challenged his patriotism.

I am not sure I know of any other Senator who has ever challenged his patriotism. I hope we will understand that as we disagree, as vigorously as we do on this issue, we are not, in fact, engaging in what has been called the politics of personal destruction.

I believe the Senator from West Virginia is wrong because I think his world view is wrong with respect to where the world is and where the President is going in the postwar world.

We all celebrated the fall of the Berlin Wall and the end of the cold war. There were books written about it. One was entitled ''The End of History.'' We found that history did not come to an end with the end of the cold war, that the challenges to American lives and American interests around the world did not disappear with the Soviet Union, and that we have additional challenges today.

I will not suggest that the Bush administration has done everything right. I have had my moments of disagreement with this administration, some of them relatively serious and some of them relatively recent. But I am behind the President in this effort because I think his overall global view is the correct one.

The primary challenge to peace in the world right now is coming out of the Middle East. For a variety of reasons, for a variety of historic patterns, that part of the world is producing the principal challenge to peace everywhere.

Europeans feel more secure than they have ever felt in their lives, and perhaps accurately and properly so. The Soviet Union is gone. The age-old rivalries between the Germans and the French and the other principalities in Europe are over. They are striving to write a European constitution and bring themselves together in a legitimate economic way. They feel more secure after centuries of war than they have ever felt in their lives. They are no longer the target. We are. They are no longer the focus of those who would bring instability to the world. We are. And we saw that happen in dramatic fashion on September 11, 2001.

The President has said there is no connection between what happened on September 11, 2001, and Iraq, and that is true, and the President never claimed such a connection. But there is an overall connection in the sense that those warriors for their cause who attacked us on September 11, 2001, came out of an area and a culture and an attitude that exist in the Middle East that must be addressed in the Middle East, even if there are no direct links, even if there was no direct funding, even if there was not a case that a law enforcement official could make in a court of law.

We must recognize the significance of the Middle East as the source of instability in the world and recognize those players in the Middle East who are part of that instability. I believe Saddam Hussein was a principal player for instability.

We can argue, appropriately, and we can go back and examine the mistakes that were made with respect to Saddam Hussein. We can say there are statements made prior to the attack on Iraq which, in retrospect, turned out not to be true. I can list some of them.

No. 1, I heard in this Chamber that we were going to get body bags coming back from Iraq by the thousands. We were told in this Chamber that we were going to have house-to-house fighting in Baghdad, door-to-door assaults. We were told that our troops were going to be gassed—that from people who voted against the resolution to give the President the authority to go forward.

It turns out all of those predictions are not true. Do I attack the people who made those predictions as having botched it? I suggest they read the intelligence and came to the wrong conclusion. I also recognize that whenever this Nation or any nation goes to war, you never know exactly what is going to happen.

This is perhaps a small example, but it has struck me, as I read the history of the Second World War. As carefully as we planned the assault on Normandy, as carefully as we did the disinformation to get Hitler to think we were going to attack someplace other than we did, the disguises, the false information that was put out, all of the rest of the intelligence that was done, we made one very fundamental and, in retrospect, stupid mistake. In all of the training of our troops in advance of the Normandy invasion, we assumed that the hedgerows between fields in France would be the same height as the hedgerows between fields in Great Britain.

So as we trained in Great Britain, we trained with hedgerows that were about knee height and then found ourselves in France with hedgerows that were almost as high as a building. It completely disrupted all of our tank assaults and plans because as a tank would try to go up and over one of those hedgerows, it would be vulnerable to fire from the other side. They could hit the underbelly of the tank because its tracks were exposed and the base of the tank itself was exposed and an artillery shell could take it out instantly.

It was improvisation on the field from a GI who used to work on a farm who helped create what would be a version of a snowplow on the front of a tank to drive the tank through the hedgerow. An incredible intelligence mistake of something as simple as that, and they could have determined that if they could have found a French farmer to talk to.

Did this Chamber ring with accusations that President Roosevelt had lied to the American people about our plan in Normandy? Were there denunciations of General Marshall or General

Eisenhower because they made that intelligence error? Some would say the analogy doesn't hold, and certainly there are many aspects of it that do not, but the point I think is legitimate. The intelligence failures that we now know occurred with respect to Iraq were not deliberate lies. The intelligence failures that have accompanied every American military action are the best efforts of human beings doing the best they can under pressure and always making mistakes.

What matters is the overall world view and strategic direction, and, as I said, I believe George W. Bush has the right strategic direction. He recognizes that the instability in the world is coming from the Middle East; that we must do everything we can to deal with those characters who are responsible for that instability. And he made the decision that one of those characters was Saddam Hussein.

I cannot believe anyone can look back on it and say that particular decision was the wrong one. As I have said here before, one of the first people who alerted me to Saddam Hussein and his capacity to spread instability throughout the world was Madeleine Albright, Secretary of State, as we met with her in S–407 and heard her outline the description of weapons of mass destruction that were in Iraq. We heard her boss, the President of the United States, President Clinton, do the same thing in public fora.

Was there any reason to believe they were for any purpose trying to mislead the American people? We might say they were wrong based on what we now know, but they were wrong, if they were, because of the fog of uncertainty over the intelligence reports all of us had. They made the best judgments they could make on the basis of the best information they had, and then they moved ahead. President Bush did exactly the same thing.

There are those who say he has squandered our good will in the world. Everybody loved us after September 11. There were demonstrations in the streets in Europe, demonstrations of support, demonstrations of sympathy. How long would those demonstrations have nourished our position if indeed we had done nothing following September 11?

Oh, it is all right to do something as long as everybody is with you. It is all right to do something as long as everybody agrees. Well, it seemed to me the United Nations agreed. Fifteen to nothing strikes me as a fairly definite vote in the Security Council for resolution 1441.

Then when the United States said, all right, resolution 1441 is not being complied with, resolution 1441 says if it is not complied with, there will be serious consequences—serious consequences is U.N. speak for war—how about it, U.N.?

Oh, no, no, said members of the Security Council.

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

Mr. BENNETT. I would be happy to yield.

Mr. LAUTENBERG. Does the Senator know how much longer his remarks will be? I ask simply because I follow the Senator and I have an airplane to catch. It would be helpful if I could get an estimate.

Mr. BENNETT. I am glad to have the Senator tell me of his schedule and I shall cut it as short as I possibly can, because I do not want to disconcert the Senator in any way.

Mr. LAUTENBERG. Not at all. When I served in Normandy, I saw a lot of things the Senator is talking about. It is very interesting.

Mr. BENNETT. No, I do not need to go on further because it has all been said.

I will conclude.

Mistakes have been made. I think both sides can admit that and should recognize that. People have been offended by the administration on both sides of the aisle. I think we can recognize that and admit that.

The fundamental question to me is whether the overall direction in which the President is trying to take the country is the right one. As I study history and as I listen to the reports that come back from Iraq, as I talk to the people in Utah who are serving there—we have a higher percentage of our Armed Forces who are Reserve and Guard in Iraq than any other State—I am convinced the President is right in his overall direction. Whatever course corrections need to be made we can talk about, but when all is said and done, this President has done the right thing.

I am proud to have voted to give him the authority in the first instance, and I am proud to be one of the 87 Senators today who have voted to give him the continuing support he requires.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I thank the Senator from Utah for his cooperation. I am sorry to interrupt. He did just what the order called for and I respect that.

I have a couple of things to talk about and I will try not to be too long. One of the things I want to talk about is the very important vote we just had. I was one of a very small group to have voted against the supplemental appropriations bill for Iraq. I want to make sure my vote is clearly understood. I support taking care of our military, making sure their conditions are as comfortable as they can be under difficult circumstances, making sure they have the latest in weaponry, and that they are treated fairly and they receive medical care and their health care is the best we can offer. I was prepared to vote for that $67 billion in a flash, but that was not the only thing we voted on. We also voted on extending $20 billion to Iraq for reconstruction.

I think it is a noble effort we are making to show we care about other people, but we also have to care about the people here. We also have to worry about the schools here that are crumbling, schools where it is hard to learn. We also have to understand that when we say Leave No Child Behind, we mean all the children, and we need more funding to do that. That has to be paid for. We do not seem to have the funds for that.

Thank goodness we have Social Security surpluses we can borrow from—money we can take from the senior citizens, those who are here now and those in the future. So we borrow money from one place and then we lend or give that money to another place, to Iraq, to make sure they have schools and garbage trucks. And I do not mean to diminish that. I think it is important to show we care about those people, but we ought to be a little more inventive in the way we do it. We ought to be able to find the kind of support we need, true support, in the United Nations which we scorned so much as we were preparing to go to war.

I was a supporter of the war, so I cast a vote I feel very good about. I thought very carefully about it. I wore a uniform, as I said before. I wore it during the ''Big War.'' I enlisted at the end of 1942 and got out in 1946. I am very attached to the military and the responsibility they have.

Well, the vote has been cast and shortly, we will be distributing a total of $87 billion for reconstruction aid and for the resources our military men and women need.

Mrs. CLINTON. Mr. President, we have had a busy week as we have considered the $87 billion request from the administration. There has been a great deal of debate. A number of amendments and senses of the Senate have been voted on. In the end, we were faced with the difficult choice as to whether we would or would not support this request by the administration.

I have the greatest respect for my colleagues who voted against this $87 billion. I listened with great interest and attention to my friend and colleague, Senator LEAHY, as he laid out a compelling argument with a number of points concerning the reasons why he voted against the request for $87 billion.

I know, from having heard the brief remarks of the Senator from Florida, that in a few minutes we will hear his usual thoughtful exposition as to why he, too, voted against the $87 billion.

I think it is imperative we all agree that, whichever way one of us voted, for or against this funding, all of us are united in our support for our brave men and women who are literally risking, and all too tragically losing, their lives on a daily basis in Iraq.

This was a very difficult vote for many of us. There are those of us, such as myself, who voted to give the President authority. We disagree with the way he used that authority. We have many questions, and still most are unanswered, about the choices the President and his team have made over the

last year. But the idea of giving our President authority to act in the global war against terrorism, if necessary in his opinion, against Saddam Hussein, was one I could support and I did so. In the last year, however, I have been first perplexed, then surprised, then amazed, and even outraged and always frustrated by the implementation of the authority given the President by this Congress.

One can agree on the goal that was adopted in 1998 for regime change. I, for one, am in the camp that believes the world is better off without Saddam Hussein at the helm of a dangerous, tyrannical regime. But it is not enough to say you support the goal. There are many different obstacles and difficulties and choices on the way to achieving that goal that have both intended and unintended consequences.

A number of my colleagues have addressed the concerns arising out of the use and misuse of intelligence. I, for one, have said repeatedly the intelligence about the threat posed by Saddam Hussein had been consistent—consistent through three administrations: the first Bush administration, the Clinton administration, and now this administration.

There was a consensus there had been and were continuing to be programs devoted to the creation of weapons of mass destruction. We certainly knew, as the world saw, that this man had no compunction about using them.

Nevertheless, I think it is clear, and it is not just a mistake, it is not just a wrong assessment—I think now it is clear that, for a combination of reasons, the administration gilded the lily, engaged in hyperbole, took whatever small nugget of intelligence that existed and blew it up into a mountain, in order, I suppose, to make the case more strongly and convincingly to the American people. But at what a cost? The cost of our credibility, the cost of our national leadership, and even more so the cost of perhaps not being able to take actions in the future that are necessary to our well-being and our interests because we may look like the nation or at least the administration that cried wolf. It is a big price to pay.

Yet continually, rather than saying what I think all of us would agree, the consensus turned out not to be right. There were some, such as my good friend from Florida, who at the time was serving as the chairman of the Intelligence Committee and was in a position to see all the different interlocking facts, who said: Wait a minute. We are heading off in the wrong direction. We are jumping on the wrong horse.

But for many of us, looking at the intelligence, being briefed continually about what the threats were, being told by the highest levels of our Government in public and in private that we were facing an imminent threat, it certainly seemed like a bet on which nobody—at least speaking for myself—wished to be on the wrong side.

I think there would be considerable understanding on the part not just of Members of Congress but of the American public if leading members of the administration would now come forward and say: You know, we may have gotten overly invested in the intelligence. We may have gotten a little ahead of the game. We may have seen more than there was, and we perhaps said a few things and made some claims that we can't support—whether it is uranium in Niger or links with al-Qaida by Saddam Hussein—but the fundamental fact remains that this man posed a threat to his neighbors. There is no doubt in anyone's mind—because we had already seen him use it—that he would have employed weapons of mass destruction at some future date. Although we may have gone a little too far, we believe we made the right decision.

But you do not hear that from this administration. This administration never makes a mistake, in their own eyes. They are never willing to back off. They have the Vice President still going on national television shows repeating discredited intelligence. That is not free. That is costly. That sends a signal not just to those of us who serve and vote in this body, not just to the American public, but to the entire world that either there is an unwillingness to accept the evidence and the facts or there is a commitment on an ideological basis to a world view or a point of view that is wrong.

Time and time again, the administration has had the opportunity to level with the American people. Unfortunately, they haven't been willing to do that.

Among the many questions that I and others raised and the many criticisms we lodged against the use of the authority, which I and the majority of this body voted for, was the administration's aborting of the United Nations process and the inspections regime in order to launch military action.

There was never any doubt in anyone's mind with any knowledge of the American military what the outcome would be. I, for one, knew there was no worry whatsoever; that we have the finest equipped, trained, and motivated military probably in the history of the world, and they would do the mission they were assigned. So they did.

But all during the period from the voting on the authority to the end of organized major conflict, we kept asking questions: What are the plans once we know the military does the job it is sent to do? How many troops will we need? How long will they be there? What will this cost us in lives and treasure? Over and over, the answer we received from the administration was: We are ready; we are prepared. And oftentimes it came with an almost embarrassingly romantic view of this conflict—that we would be met by cheering and rose petals thrown in the streets, that we would be in and out quickly, that the oil would be flowing. It sounded fabulous. But that is what it turned out to be, a fabulous fantasy.

It is hard for me to really understand how this administration, led by many—from the Vice President to the Secretary of Defense to others who have been committed to overturning the regime of Saddam Hussein since they made the mistake of not going to Baghdad in the first gulf war—could be so ill prepared. How on Earth? These people have spent 10 years obsessing over Saddam Hussein and Iraq. One would think they knew what they would do when they arrived.

They would not answer our questions, and all too often they would punish representatives of our civilian and military leadership who did answer the questions—most famously General Shinseki who told the truth about the numbers of troops it would take, and the number of years it would take, and was largely ignored or pilloried by this administration. How could they not have been prepared? How could they have turned their backs on the most obvious kinds of planning?

I know for a fact there were many from previous Republican administrations who came in over and over again and said: You are going to face a looting problem; You don't have enough troops for that; We have to be sure we can secure not just a couple of facilities but we need the troops to secure a number of the most important institutions—somehow they were not hurt, to say nothing of those from former Democratic administrations who offered the same advice.

We have the President land on the aircraft carrier, We have him declare the end to major conflict, and here we are months later losing on average a soldier a day, seeing the maiming and disabling of hundreds more, being asked to spend, last spring, $70 billion in a supplemental to sustain our military function and now being asked to spend $87 billion, $67 billion, approximately, for our military and $20 billion for necessary functions on reconstructing Iraq.

Given the level of criticism that I and others feel about this venture and its failure, it is hard not to see this $87 billion as anything but a bill for failed leadership. Yet I, for one, believe this mission in Iraq is too important for failure. If we do not stabilize Iraq, if we do not protect our forces, if we do not clearly send a signal to the Iraqi people who are and certainly will be better off because of the removal of Saddam Hussein, we will not just have failed in this mission, we will have undermined our long-term stability and we will certainly have created a more dangerous world despite our efforts to avoid that.

I understand very clearly the anger and frustration my constituents and Americans across the country feel about this $87 billion. I share it. It is really hard to vote for this money. It is hard because you wonder what is going to actually be accomplished with it

given the poor track record of this administration. You wonder how you can justify it in the face of the irresponsible fiscal policies of this administration that has undermined our present obligations and our long-term economic security. You wonder how you can possibly support this request when you know you don't get the straight story out of this administration time and time again. Yet, at the same time, it is hard to walk away now. In fact, I don't think we can.

Yes, we have not found the weapons of mass destruction, but we are there. No, we do not really have any links between al-Qaida and Saddam Hussein to be proven, but we are there. We have not stabilized the country and we have not even secured the weapon caches all over the country, but we are there. It is just hard to accept that we are there without an adequate plan and understanding of what it will take to be successful.

The fact that the administration purposely left the impression that there would be a quick victory and our troops would be home in no time is very hard to accept for a lot of the husbands and wives and mothers and fathers and sons and daughters of the people serving. We have all read the story today from the interviews done by Stars and Stripes, the newspaper of the Army, reporting in great detail about the questions and concerns and poor morale of many of our soldiers and other forces in Iraq.

I understand completely why people are frustrated and angry, but I don't think we can allow our frustration and anger with the administration to undermine our commitment to our country and our national security.

So what is it we are called upon to do? For me, the choice as a member of the Armed Services Committee was to support the money for our troops, wondering, though, as I did, why so many of them still do not have the body armor they should have to protect themselves against Iraqi attacks and hoping they will shortly. We certainly put enough money into the defense budget in the last 2½ years to at least equip every one of our soldiers with adequate body armor.

I also know that we do have to work to help reconstruct Iraq. We are the only people who can and will, in part because the administration has alienated those who would have been our natural allies. It is frustrating for many, but I don't think we can at this point fail to pay this bill of $87 billion for failed leadership.

We have to put the administration on notice that this vote, 87 to 12, was a vote for our troops, a vote for our mission. Speaking as one of those who cast a yea vote, it was not a vote for our national leadership. We not only can but should expect more than we have been given.

While we confront the reality of our present situation in Iraq, we cannot find ourselves in this position again. Many will no longer be able to support this administration if they do not start listening, occasionally even admitting when they make a mistake that has life-and-death consequences, reining in their most rabid neocon ideologues when they try to ''out'' CIA operatives or continue to claim nonexistent links between the global war on al-Qaida and everything else that happens in the world.

I hope the administration understands the level of frustration and anger that is out there. It is not just Democratic frustration and anger, it is not just partisan, it is across the board, people wondering: Where are we going? How will we even know when we get there? Did we take on this incredible responsibility under false pretenses?

I hope the administration will build on the vote in the United Nations that gives us at least the opportunity of lessening the burden and the costs by sharing it with others who should also have a stake in a free and functioning Iraq. I hope the administration will change course when it comes to working with the rest of the world and start acting more like allies instead of bullies. We cannot keep on this path and sustain the support of the American people. That is my most important point.

I have had the great privilege of not just traveling around the country but spending a lot of time in every State in our Nation. Now I have the great honor of representing the most diverse place in America, the State of New York. Americans are not only patriotic in the best sense of the word but they are so compassionate and caring about other people. What other country would free a people from tyranny and then reach into their own pockets to help build schools and hospitals and roads and fix the electric grid? Americans do not begrudge that. But they want to feel they know where we are headed, that their Government is leveling with them.

They also wonder and ask me, How come we are spending $5 billion to fix the electric grid in Iraq and we have not spent any money to fix our electric grid in the United States? We are building schools and we have schools falling down here. We are building hospitals and we have hospitals under all kinds of pressures here. Those are totally legitimate questions. They will not go away.

One of the greatest issues for us to address is how we will provide for the needs of the American people while we spend this money abroad. Americans will stay with you, Americans will be with you and support you, if they understand where we are headed and why it is important to our future.

On that count, this administration is losing the confidence of the American people even though the mission we face in Iraq is essential, in my view, to the long-term safety and security of our country and the leadership America should provide to the world.

This is not just about money. It is not even, tragically, about the lives we lose and the issues we confront in trying to stabilize and build Iraq. It is about whether this administration can repair the trust it has lost with the American people. I hope it can because I don't think it is in anyone's interest to have the President of the United States and his top team viewed as having misled our Nation and having alienated the rest of the world.

We are in for a long-term battle in the war against terrorism. I take it very seriously. We have determined and ruthless adversaries out to destroy our way of life, inflict violence on as many Americans as possible. I take a back seat to no one in my resolve to root out and destroy global terrorism. My question is, What is the right way to do it? And how do we prepare the American people to stay the course for what will be a long, protracted struggle?

I worry deeply that this administration is undermining both our ability to win the global war on terrorism and the trust that is needed to keep the American people committed.

So I cast a vote for this supplemental for our troops and for the work that has to be done in Iraq. But I cannot endorse this administration's plans and policies very much longer if they do not recognize the reality of what we confront, not just in Iraq but elsewhere in the world and here at home.

The administration has forced false choices on this Congress and our country. It is very difficult for me, having represented New York during the horrors of 9/11, to realize that we had the will and good wishes and support of the rest of the world and we have dissipated that. We desperately need it in this war against terrorism.

This may be reported as a resounding victory for the administration—a large vote—but I do not think it was. I think this was, first of all, a vote for our troops, a vote to continue to provide the funding they need to protect themselves and to fulfill their mission. It was a vote to take responsibility for what does need to be done in Iraq. There is not, in my view, any doubt about that.

But the debate in this body, and the frustration, and even anger across the country shows clearly that it was not a vote of confidence in the administration's leadership. That needs to be won back by their actions going forward. And it is essential that they attempt to do so.

We cannot fail in Iraq. We cannot fail in the war against terrorism. Ultimately, we must not fail our own people. The American people deserve better. I hope the administration recognizes and accepts that.

The last 2 years that I have had the privilege to serve in this body have been very emotional ones—the attacks of 9/11; the military action in Afghanistan; the action in Iraq; the destruction of our budget surplus and plunging

our Nation into huge deficits and burgeoning national debt; the undermining of the future, in my view, of this generation.

I come not as a partisan but as an American to say, we have to do better. I hope this administration will do so.

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

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM of Florida. Thank you, Mr. President.

Mr. President, I rise this evening to elaborate on my vote against the $87 billion supplemental appropriations for the occupation and rebuilding of Iraq and Afghanistan.

This supplemental appropriation raises significant domestic issues for the United States as well as the fundamental question of what will be required for an honorable completion of our responsibilities in Iraq and an expeditious exit.

The domestic issues include an enormous addition to our national debt. This year's deficit is now estimated to surpass last year's record-setting deficit of $455 billion. With this additional $87 billion, we are imposing another crushing burden on our children and grandchildren while assuring that we will escape most of the cost.

The President, with our concurrence, has avoided any sacrifice by most Americans, including the sacrifice of paying for the occupation and reconstruction of Iraq. This is in sharp contrast with previous occupations and reconstructions such as the Marshall plan.

The Marshall plan, from 1948 to 1952, was paid for by the generation of Americans who were in this country through the period at the end of the Second World War. In fact, the national debt—that debt owed to the public—actually was lower in 1952 than it was in 1948.

But today the only Americans who are being asked to sacrifice are our brave men and women in uniform and their families, and our children and grandchildren who will eventually be called upon to pay this crushing debt.

A second domestic reality is that while American roads, bridges, schools, water and sewer lines, and electric grids are deteriorating, there will be scant Federal funding to contribute to their reconstruction because we are making the decision that it is more important to rebuild Iraq. And we are making the decision to do it alone.

In spite of my great concern about those domestic implications, I would be prepared to vote for the $87 billion of unpaid funds in this supplemental appropriations bill if I had been satisfied that it would achieve the goal of an honorable and expeditious exit from Iraq. However, it is my assessment that it will not do so. Rather, it could well extend our Iraq occupation into a 21st century sequel to Vietnam.

It is my firmly held belief that we need to extricate ourselves from the quagmire that our policy has created in Iraq. We need to refocus our foreign policy on the greatest threat facing Americans at home and U.S. interests abroad: the networks of international terrorism. We must restart the war on terrorism, which has effectively been in abeyance since this administration shifted our military and intelligence resources from Afghanistan to Iraq in the spring of 2002.

As I have said previously, that shift was misguided. We have allowed al-Qaida to regenerate. We have allowed other terrorist networks—Hezbollah, Hamas, Palestinian Islamic Jihad—to continue their devious plotting against us and our allies.

We still have not caught al-Qaida's and the Taliban's senior leaders, including Osama bin Laden and Mullah Omar. We are witnessing a resurgence of the Taliban in Afghanistan. International terrorists operating from the sanctuary of Syria are now targeting United States citizens. As a result, we have again been forced to endure bombings and significant loss of life in Riyadh, Israel, the Gaza Strip, and elsewhere.

Last October, I voted against the resolution authorizing the use of force against Saddam Hussein's regime. I argued at the time that there was no question that Saddam Hussein was anything other than an evil man but, further, that he lived in a neighborhood with many evil men and women and that we needed to remain focused on the war on terrorism in order to deter additional attacks, such as the tragedy our Nation suffered on September 11, 2001.

In fact, I offered an amendment to the Iraqi resolution to expand the President's authority to use force against al-Qaida to include five other terrorist networks that pose immediate threats to America.

In the rush to war in Iraq, the amendment failed. I am tempted to offer that amendment again to emphasize we need to disengage from Iraq as quickly as we can honorably do so and to restart the war on terrorism, a war against our real enemies, not those with phantom weapons of mass destruction.

I say: Let us take President Bush at his word, at least the words he uttered 9 days after the tragedy of September 11, when he told a joint session of Congress:

> Our war on terror begins with al-Qaida but it does not end there.
>
> It will not end until every terrorist group of global reach has been found, stopped and defeated.

In his State of the Union speech on January 29, 2002, President Bush restated our priority:

> Our Nation will continue to be steadfast and patient and persistent in the pursuit of two great objectives.
>
> First, we will shut down terrorist camps, disrupt terrorist plans, and bring terrorists to justice.
>
> And, second, we must prevent the terrorists and regimes who seek chemical, biological or nuclear weapons from threatening the United States and the world.

Frankly, I did not offer my amendment, although I thought it would have provided the legal basis for the President's objectives to be accomplished, because I knew my amendment would fail. It would fail because a coalition from the right, which has elevated the war on Iraq over the war on terrorism and now is attempting to confuse the difference between these two, with a coalition from the left which opposes any increase in President Bush's authority to use U.S. military force. So I did not offer the amendment. But I will remain true to my convictions, as I voted no on this supplemental appropriations bill.

I know a vote against this bill will be described as a vote against our troops. I would say, however, the best way to support our troops is to get other soldiers from other nations into Iraq. First, we need troops from other nations as an addition to the presence of military force in Iraq to increase security and, hopefully, end the shooting gallery which we have forced our brave men and women to endure. I would suggest an additional 50,000 troops are needed to secure the peace.

Second, we need to get additional foreign troops on the ground to substitute for American troops so our soldiers, our men and women who have been enduring long deployments in hot, dangerous conditions, can begin to rotate home. These additional foreign troops should number between 50,000 and 100,000.

Secretary Powell's efforts at the United Nations resulted yesterday in a unanimous vote by the Security Council. But that vote was immediately followed by firm statements from the French, the Germans, the Pakistanis, the Russians, and others that they will not lend additional troops or financial aid to the occupation and reconstruction of Iraq. The fact that the Security Council passed a resolution is commendable, but not one of the 100,000 to 150,000 foreign troops needed to secure Iraq and relieve our troops has been provided.

Without commitments of troops and Euros and rubles and rupees, there will be no additional protection or burden-sharing for U.S. troops who are on the ground in Iraq.

I warn my colleagues, I have detected two clocks ticking on our almost unilateral occupation of Iraq. The first clock is the increasing reluctance of other countries, countries which are capable of doing so, to participate in the occupation and rebuilding of Iraq. If the United States had requested immediately after the war that these countries participate and did so under respectful conditions, it is quite likely we would have significant support on the ground in Iraq tonight. However, almost 6 months later, as the violence and the cost of occupation and restoration in Iraq accelerates, those nations

capable of sharing the burden and willing to do so have shrunk. On the current course their number may evaporate.

The second clock has been the declining support of the American people, as evidenced by recent polls. The decline has steepened since the President's request for this supplemental spending bill was announced during a televised address on Sunday, September 7, of this year. Here are the poll numbers. When Americans were asked, do you approve of the President's policy in Iraq, as recently as April, 75 percent of Americans answered yes. By June, that 75 percent had declined to 67 percent. From the latest poll, which was published on October 14, just 50 percent of Americans said they approved of the President's policy in Iraq. Clearly, the American people are not willing to write a blank check for rebuilding Iraq when we have so many unmet needs here at home, when the cost of that occupation has been so great in terms of loss of life and American dollars.

A component of this second ticking clock is the ominous state of morale among our troops in Iraq, as found in a nonscientific survey conducted by the military newspaper, Stars and Stripes.

This survey demonstrated that fully a third of regular Army troops described their morale as either low or very low. Among reservists and National Guard members, 48 percent, almost half, described their morale as low or very low.

I ask unanimous consent to print a copy of an article from the October 16 issue of Stars and Stripes in the RECORD.

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

[From the Stars and Stripes, Oct. 16, 2003]

IN SURVEY, MANY IN IRAQ CALL MORALE LOW; LEADERS SAY JOB IS GETTING DONE

(By Ward Sanderson)

What is the morale of U.S. troops in Iraq?

Answers vary. High-ranking visitors to the country, including Department of Defense and congressional officials, have said it is outstanding.

Some troops on the ground have begged to differ, writing to Stars and Stripes and to others about what they call low morale on their part and on the part of their units.

There was a correlation between such things as local services and release dates on the one hand, and morale on the other.

Stars and Stripes sent a team of reporters to Iraq to try to ascertain the states of both conditions and morale. Troops were asked about morale, among many other issues, in a 17-point questionnaire, which was filled out and returned by nearly 2,000 persons.

The results varied, sometimes dramatically:

Among the largest group surveyed, Army troops, the results looked much like a bell curve. Twenty-seven percent said their personal morale was ''high'' or ''very high.'' Thirty-three percent said it was ''low'' or ''very low.'' The largest percentage fell in the middle, saying it was ''average.''

Among the second largest group, reservists and National Guard members, the differences were much starker. Only 15 percent said their own morale was ''high'' or ''very high,'' while 48 percent said it was ''low'' or ''very low.''

Among Marines, the next largest group, 44 percent said their morale was ''high'' or ''very high,'' and only 14 percent said it was ''low'' or ''very low.''

Among airmen, the smallest of the four major groups surveyed because fewer questionnaires were allowed to be circulated to them, the results were also very positive. Thirty-nine percent said their morale was ''high'' or ''very high,'' and only 6 percent said it was ''low'' or ''very low.''

Very few Navy servicemembers could be found to question in Iraq.

The questionnaire findings can't be projected to all the servicemembers in Iraq. Still, the reporting of ''lows'' among the two largest groups surveyed, Army and Reserve/National Guard, seemed significant. The views of these troops, at least, appeared to contrast sharply with those of the visiting VIPs.

Respondents to the survey were not given a definition of morale. They responded according to what they interpreted the word to mean. Some believe morale reflects the degree of well-being felt by the servicemember. On the other hand, commanders say that in measuring morale, they want to know if the servicemember is following orders and getting the job done.

Lt. Gen. Ricardo Sanchez, the top U.S. officer in Iraq, said that low morale isn't an issue because troops are fulfilling the mission.

''Morale is . . . not necessarily giving them Baskin-Robbins,'' he said in a Stars and Stripes interview. ''Sometimes it's being able to train them hard and keep them focused in a combat environment so they can survive.

''So as its most fundamental level within our Army, taking care of soldiers and their morale could have very few worldly comforts. But the morale of the soldier is good. He's being taken care of, he's accomplishing his mission, he's being successful in the warfighting.''

Other military leaders say they are always looking at ways to improve the morale of their troops. ''Morale begins with caring leaders looking their soldiers in the eye,'' said Lt. Col. Jim Cassella, a Pentagon spokesman. ''When senior leaders visit the troops in Iraq, they relate that the troops tell them that moral is good, a fact that's backed up by re-enlistment and retention rates.''

(These rates have been acceptable or good for the services overall. Figures for re-enlistments in Iraq are not available yet, officials said. In the Stripes survey, half or more respondents from the Army, Marines and Reserves said they were unlikely to stay in the service. Officials say reenlistments normally drop after conflicts.)

Cassella said that leaders visiting Iraq seek out the opinions of troops. Some say the views expressed may be distorted as a result of the nature of the get-togethers, ''dog and pony shows,'' in the words of combat engineer Pfc. Roger Hunsaker.

''When congressional delegations came through,'' said one 36-year-old artillery master sergeant who asked not to be identified, commanders ''hand-picked the soldiers who would go. They stacked the deck.''

Others on the ground in Iraq think top leaders are right more times than they are given credit for.

''I heard that reports/politicians were trying to say morale was down out here,'' Petty Officer Matthew W. Early wrote on his questionnaire at Camp Get Some in southern Iraq. ''What do people back home expect us to feel after a war? Are we supposed to be as happy here as we are with our friends and families back home? Hell no.

''Of course, when confronted by reporters, we're going to voice our opinions about our situation. Unfortunately, some people like to complain about how they live or what they don't have. The complaint concerning morale is the voice of the minority, not the majority.''

In the Stripes survey, troops consistently rated their unit's morale as lower than their own. John Kay, marketing director for the Army Research Institute, said, ''Soldiers always rate self [personal] morale higher than unit morale. This is nothing new.''

Troops may wish to report what they perceive as the true morale situation without getting themselves into trouble, a way of saying, ''I'm OK, but the unit's not.''

Some of the gap can also be the result of hearing other troops complain, compounding the impression that unit morale is low, even if each complainer believes his or her own morale is better.

''Both are true,'' said Charles Moskos, a military sociologist with Northwestern University.

The military studies morale regularly, but ''the further you go up the chain in the officer corps, the reality of day-to-day morale cannot register completely,'' said Lt. Col. Daniel Smith, retired chief of research for the Center for Defense Information. ''Whereas when you talk to the platoon sergeants, platoon leaders and even company commanders, you get a better sense of the true state of affairs. Do the weapons work? Are they getting hot meals? Are they getting enough rest? Are their leaders competent and not taking unnecessary risks?''

Unlike some officials who have visited Iraq, Defense Secretary Donald H. Rumsfeld, during a September stop in Iraq, spoke not about morale per se, but about the importance of the mission and about sacrifice.

''You're people . . . who weren't drafted, you weren't conscripted, you searched your souls and decided that you wanted to step forward and serve your country,'' he told the 4th Infantry Division, according to a Pentagon transcript.

Another speech to air assault soldiers of the 101st Airborne division echoed the sentiment:

''The important thing I would also add is that every one of you is a volunteer. You all asked to do this, and that is impressive and it's appreciated.''

Mr. GRAHAM of Florida. At this stage we have two options in the conflict that has engulfed us in Iraq. We can continue to carry on unilaterally, which is the course we have taken, a course which, in my judgment, will be continued through this $87 billion supplemental appropriation; or, second, to the maximum degree possible, pursue a real internationalization of the occupation and reconstruction of Iraq, a sharing of the burden of blood and treasure and responsibility for decisionmaking while also including a central role for Iraqis in determining the future of their country.

Of these two options, the second, the commitment to real internationalization, has significantly more potential to get us out of Iraq as honorably and as expeditiously as possible. If we do not change from our current unilateral course, we will continue to bear the unilateral burdens alone: One soldier killed per day, 10 soldiers maimed per day, an increasing cost of occupation. Last year the occupation cost $1 billion a week. Under the supplemental appropriation we have just voted, it will now

be $1.3 billion a week. The total cost of reconstruction, including the funds we have just voted, through September 30 of next year will be almost $25 billion.

This administration has avoided answering the question: How much will we spend before we exit Iraq?

As a result, I am concerned that this $87 billion supplemental appropriation is in essence a blank check for the President's failed policy. It will remove a substantial portion of the pressure for real progress in the internationalization of the occupation and reconstruction efforts directed at Iraq. Passage of this supplemental spending bill will remove the incentive for this administration to negotiate.

Mr. President, the reality is that it is only through significant international troops and money, only with significant decision sharing by the United States with those foreign countries that our Nation has any reasonable expectation of an honorable and expeditious exit from Iraq.

This appropriation leads us in the opposite direction. We will do it alone. It will increase the risk to our brave soldiers. It will unnecessarily transfer reconstruction costs to the U.S. taxpayer, and it will lengthen the time when the United States can honorably and expeditiously leave Iraq.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TODAY IN CONGRESS

Mr. FRIST. Mr. President, today has been a very good day in the Senate, as well as in the House of Representatives, with a strong bipartisan majority vote in both Houses of Congress approving the funds necessary to support our soldiers and civilians serving in Iraq and to move quickly to stabilize Iraq and Afghanistan.

I believe this is a major victory for the President of the United States in his efforts to bring stability and peace to Iraq.

Personally, I am very pleased with the overwhelming bipartisan support for the President's proposal in the Senate. When the package was first sent to the Hill several weeks ago, very few thought it possible. We have had to make a number of difficult votes and, indeed, we worked very late last night, into the early hours of this morning, completing this bill, now, just several hours ago.

I am certain the Senate- and House-passed bills will allow us that opportunity to negotiate a final legislative package that, indeed, will give the President everything he requested.

It was important to do. It was important to complete this legislation today especially, not only to get the money to our troops as soon as possible and to rebuild the civilian infrastructure in Iraq as soon as possible but also because of the donor conference in Madrid next week.

The President, indeed, has made a strong stand for freedom and democracy in Iraq, as well as Afghanistan, and he has taken forceful action against brutality and terrorism in the region, and by doing so has made America safer and our citizens more secure.

Indeed, we are at war in Afghanistan as well as Iraq. The funds in this legislation provide both the direct support for our soldiers, as well as an investment in creating a safer environment in the countries where they serve. The legislation will make them safer and, in all likelihood, will get them home sooner.

I also want to take this opportunity to commend Senator STEVENS for his tremendous leadership on this particular legislation, as well as Senator WARNER and Senator MCCAIN and Senator MCCONNELL, all for their tireless efforts to pass this emergency funding request.

MEASURE RETURNED TO THE CALENDAR—S. 1689

Mr. FRIST. Mr. President, I ask unanimous consent that the vote on final passage on S. 1689 be vitiated and that the bill be returned to the calendar.

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

MORNING BUSINESS

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

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

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Pittsburgh, PA. On April 19, 2002, Adam Bishop was bludgeoned to death with a claw hammer by his own brother, Ian Bishop, 14, and alleged accomplice Robert Laskowski, 15. As several witnesses testified, the killing was because Ian thought his brother was gay. The victim was struck by his brother at least 15 times with the hammer and was moved to various parts of the home before he was left to die in a bathtub.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

DISARMING DOMESTIC VIOLENCE ABUSERS

Mr. LEVIN. Mr. President, last week the Brady Campaign to Prevent Gun Violence United, with the Million Mom March, released a report entitled ''Disarming Domestic Violence Abusers.'' This report provides a guide for closing loopholes in State gun laws that allow domestic violence abusers to purchase or possess firearms and offers Congress some insight into how to help our States effectively enforce gun safety laws.

Under current Federal law, domestic violence abusers subject to restraining orders or convicted of domestic violence are prohibited from owning guns. Despite the law, some domestic violence offenders continue to gain access to firearms.

The Brady report proposes a number of ways to keep guns out of the hands of domestic violence offenders. Among the suggestions are ensuring that restraining orders clearly state that the possession of a firearm is prohibited and that restraining orders be entered into state and national databases used to conduct background checks on gun sales. Further, the report recommends that law enforcement remove firearms from the scene of domestic violence incidents. Finally, stopping domestic abusers from buying additional guns requires background checks on the sale of all firearm transfers, including those that take place at gun shows.

The deadly combination of domestic violence and guns put many women and families at great risk. While Federal laws provide a general framework to prevent abusers from purchasing or possessing firearms, the Federal laws will not be effective in protecting women from armed abusers until every State enacts complementary laws. I urge my colleagues to read the Brady Campaign's report and to support Federal efforts that assist States with enforcing our Nation's gun safety laws.

NANOTECHNOLOGY

Mr. WARNER. Mr. President, recently I hosted a luncheon of the American Chemical Society on nanotechnology. It was a pleasure to be in the company of so many brilliant minds, and those concerned with the technological and economic future of our Nation.

Of all the areas of scientific innovation being developed today, none is more profound than nanotechnology. The ability to manipulate individual atoms is unprecedented in human history and could lead to the redesign of

most products we know of today. Some have even said it could lead to the ''Second Industrial Revolution.'' Its scope is nothing other than breathtaking.

In the area of national security, nanotechnology has been identified as one of the most important strategic research areas. Revolutionary applications could include: very lightweight but extremely strong armor, vastly smaller and more powerful computers, microscopic sensor systems, and tiny unmanned vehicles. These could provide vastly increased capabilities for our armed forces. Conversely, to fall behind in these new areas will present us with a critical security risk.

Unfortunately, the United States is no longer the only world leader in many areas of nanoscience, as many countries have recognized its importance and are greatly increasing their funding. With stakes this high, we must pay close attention to the choices we make.

I understand the stakes and stand four-square behind public-private efforts to keep America in the lead in nanotechnology. Just as we led the industrial revolution, America will lead this new scientific revolution for the benefit of generations to come.

RETIREMENT OF MG ARNOLD PUNARO

Mr. WARNER. Mr. President, I was privileged to attend the retirement ceremony of MG Arnold Punaro from the U.S. Marine Corps on September 19, 2003 at the Marine Barracks here in Washington, DC. General Punaro is known to many here in the Senate from his outstanding service of many years as staff director of the Senate Armed Services Committee and on the personal staff of Senator Sam Nunn. I ask unanimous consent that there be printed in the RECORD, at this point, portions of the remarks made at the ceremony by Gen. James L. Jones, Supreme Allied Commander, Europe and Commander, U.S. European Command.

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

REMARKS OF GENERAL JAMES L. JONES, SUPREME ALLIED COMMANDER, EUROPE AND COMMANDER, U.S. EUROPEAN COMMAND

The real reason we are all here is to pay honor to a true patriot who has given so much of his time and talent to our Nation, and to each of us . . . Major General Arnold Punaro, United States Marine.

We also honor an exceptional family, which has supported him through his life in the ''public sector' of Capitol Hill and in his career in the U.S. Marine Corps. Jan Punaro stands in no shadow among spouses who deserve our eternal gratitude. Her support to Arnold, through his ''many'' simultaneous careers, has been remarkable.

Arnold has been a marine since 1968, a personal staff member for Senator Sam Nunn for 24 years, a minority and majority staff director of the Senate Armed Services Committee for a total of 15 years, a member of Georgetown University's adjunct faculty for ten years, and a most valuable ''utility infielder'' of the Department of Defense on a wide range of issues all having to do with transformation, long before the term itself became popular.

As a marine, Arnold Punaro has literally ''done it all'' . . . Republic of Vietnam combat leader, wounded and decorated, the Marine Corps basic school ''staff protocol officer.'' Upon leaving active duty, he went into the reserves where he saw active duty in Desert Shield/Desert Storm, and in the Balkans where he battled the largest snow storm ever to hit Zagreb. He has participated in the Marine Corps transformation starting back in 1995 until today. In 1997 he chaired the ''Defense Reform Task Force'' for Secretary Cohen and produced a document that remains very current. He also participated in the Hart-Rudman Commission, and currently serves on the Secretary of Defense's newly formed Defense Business Board.

In the public sector, Arnold Punaro started his post-active duty life working for Senator Sam Nunn, rapidly rising from press secretary to foreign policy/national security legislative assistant on the Senator's personal staff, before moving to the Senate Armed Services Committee and its leadership positions as Director for both the Minority and the Majority. The legislation produced during his time on the committee was both historic and transformational. Let's be clear . . . where we are today in our military has a lot to do with the fact that Arnold Punaro was where he was in a very important time for each of our services, starting with the all-volunteer force and Goldwater-Nickles legislation.

Arnold Punaro is currently serving as the Director of Reserve Affairs at Headquarters Marine Corps. He has been instrumental in bringing the ''Marine for Life Program'' to fruition in these past few years, for which I am sincerely grateful. Marines now can have a lifelong association with the Corps regardless of their career pursuits. Always a passionate advocate, Arnold Punaro's well known compassion for the lives of soldiers, sailors, airmen, and marines and their families defines him in all that he is and cared about.

As an adjunct professor (with one bachelor of science and two masters of arts) at my alma mater, Georgetown University, for over ten years he helped mold and shape the minds of our future leaders on national security issues.

For all he has done in his short life, Arnold Punaro has always found time for his family . . . the son of Angelo and Anina Punaro, first generation Italian-Americans from southern Italy, who watched with great admiration as young Arnold grew into manhood and became a United States Marine, going off to war in 1967.

His company commander in Vietnam, COL Jim Van Riper, and his wife Connie, are here today to pay tribute to this great American, and we welcome them back to this post where they served with distinction in the early 70's. We're all proud of Arnold and Jan and their children, especially as we celebrate the safe return of 1LT Joe Punaro, USMC from Operation Iraqi Freedom where he served at the front of Marine lines in the capture of Baghdad. Joe . . . welcome home, we're all very proud of you and your Marines.

Arnold, it is a special honor for me to be able to be here today. We've known each other for 24 years, and for 24 years I've been privileged to have a front row seat which has allowed me to witness your very significant contributions to our Nation, both in and out of uniform. Very simply, you have been and remain today a special asset, and people who make the big decisions, who need the really good advice, the thoughtful consideration on difficult issues, turn to you knowing that you will always give straightforward, thoughtful, and forthright advice. In this respect, you are in a class by yourself.

You stand here today, in our eyes, as a great Marine. The Corps has benefitted from your wise advice for many years, through both good times and bad times, and we are all the better for all you have contributed. You represent the finest example of the concept of the citizen-soldier by your selflessness and your dedication to, simply, but relentlessly, trying to do the right thing . . . regardless of the difficulty or the popularity (or lack thereof) of a given position.

All of us known full well why we are here today, and it is simply for this reason, to honor you, Jan, and your family; to say thank you for all you have done for all of us; and to wish you well in all you will do from here on out. There is still much more to be done.

Ladies and gentlemen, as you know, ''semper fidelis'' means ''always faithful.'' Those words seem awfully appropriate today as we honor Major General Arnold Punaro.

Well done, my friend, well done!

ARABIA MOUNTAIN

Mr. CHAMBLISS. Mr. President, a mere 20 minutes from the steel and concrete economic dynamo that is modern Atlanta, you can find a quiet refuge where history and natural beauty still exist side by side.

I speak of the area around Arabia Mountain which contains ecosystems home to endangered species, historic structures and archaeological sites. Its proximity to Atlanta makes it accessible to millions of Americans, but also puts it in danger of urban sprawl.

No strip mall should obliterate the ancient soapstone quarry which attracted Native Americans over 5,000 years ago. Nor should overdevelopment mar Arabia Mountain, the granite outcropping at the center of the area. This region contains much pristine land, farmland, and the charming town of Lithonia. Lithonia, home to many fine buildings made of locally quarried granite, has a name which means ''stone city.'' The Arabia Mountain area still has a few farms from the days when it was the heart of Georgia's dairy industry, and has remnants of the 1820s Georgia Gold Rush which predated the more famous California Gold Rush by two decades.

If we are serious about preserving this irreplaceable history and environment, we must act to designate Arabia Mountain in DeKalb County as a National Heritage Area. This designation will help preserve the endangered and rare species which live nearby and save historic buildings from the wrecking ball. It will also allow the kind of smart development which preserves our heritage while allowing the kind of development which will provide jobs and growth for this beautiful region.

Arabia Mountain and its surrounding area are the result of over 400 million slow years of geological changes. Men have made an impact for the last 7,000 years. All this could be changed forever in another decade or so of uncontrolled growth.

The need for this action has generated support from both sides of the aisle, in Georgia, and both houses of Congress. I thank Kelly Jordan, chair of the Arabia Mountain Heritage Area Alliance, Mayor Marcia Glenn, of Lithonia, Vernon Jones, CEO of DeKalb County, Mark Towe and Glen Culpepper who all have provided strong support to this effort. I also extend my thanks to Congresswomen DENISE MAJETTE, for working so hard for this designation, as well as my friend and senior Senator from Georgia, ZELL MILLER, for supporting this designation.

Vernon Jones, CEO of DeKalb County says:

Nowhere in this great nation is a project more deserving of a National Heritage Area designation than this one. This began as a concept between conservationists, neighborhood activists, landowners and concerned citizens, and over the years has grown in scope to encompass some of the richest landscape Georgia has to offer. DeKalb County citizens voted to tax themselves to support this project. This local funding mechanism was absolutely critical to move this project forward. One visit to Arabia Mountain is all the proof anyone needs to demonstrate the great impact that may be achieved by diverse groups working together to preserve a truly significant natural heritage for future generations.

He is right. Let us act now to preserve this spot for succeeded generations and designate Arabia Mountain as a National Heritage Area.

ADDITIONAL STATEMENTS

A TRIBUTE TO LIL GREENWOOD

● Mr. SESSIONS. Mr. President, today I recognize the life and career of one of Alabama's musical legends, the great jazz singer Lil Greenwood.

Lil Greenwood is a living legend. She was born on November 18, 1923, as the youngest daughter of the late Maggie and Reverend Sylvester George, Sr. It was at her father's side, at the age of 3, that she began to sing in the church that he served.

A native of Prichard, AL she grew up in Mobile County and graduated from Alabama State College. Her talents were evident to all those who knew her. In fact, it was the encouragement and support she received from the Mobile County Schools Music Supervisor that fanned the flame of ambition within her, and it was a generous gift of bus fare from a former principal that allowed her to head to Oakland, CA to follow her dream.

It was in California that Lil Greenwood was to be ''discovered.'' During a performance at the famed Purple Onion in San Francisco, she was heard by no less than the legendary Duke Ellington. Needless to say, the Duke was suitably impressed. After hearing her sing, he commented that ''the girl has a voice that's a mixture of Marian Anderson, Ella Fitzgerald, Dinah Washington, and Mahalia Jackson.'' These women were the embodiments of jazz and blues singing, and it is inconceivable that a greater compliment could have been paid.

Recently, my home State of Alabama passed a proclamation honoring Ms. Greenwood for her personal and professional accomplishments. In honor of her upcoming 80th birthday, I would like to take this opportunity to read that proclamation into the CONGRESSIONAL RECORD.

The Proclamation reads as follows:

Whereas, born Lillian George on November 18, 1923, a native of Prichard, Alabama in Mobile county and affectionately and professionally known as Lil Greenwood; and

Whereas, Lil received her grade-school education in Mobile County and graduated from Alabama state college; and

Whereas, she made her master-level vocal recording as early as 1950 and on such recording labels as Modern, Federal, Tangerine, and Columbia Records and also backed Ray Charles on Paramount Records; and

Whereas, Lil Greenwood was the featured vocalist with The Duke Ellington Orchestra and co-authored with Duke Ellington and Billy Strayhorn. She has performed in many places around the world, including the Far East and Europe. She has also performed at many famous spots stateside including, The Blue Note in Chicago, the Apollo in New York and in the San Francisco Bay-Area and Oakland; and

Whereas, she has appeared on numerous television shows including ''The Tonight Show'', with Johnny Carson, ''Good Times,'' ''The Jeffersons,'' ''The Flip Wilson Show,'' and ''Grady'' and on stage she has portrayed major characters in such musicals as ''Hello Dolly,'' ''My People,'' ''Buffalo Chips,'' ''Wedding Band,'' ''Back Alley Tales'' and ''Dark Symphony''; and

Whereas, Lil Greenwood returned home and remains an active and revered jazz singer in Alabama and has been inducted into the Gulf Coast Ethnic and Heritage Jazz Festival Hall of Fame:

Now, therefore, I, Bob Riley, Governor of the State of Alabama, do hereby proclaim July 28, 2003, as Lil Greenwood Day in the State of Alabama and encourage the citizens of Alabama to show their support.

As is obvious by the proclamation issued by the Governor of Alabama, Lil Greenwood has lived a life where her gifts have brought and still continue to bring joy to a great many people. It is only appropriate that we take the occasion of her upcoming birthday to recognize her for her contributions.●

IN HONOR OF DENNIS MAXWELL'S 75TH BIRTHDAY

● Mr. LIEBERMAN. Mr. President, today, a constituent of mine, Dennis Maxwell, will turn 75, and I would like to take this occasion to wish him a happy birthday. Dennis was born in New York City, but moved to Connecticut when he was six and grew up in Fairfield County. Dennis's mother, Marguerite Maxwell, was an accomplished classical pianist who founded the Westport School of Music, which thrives to this day. Dennis attended Yale University and received a bachelor's degree in Business Administration in 1950.

Dennis married his childhood sweetheart, Robin Tucker, and the two of them headed to Texas, where he served in the Army as an intelligence officer during the Korean War. He and his wife contributed four children to the baby boom generation and lived for a time in Michigan. The Maxwells moved (back) to Connecticut in 1966.

Dennis has had a successful business career, working for companies like Scovill Manufacturing, which was founded in Waterbury in 1802, and N.L. Industries. For the past several years, he has run his own water conditioning business.

Andre Maurois wrote, ''Growing old is no more than a bad habit which a busy man has no time to form.'' If that's true, Dennis may be turning 75, but he's not growing old. In addition to running a company, he is an avid golfer and more important active in his community. At Christ & Holy Trinity Episcopal Church in Westport, Dennis has been a vestry member, chaired the church's capital campaign, and served on several committees. When his beloved wife Robin became wheelchair-bound from emphysema, he raised the funds to put an elevator in the church. Sadly, she succumbed to the disease in 1997, after 46 years of marriage. In addition to his church-related duties, Dennis has served as president of the local Alcohol and Drug Dependency Council, and he has been on the board of Interfaith Housing, a not-for-profit ecumenical group that provides clothing and shelter for area homeless people.

Thoreau admonishes us to ''Aim above morality. Be not simply good; be good for something.'' Over the course of his life, Dennis has been devoted to his family, his community, and his country. I think that counts as being ''good for something,'' and I would like to join his children—Anne, Linda, Lisa, and Gray (who has worked here in the Senate for 19 years and is currently Senator LAUTENBERG's legislative director)—and their families and Dennis' many friends in wishing him a very happy 75th birthday.●

TRIBUTE TO JEAN SUTTON

● Mr. SHELBY. Mr. President, I rise today to pay tribute to a dear friend, Jean Elizabeth Rodgers Sutton, of Linden, AL. Jean Sutton died on Tuesday, September 16, at the age of 62.

Jean was born in Jackson, MS, and attended Hinds Junior College in Raymond, MS. She received a Junior College Press Association Scholarship to continue her education at the University of Southern Mississippi.

It was at the University of Southern Mississippi that she met her husband, Goodloe Sutton, and they were married in 1964 after Jean had graduated and worked for a year as editor of the Tylertown Times in Tylertown, MS.

After moving to Linden, Jean worked as a reporter for the award-winning Democrat Reporter, the weekly newspaper owned by her husband. She also taught girls physical education and journalism at Linden High School.

After teaching at Linden High School for two years, she began working full time for the Democrat Reporter where she served as managing editor.

Together, Jean and Goodloe worked as a husband-and-wife reporting team. In the 1990s, they successfully exposed corruption and a drug ring involving the Marengo County Sheriff's office, amid death threats and intense pressure throughout their community. Their investigative reporting led to an FBI investigation and the conviction of the county's sheriff in 1997.

Jean also found time to raise a family. She and Goodloe raised two exceptional sons. Their son, Howard Goodloe, is a graduate of Auburn University and I am pleased to have him as a member of my staff. He has served as my State Director since 2000. And, William Robert Sutton attends Southern Union Community College.

Jean Sutton was a good friend, a leader in the Linden community, and a role model for investigative journalists. Her tremendous courage, her hard work and sacrifices on behalf of her readers, and her dedication to her family serve as an example of excellence for every reporter, parent and citizen. She will be greatly missed by many.●

PRESIDENT OF THE ARIZONA FARM BUREAU RETIRES

● Mr. KYL. Mr. President, I would like to say a few words to my colleagues about a respected Arizonan, Ken Evans, who is stepping down as president of the Arizona Farm Bureau on November 1.

Ken has been a community leader, farmer, rancher, businessman, and agriculturist in my state of Arizona for many decades. As president of the Farm Bureau for the last 11 years, he has been an outstanding spokesman for the agricultural community. He has helped both the agricultural producers and the consumers of Arizona with his energetic leadership. His aid and advice were invaluable to me and other policymakers, both in the state and here in Washington.

I express my thanks for his service and wish him success in all of his future endeavors.●

TRIBUTE TO CHARLEEN COMBS AND BOB HARRIS

● Mr. BUNNING. Mr. President, I rise today in the Senate to honor and pay tribute to Charleen Combs and Bob Harris for each being named the Kentucky Small Business Person of the Year.

Almost 20 years ago, Charleen Combs and Bob Harris found themselves in a quandary. Their employer had been sold and was downsizing, but Charleen and Bob used this setback as a catalyst to strike out independently and started planning the formation for their own software development company. In Harlan, KY in 1983, Charleen and Bob established Data Futures Inc. Today, it has carved its own sizable niche, producing and providing administrative software to K–12 school districts and health care facilities throughout Kentucky and other states.

Data Futures is an outstanding example of how two Kentuckians used their entrepreneurial talent, drive and vision to create opportunities not just for themselves, but for others. What began as a humble home-based computer services business almost 20 years ago is now a leading developer of management systems software for school districts in at least seven States.

Eastern Kentucky is fortunate to have Data Future as a home-based business. But more importantly, it is fortunate to have Charleen and Bob call Eastern Kentucky home. I appreciate their loyalty to Kentucky and their community. They have been a shining example of leadership, hard work, and compassion. They are an inspiration to all throughout the Commonwealth. Congratulations, Charleen and Bob. You are Kentucky at its finest.●

100TH ANNIVERSARY OF THE FEDERATION OF INDEPENDENT ILLINOIS COLLEGES AND UNIVERSITIES

● Mr. DURBIN. Mr. President, I recognize and honor the Federation of Independent Illinois Colleges and Universities as it celebrates its 100th anniversary.

Founded in Chicago, the oldest private college association in the Nation has evolved from a social organization for college presidents to a dynamic advocacy organization representing 55 Illinois private colleges and universities, enrolling over 160,000 students and employing over 60,000 professional and support staff.

Headquartered in Springfield, IL, the mission of the Federation is to safeguard the interests of the member institutions and their students and to promote standards for excellence in higher education. The Federation will formally celebrate the 100th anniversary of its founding on November 11, 2003.

Under the leadership of Chairman Curtis L. McCray and President Donald E. Fouts, the Federation has taken a leading role in working to address higher education issues throughout Illinois.

I ask my colleagues to join me in congratulating the Federation of Independent Illinois Colleges and Universities on their 100th anniversary. It is my hope and expectation that in the next 100 years the Federation will continue to create and expand college opportunities for students from Illinois and across the country.●

100TH ANNIVERSARY OF THE ARIZONA BANKERS ASSOCIATION

● Mr. KYL. Mr. President, I rise today to note that the Arizona Bankers Association will commemorate its 100th anniversary next month—on November 13.

The Arizona Bankers Association was founded in 1903 by bankers from across what was still known as the Arizona Territory. The association was established to represent Arizona's diverse banking industry as it developed and grew to meet the financial needs of the early settlers. While at first its members served a sparsely populated territory, they now serve on the fastest growing States in the Nation. today, the Arizona Bankers Association represents banks of all sizes from every corner of our great State, employing over 10,500 people.

The Arizona Bankers Association's success and longevity are testament to the commitment and dedication of the banks and bankers who comprise its membership. The tremendous economic growth that draws so many people from other parts of the country to Arizona is due, in no small part, to the financial services and capital that are provided through the association's member banks. These institutions have nearly $3 billion outstanding in loans to small business and some $42 billion in total loans and leases.

To the member institutions of the Arizona Bankers Association, I offer my best wishes on achieving this impressive milestone and on beginning their second century of advocacy, service, and leadership. I look forward to continuing to work with them to provide Arizonans and Arizona's businesses with the financial services and credit that will lead the state to even greater prosperity in the years ahead.●

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 11:12 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1474. An act to facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, and for other purposes.

H.R. 3229. An act to amend title 44, United States Code, to transfer to the Public Printer the authority over the individuals responsible for preparing indexes of the Congressional Record, and for other purposes.

The enrolled bills previously signed by the Speaker of the House, were signed on today, by the President pro tempore (Mr. STEVENS).

At 3:07 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3289. An act making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan

for the fiscal year ending September 30, 2004, and for other purposes.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–295. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to low-interest loans for military personnel called to active duty; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 283

Whereas, The recent events in our country have served to remind us of the degree to which our nation relies upon the sacrifices of our men and women in the military. With the call to active duty of thousands of members of National Guard and reserve units for overseas deployment and an increasing range of domestic security assignments, it is clear that our military strength is rooted in both the professional ranks and those working in civilian life while serving as ready reserves; and

Whereas, The men and women called to active duty to help the country respond to a crisis such as we have faced since September 11, 2001, do so at great cost to their families and, often, their careers. The uncertain length of the activation in the current situation can make the return to active duty a devastating blow to the finances of a family or a small business. When the person called to duty is the primary breadwinner in a family, for example, as is often the case, the family can face many difficulties. The mortgage payments, food and utility bills, and costs of raising children do not go away when the regular paycheck is replaced by a military paycheck that is usually far less; and

Whereas, While it would be impossible to cover the entire burden facing many families, it would be helpful for the federal government to do all it can to address this issue. A low-interest loan program for those whose active duty pay is less than civilian levels can provide short-term help with the monthly bills. For families who have sent someone to fight terrorism, whether overseas or on assignments at airports or border crossings, this would be an appropriate step to take: Now, therefore, be it

Resolved by the house of representatives, That we memorialize the Congress of the United States to provide a program of low-interest loans for military personnel called to active duty; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–296. A resolution adopted by the Senate of the Legislature of the State of Vermont relative to the Vermont National Guard; to the Committee on Armed Services.

SENATE RESOLUTION 19

Whereas, within days of the September 11, 2001, terrorist attacks in New York City and Washington, DC, the nation's governors activated National Guard soldiers and airmen to augment security at 422 of the nation's international airports; and

Whereas, in true state-federal partnership, National Guard forces are providing aerial port security under the command and control of the sovereign states, territories, and the District of Columbia and the federal government is funding such duties ''in the service of the United States'' under title 32 of the United States Code, section 502(f), hereinafter referred to as ''title 32 duty''; and

Whereas, title 32 duty has been used, inter alia, for more than twenty years for National Guard full-time staffing; for National Guard support for local, state, and federal law enforcement agencies under governors' counter-drug plans for more than twelve years; for National Guard civil support team technical assistance for local first responders for more than two years; and for aerial port security following the attacks of September 11; and of particular note, the National Guard counter-drug program has long included title 32 support for United States Customs, Border Patrol, and Immigration and Naturalization Service activities at United States ports of entry; and

Whereas, in the aftermath of the September 11 attacks, increased security and inadequate federal staffing have limited the flow of persons, goods, and services across our nation's borders, and these factors have contributed to a serious weakening of the American and Canadian economies, especially in states such as Vermont; and

Whereas, the governors of northern tier border states wrote President Bush in November 2001 offering to provide title 32 National Guard augmentation for United States Customs, Border Patrol, and Immigration and Naturalization Service operations at United States ports of entry, and such relief could have been, and still can be, effected within days of acceptance by the federal government; and

Whereas, there is still no relief at our borders due to inaction on the governors' offer of title 32 National Guard assistance and conflicting Department of Defense proposals to federalize the National Guard or otherwise enhance border security with active duty military personnel instead of title 32 National Guard members; and

Whereas, federalizing the National Guard under title 10 U.S.C. would degrade the combat readiness of units from which guardsmen would be mobilized, interfere with effective state force management, and prevent personal accommodations for soldiers and their civilian employers; and

Whereas, stationing federal military forces at the United States-Canada border would be an unprecedented unilateral action by the United States; and

Whereas, the nation's border states need prompt relief which can best be provided by title 32 National Guard forces being deployed to assist lead federal agencies at the borders ''in the service of the United States'', but under continued state command and control; and

Whereas, the Vermont State Senate opposes federalization of the National Guard or assignment of federal military forces for United States border security: Now, therefore, be it

Resolved by the Senate, That the Senate of the State of Vermont respectfully requests that Congress assures prompt augmentation of lead federal agencies at the borders by accepting the governors' offer of National Guard forces under state command and control pursuant to 32 U.S.C. sec. 502(f), and be it further

Resolved, That the Secretary of the Senate be directed to send copies of this resolution to the Honorable George W. Bush, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Vermont.

POM–297. A resolution adopted by the City Council of the City of Friendswood of the State of Texas relative to the Corps of Engineers General Reevaluation Report on Clear Creek; to the Committee on Armed Services.

POM–298. A resolution adopted by the California State Lands Commission opposing inclusion in any energy bill of a requirement that the Department of the Interior prepare a comprehensive inventory of oil and gas resources in the outer continental shelf and use harmful seismic testing; to the Committee on Energy and Natural Resources.

POM–299. A joint resolution adopted by the Legislature of the State of Washington relative to cleanup of the Hanford Reservation; to the Committee on Environment and Public Works.

ENGROSSED SENATE JOINT MEMORIAL 8023

Whereas, The Hanford Reservation in Southeast Washington state presents an unprecedented environmental cleanup challenge resulting from decades of defense production that served to bring an early end to World War II and to keep our nation safe during the Cold War years; and

Whereas, The Hanford Reservation is located near the Columbia River, which irrigates our farmland and is the lifeblood of Washington state; and

Whereas, It is imperative that cleanup of the Hanford Reservation be sustained and completed as expeditiously as possible to preserve the integrity of the environment and the safety of generations to come; and

Whereas, Significant cleanup progress is being made at Hanford, including decommissioning and deactivating more than 35 buildings; resolving safety issues associated with Hanford's 177 underground waste storage tanks; stabilizing plutonium in the Plutonium Finishing Plant; moving spent nuclear fuel out of the K-Basins and away from the river to safer storage in the central plateau; shipping transuranic waste to New Mexico for permanent storage; and moving 600,000 tons of contaminated soil away from the river; and

Whereas, The President's proposed fiscal year 2003 budget threatens the cleanup effort and jeopardizes the Department of Energy's ability to comply with federal and state laws and meet the compliance commitments set forth in the Tri-Party Agreement between the State of Washington, The United States Environmental Protection Agency, and the United States Department of Energy; and

Whereas, Budget-driven delays in Hanford cleanup activities will compromise the success of the project resulting in greater costs to taxpayers, another in a string of broken promises, and public outrage at this continuing, unaddressed threat to public health and the environment; Now, therefore

Your Memorialists respectfully pray that you fully fund the needs of a sustained environmental cleanup in keeping with federal and state laws and the Tri-Party Agreement, and providing for the protection of the great Columbia River and the citizens of the state of Washington, be it

Resolved, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the Secretary of the United States Department of Energy, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM–300. A joint resolution adopted by the Legislature of the State of Washington relative to support for an oil spill prevention tugboat in the Strait of Juan de Fuca; to the Committee on Environment and Public Works.

SENATE JOINT MEMORIAL 8004

Whereas, The marine waters located in the Strait of Juan de Fuca between the State of Washington and Canada are some of the

most pristine and diverse marine waters in the United States and include irreplaceable natural resources; and

Whereas, The area includes such national treasures as the Olympic Coast National Marine Sanctuary and the Olympic National Park, for which the Federal government acts as the trustee thereof; and

Whereas, The area is home to five federally recognized Indian reservations for which the Federal government has the responsibility of protecting treaty rights over tribal fishing; and

Whereas, The area is the habitat for several threatened and endangered species as designated by the Federal government; and

Whereas, The marine waters are used by a large portion of the Federal government's strategic naval fleet, which poses a risk of oil spills; and

Whereas, The marine waters are used for transportation of petroleum products that are used to meet the energy needs in the Western United States; and

Whereas, These marine waters are of great environmental and economic importance to not only the State of Washington, but also to the people of Canada and the United States; and

Whereas, The marine vessel traffic on these waters presents risks of accidents and oil spills that would be devastating to the environment and to the economy; and

Whereas, The safety of these waters is currently substantially improved on a temporary basis by an oil spill prevention tugboat stationed at the westward end of the Strait, the cost of which is currently borne solely by the State of Washington: Now, therefore

Your memorialists respectfully pray that Congress appropriate sufficient budgetary support to permanently station an oil spill prevention tugboat, of adequate size, and with rescue, fire fighting, spill response, and lifesaving capabilities, at the westward end of the Strait of Juan de Fuca, be it

Resolved, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM–301. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to the Great Lakes, Great Lakes States; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 265

Whereas, the Great Lakes states have taken many steps to protect the lakes. Most recently, Annex 2001 to the Great Lakes Charter has demonstrated the concern of the people of this region that the stewardship for this fresh water resource must remain where it belongs—with the people of the Great Lakes; and

Whereas, the Great Lakes governors work closely with one another and their Canadian provincial counterparts on protecting the Great Lakes on a wide range of issues related to water management and a host of economic matters that strongly influence the lakes. This cooperation mirrors the shared stake in the quality of the lakes and reflects the appropriateness of policies that clearly affirm the authority of the Great Lakes Governors pursuant to the Great Lakes Charter; and

Whereas, Federal law states: It is hereby determined and declared to be in the public interest that (1) title to and ownership of the lands beneath navigable waters within the boundaries of their respective states and the natural resources with such lands and water and (2) the right and power to manage, administer, lease, develop, and use the said lands and natural resources all in accordance with applicable state law be, and they are hereby, subject to the provisions hereof, recognized, confirmed, established, and vested in and assigned to the respective states or the persons who were on June 5, 1950, entitled thereto under the law of the respective states in which the land is located, and the respective granters, lessees, or successors in interest thereof; and

Whereas, the Great Lakes states have demonstrated that we are an effective and efficient manager of Great Lakes water resources. We implore the federal government to continue to allow the Great Lakes states the ability to control the Great Lakes: Now, therefore, be it

Resolved by the house of representatives, That we memorialize the Congress of the United States to increase protections for the Great Lakes and to affirm the authority of the Great Lakes governors on matters or the usage of Great Lakes waters; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Adopted by the House of Representatives, January 24, 2002

POM–302. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to restoration and protection of the Great Lakes; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 187

Whereas, The waters of the Great Lakes constitute a resource of the utmost importance of the future of our nation, as they interact with the international community. The quality and quantity of this fresh water treasure are vital to the health and commercial well-being of millions of Americans; and

Whereas, Congress over the years has provided support for numerous projects and conserve our natural resources, with the most recent being legislation to fund the restorationm of the Everglades and the South Florida ecosystem. This legislation includes several billion dollars in funding to the state of Florida. While the Everglades and the South Florida ecosystem are clearly a unique resource, the Great Lakes ecosystem has a prevailing international and national economic significance due to the shipping of raw materials, industrial products, and food, not to mention being the home of 20 percent of the world's fresh surface water, and 95 percent of the United States' fresh surface water; and

Whereas, With the Great Lakes at the heart of American industrial and agricultural production, and the source of recreation for millions, the United States of America must do all it can to assure the viability of the health of the lakes: Now, therefore, be it

Resolved by the house of representatives, That we call upon the Congress of the United States to fund the Great Lakes Basin with similar appropriations that have been afforded the Florida Everglades and the South Florida ecosystem; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representative, the members of the Michigan congressional delegation, and the United States Secretary of the Interior.

POM–303. A notification from the Lietenant Governor of the State of Alaska of the State's gratitude and support for the war on terrorism and for efforts to support democracies and promote peace wordwide; to the Committee on Foreign Relations.

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY DECLARED IN EXECUTIVE ORDER 12978 WITH RESPECT TO SIGNIFICANT NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—PM 52

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to significant narcotics traffickers centered in Colombia is to continue in effect beyond October 21, 2003, to the Federal Register for publication. The most recent notice continuing this emergency was published in the Federal Register on October 18, 2002.

The circumstances that led to the declaration on October 21, 1995, of a national emergency have not been resolved. The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad. For these reasons, I have determined that it is necessary to maintain economic pressure on significant narcotics traffickers centered in Colombia by blocking their property or interests in property that are in the United States or within the possession or control of United States persons and by depriving them of access to the United States market and financial system.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 16, 2003.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1753. An original bill to amend the Fair Credit Reporting Act in order to prevent identity theft, to improve the use of and consumer access to consumer reports, to enhance the accuracy of consumer reports, to

limit the sharing of certain consumer information, to improve financial education and literacy, and for other purposes (Rept. No. 108–166).

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 1210. A bill to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries (Rept. No. 108–167).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment:

H.R. 1320. A bill to amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users (Rept. No. 108–168).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CHAMBLISS (for himself and Mr. MILLER):

S. 1752. A bill to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SHELBY:

S. 1753. An original bill to amend the Fair Credit Reporting Act in order to prevent identity theft, to improve the use of and consumer access to consumer reports, to enhance the accuracy of consumer reports, to limit the sharing of certain consumer information, to improve financial education and literacy, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, and Ms. CANTWELL):

S. 1754. A bill to enhance national security by improving the reliability of the U.S. electricity transmission grid, to ensure efficient, reliable and affordable energy to American consumers, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 1755. A bill to amend the Richard B. Russell National School Lunch Act to provide grants to support farm-to-cafeteria projects; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CONRAD (for himself, Mr. SMITH, Mr. BREAUX, Mr. COCHRAN, Ms. LANDRIEU, and Mr. CRAIG):

S. 1756. A bill to amend the Internal Revenue Code of 1986 to protect the health benefits of retired miners and to restore stability and equity to the financing of the United Mine Workers of America Combined Benefit Fund by providing additional sources of revenue to the Fund, and for other purposes; to the Committee on Finance.

By Mr. INHOFE (for himself and Mr. JEFFORDS):

S. 1757. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SMITH (for himself and Mr. WYDEN):

S. Res. 246. A resolution expressing the sense of the Senate that November 22, 1983, the date of the restoration by the Federal Government of Federal recognition to the Confederated Tribes of the Grand Ronde Community of Oregon, should be memorialized; to the Committee on Indian Affairs.

By Mr. LAUTENBERG (for himself, Mr. SMITH, Mrs. FEINSTEIN, Mrs. CLINTON, Mr. CORZINE, Mrs. BOXER, Mr. DASCHLE, Mr. DODD, Mr. SCHUMER, Mr. HATCH, Mrs. MURRAY, Mr. COLEMAN, Mr. WYDEN, Mr. BROWNBACK, Mr. REID, Mr. BAYH, Mr. CHAMBLISS, Mr. LEAHY, and Mr. GRAHAM of Florida):

S. Res. 247. A resolution calling on the President to condemn the anti-Semitic sentiments expressed by Dr. Mahathir Mohamad, the outgoing prime minister of Malaysia; considered and agreed to.

ADDITIONAL COSPONSORS

S. 451

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 451, a bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, to provide for a one-year open season under that plan, and for other purposes.

S. 491

At the request of Mr. REID, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 491, a bill to expand research regarding inflammatory bowel disease, and for other purposes.

S. 517

At the request of Mr. PRYOR, his name was added as a cosponsor of S. 517, a bill to amend title 38, United States Code, to provide improved benefits for veterans who are former prisoners of war.

S. 596

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 596, a bill to amend the Internal Revenue Code of 1986 to encourage the investment of foreign earnings within the United States for productive business investments and job creation.

S. 611

At the request of Mr. REID, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 611, a bill to amend the Internal Revenue Code of 1986 to treat gold, silver, and platinum, in either coin or bar form, in the same manner as stocks and bonds for purposes of the maximum capital gains rate for individuals.

S. 853

At the request of Ms. SNOWE, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 853, a bill to amend title XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the medicare program.

S. 1180

At the request of Mr. SANTORUM, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1180, a bill to amend the Internal Revenue Code of 1986 to modify the work opportunity credit and the welfare-to-work credit.

S. 1246

At the request of Mr. ROBERTS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1246, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1298

At the request of Mr. AKAKA, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1298, a bill to amend the Farm Security and Rural Investment Act of 2002 to ensure the humane slaughter of non-ambulatory livestock, and for other purposes.

S. 1353

At the request of Mr. BROWNBACK, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1353, a bill to establish new special immigrant categories.

S. 1531

At the request of Mr. HATCH, the names of the Senator from Illinois (Mr. FITZGERALD), the Senator from Nevada (Mr. ENSIGN), the Senator from Minnesota (Mr. COLEMAN), the Senator from Colorado (Mr. ALLARD), the Senator from Oregon (Mr. WYDEN), the Senator from California (Mrs. BOXER) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 1531, a bill to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall.

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 1531, supra.

S. 1557

At the request of Mr. MCCONNELL, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1557, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Armenia.

S. 1562

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 1562, a bill to amend selected statutes to clarify existing Federal law as to the treatment of students privately educated at home under state law.

S. 1612

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1612, a bill to establish a technology, equipment, and information transfer within the Department of Homeland Security.

S. 1613

At the request of Mrs. LINCOLN, the name of the Senator from New York

(Mrs. CLINTON) was added as a cosponsor of S. 1613, a bill to amend the Internal Revenue Code of 1986 to allow a United States independent film and wage production credit.

S. 1693

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1693, a bill to amend section 35 of the Internal Revenue Code of 1986 to allow individuals receiving unemployment compensation to be eligible for a refundable, advanceable credit for health insurance costs.

S. 1700

At the request of Mr. HATCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1700, a bill to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 1707

At the request of Ms. STABENOW, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1707, a bill to amend title 39, United States Code, to provide for free mailing privileges for personal correspondence and certain parcels sent from within the United States to members of the Armed Forces serving on active duty abroad who are engaged in military operations involving armed conflict against a hostile foreign force, and for other purposes.

S. 1730

At the request of Ms. SNOWE, the names of the Senator from Georgia (Mr. MILLER) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. 1730, a bill to require the health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 1734

At the request of Mrs. LINCOLN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1734, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option to expand or add coverage of pregnant women under the medicaid and State children's health insurance programs, and for other purposes.

S. 1735

At the request of Mr. HATCH, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1735, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 1736

At the request of Mr. ENZI, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 1736, a bill to promote simplification and fairness in the administration and collection of sales and use taxes.

S. 1741

At the request of Ms. COLLINS, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 1741, a bill to provide a site for the National Women's History Museum in the District of Columbia.

S. 1744

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1744, a bill to prevent abuse of Government credit cards.

S. RES. 210

At the request of Mr. KENNEDY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. Res. 210, a resolution expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October of 2003 as ''National Work and Family Month''.

S. RES. 240

At the request of Mr. CAMPBELL, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. Res. 240, a resolution designating November 2003 as ''National American Indian Heritage Month''.

AMENDMENT NO. 1825

At the request of Mr. BOND, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of amendment No. 1825 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

At the request of Mr. DASCHLE, his name was added as a cosponsor of amendment No. 1825 proposed to S. 1689, supra.

AMENDMENT NO. 1837

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of amendment No. 1837 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1843

At the request of Mr. COLEMAN, his name was added as a cosponsor of amendment No. 1843 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 1843 proposed to S. 1689, supra.

AMENDMENT NO. 1857

At the request of Mr. STEVENS, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of amendment No. 1857 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1858

At the request of Mr. NELSON of Florida, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 1858 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1864

At the request of Mr. DOMENICI, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 1864 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1882

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of amendment No. 1882 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JEFFORDS (for himself, Mr. KENNEDY, and Ms. CANTWELL):

S. 1754. A bill to enhance national security by improving the reliability of the U.S. electricity transmission grid, to ensure efficient, reliable and affordable energy to American consumers, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. JEFFORDS. Mr. President, today I am introducing comprehensive legislation to ensure the reliable delivery of electric power in the United States. I am pleased have the Senior Senator from Massachusetts and the Senator from Washington join me as original cosponsors of this bill.

This past August, nearly 50 million people in the Northeast and Midwest were affected by a massive power outage. Hurricane Isabel and other weather systems left millions more without power. These events emphasize the vulnerability of the U.S. electricity grid to human error, mechanical failure, and weather-related outages.

Unfortunately, the electricity provisions now being considered in the ongoing energy bill conference were written well before these recent events. The pending energy bill fails to do all that is necessary to protect the grid from devastating interruptions in the future. That is why I am introducing this bill today to ensure greater reliability in our electricity delivery system.

My bill, the Electric Reliability Security Act of 2003, will help achieve reliability and security of the electricity grid in an efficient, cost-effective, and environmentally sound manner. It does so by creating mandatory, nationwide electric reliability standards.

The bill also mandates regional coordination in the siting of transmission facilities, and provides $10 billion in loan guarantees to finance ''smart grid'' technologies that improve the way the grid transmits power.

While a $10 billion investment may seem to be a large investment, it is significantly less than the transmission cost estimates that have circulated following the Northeast blackout. In response to the events this past August, industry experts estimated that it would cost consumers as much as $100 billion to upgrade transmission systems and site new lines to meet future reliability needs.

However, even this hefty price tag does not factor in the costs of additional generation, does not consider the rising cost of natural gas due to increasing electricity consumption, and does not include the environmental and other social costs of continued expansion of our presently centralized power system. Power lines are expensive and are rarely welcomed by the nearby public. The loan guarantees in the bill will help balance the need for new transmission lines by providing Federal resources to help improve existing ones.

In addition to addressing system operation and transmission needs, the bill also promotes sound system management. It establishes a Federal system benefits fund as a match for State programs.

Historically, regulated electric utility companies have provided a number of energy-related public services beyond simply supplying electricity that benefit the system as a whole. Such services have included bill payment assistance and energy conservation measures for low-income households, energy efficiency programs for residential and business customers, and pilot programs to promote renewable energy resources. More than 20 States, including my home State of Vermont, have public benefits programs. This bill will provide needed Federal matching money to States for these programs.

The Alliance to Save Energy estimates that a Federal program to match existing State public benefits programs would save 1.24 trillion kilowatt-hours of electricity over 20 years, and cut consumer energy bills by about $100 billion. My bill, which has the potential to save consumers $100 billion is far preferable to raising consumer electricity bills by the $100 billion to raise money for grid expansion.

The bill also establishes energy efficiency performance standards for utilities. The United States has experienced tremendous growth in electricity consumption over the past decade. Current estimates are that electricity consumption is increasing at roughly two percent per year.

Between 1993 and 1999, U.S. summer peak electricity use alone increased by 95,000 megawatts. This is the equivalent of adding a new, six-State New England to the Nation's electricity demand every fourteen months.

Energy experts estimate that as much as 50 percent of expected new demand over the next 20 years can be met through consumer efficiency and load management programs. Over the past two decades, utility demand-side efficiency programs have avoided the need for more than 100 300-megawatt power plants. However, with the advent of electricity deregulation, utility spending on these efficiency programs has dropped by almost half.

The Federal Government should seek to correct this trend, and this bill takes a strong first step in that direction by phasing in a requirement that utilities reduce their peak demand for power and their customers' power use between 2004 and 2013.

Finally, the bill enacts standards that enable increased on-site, or distributed, generation to reduce pressure on the grid and lessen the impact of a blackout should one occur. We have an obligation to ensure that the electricity grid is secure. We currently have a giant system consisting of almost 200,000 miles of interconnecting lines that constantly shift huge amounts of electricity throughout the country.

Such a giant and complex system, traversing miles of city and countryside, is inevitably subject to unforeseen problems. Simply making it bigger will never take away all uncertainty, nor can it eliminate the vulnerability of the grid to sabotage or terrorist attack. We should do all we can to make certain such vulnerabilities are reduced.

In summary, I am introducing this legislation because I feel that we should be cautious in our assumptions that the answer to our nation's reliability woes lies primarily in building a bigger, more expansive grid. Simply building more transmission lines is not the answer.

Investments in energy efficiency and on-site generation can significantly improve the reliability of the nation's electricity grid and in most cases will be cheaper, faster to implement and more environmentally friendly than large-scale grid expansion. We also must fill the regulatory gaps in the system, which my bill does. Congress should establish mandatory reliability standards and close other regulatory gaps left by state deregulation of the electricity sector. In addition, no national reliability program will be effective or complete without strong incentives for demand-side management programs, for efficiency and for on-site generation.

We cannot solve today's energy problems with yesterday's solutions. My bill is an innovative approach to ensuring electric reliability by maximizing energy efficiency, regulatory efficiency, and efficient investment. Given the high costs of power outages to our country, we cannot afford to do otherwise.

I invite my colleagues to join me in my efforts to advance energy security and reliability in the United States.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Electric Reliability Security Act of 2003''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—RELIABILITY

Sec. 101. Electric reliability standards.
Sec. 102. Model electric utility workers code.
Sec. 103. Interstate compacts on regional transmission planning.
Sec. 104. Electricity outage investigation.
Sec. 105. Study on reliability of United States energy grid.

TITLE II—EFFICIENCY

Sec. 201. System benefits fund.
Sec. 202. Electricity efficiency performance standard.
Sec. 203. Appliance efficiency.
Sec. 204. Loan guarantees.

TITLE III—ON-SITE GENERATION

Sec. 301. Net metering.
Sec. 302. Interconnection.
Sec. 303. On-site generation for emergency facilities.

TITLE I—RELIABILITY

SEC. 101. ELECTRIC RELIABILITY STANDARDS.

Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding at the end the following:

''SEC. 215. ELECTRIC RELIABILITY.

''(a) DEFINITIONS.—In this section—

''(1) 'bulk power system' means the network of interconnected transmission facilities and generating facilities;

''(2) 'electric reliability organization' means a self-regulating organization certified by the Commission under subsection (c) whose purpose is to promote the reliability of the bulk power system; and

''(3) 'reliability standard' means a requirement to provide for reliable operation of the bulk power system approved by the Commission under this section.

''(b) JURISDICTION AND APPLICABILITY.—The Commission shall have jurisdiction, within the United States, over an electric reliability organization, any regional entities, and all users, owners and operators of the bulk power system, including but not limited to the entities described in section 201(f), for purposes of approving reliability standards and enforcing compliance with this section. All users, owners and operators of the bulk power system shall comply with reliability standards that take effect under this section.

''(c) CERTIFICATION.—(1) The Commission shall issue a final rule to implement the requirements of this section not later than 180 days after the date of enactment of this section.

''(2) Following the issuance of a Commission rule under paragraph (1), any person may submit an application to the Commission for certification as an electric reliability organization. The Commission may certify an applicant if the Commission determines that the applicant—

''(A) has the ability to develop, and enforce reliability standards that provide for an adequate level of reliability of the bulk power system;

''(B) has established rules that—

''(i) assure the independence of the applicant from the users and owners and operators of the bulk power system while assuring fair stakeholder representation in the selection of its directors and balanced decision making in any committee or subordinate organizational structure;

''(ii) allocate equitably dues, fees, and other charges among users for all activities under this section;

''(iii) provide fair and impartial procedures for enforcement of reliability standards through imposition of penalties (including limitations on activities, functions, or operations, or other appropriate sanctions) and

''(iv) provide for reasonable notice and opportunity for public comment, due process, openness, and balance of interests in developing reliability standards and otherwise exercising its duties.

''(3) If the Commission receives 2 or more timely applications that satisfy the requirements of this subsection, the Commission shall approve only the application the Commission concludes will best implement the provisions of this section.

''(d) RELIABILITY STANDARDS.—(1) An electric reliability organization shall file a proposed reliability standard or modification to a reliability standard with the Commission.

''(2) The Commission may approve a proposed reliability standard or modification to a reliability standard if it determines that the standard is just, reasonable, not unduly discriminatory or preferential, and in the public interest. The Commission shall give due weight to the technical expertise of the electric reliability organization with respect to the content of a proposed standard or modification to a reliability standard, but shall not defer with respect to its effect on competition.

''(3) The electric reliability organization and the Commission shall rebuttably presume that a proposal from a regional entity organized on an interconnection-wide basis for a reliability standard or modification to a reliability standard to be applicable on an interconnection-wide basis is just, reasonable, and not unduly discriminatory or preferential, and in the public interest.

''(4) The Commission shall remand to the electric reliability organization for further consideration a proposed reliability standard or a modification to a reliability standard that the Commission disapproves in whole or in part.

''(5) The Commission, upon its own motion or upon complaint, may order an electric reliability organization to submit to the Commission a proposed reliability standard or a modification to a reliability standard that addresses a specific matter if the Commission considers such a new or modified reliability standard appropriate to carry out this section.

''(e) ENFORCEMENT.—(1) An electric reliability organization may impose a penalty on a user or owner or operator of the bulk power system if the electric reliability organization, after notice and an opportunity for a hearing—

''(A) finds that the user or owner or operator of the bulk power system has violated a reliability standard approved by the Commission under subsection (d); and

''(B) files notice with the Commission, which shall affirm, set aside, or modify the action.

''(2) On its own motion or upon complaint, the Commission may order compliance with a reliability standard and may impose a penalty against a user or owner or operator of the bulk power system if the Commission finds, after notice and opportunity for a hearing, that the user or owner or operator of the bulk power system has violated or threatens to violate a reliability standard.

''(3) The Commission shall establish regulations authorizing the electric reliability organization to enter into an agreement to delegate authority to a regional entity for the purpose of proposing and enforcing reliability standards (including related activities) if the regional entity satisfies the provisions of subparagraphs (A) and (B) of subsection (c)(2) and the agreement promotes effective and efficient administration of bulk power system reliability. The Commission may modify such delegation. The electric reliability organization and the Commission shall rebuttably presume that a proposal for delegation to a regional entity organized on an interconnection-wide basis promotes effective and efficient administration of bulk power system reliability and should be approved. Such regulation may provide that the Commission may assign the electric reliability organization's authority to enforce reliability standards directly to a regional entity consistent with the requirements of this paragraph.

''(4) The Commission may take such action as is necessary or appropriate against the electric reliability organization or a regional entity to ensure compliance with a reliability standard or any Commission order affecting the electric reliability organization or a regional entity.

''(f) CHANGES IN ELECTRICITY RELIABILITY ORGANIZATION RULES.—An electric reliability organization shall file with the Commission for approval any proposed rule or proposed rule change, accompanied by an explanation of its basis and purpose. The Commission, upon its own motion or complaint, may propose a change to the rules of the electric reliability organization. A proposed rule or proposed rule change shall take effect upon a finding by the Commission, after notice and opportunity for comment, that the change is just, reasonable, not unduly discriminatory or preferential, is in the public interest, and satisfies the requirements of subsection (c)(2).

''(g) COORDINATION WITH CANADA AND MEXICO.—(1) The electric reliability organization shall take all appropriate steps to gain recognition in Canada and Mexico.

''(2) The President shall use his best efforts to enter into international agreements with the governments of Canada and Mexico to provide for effective compliance with reliability standards and the effectiveness of the electric reliability organization in the United States and Canada or Mexico.

''(h) RELIABILITY REPORTS.—The electric reliability organization shall conduct periodic assessments of the reliability and adequacy of the interconnected bulk power system in North America.

''(i) SAVINGS PROVISIONS.—(1) The electric reliability organization shall have authority to develop and enforce compliance with standards for the reliable operation of only the bulk power system.

''(2) This section does not provide the electric reliability organization or the Commission with authority to order the construction of additional generation or transmission capacity or to set and enforce compliance with standards for adequacy or safety of electric facilities or services.

''(3) Nothing in this section shall be construed to preempt any authority of any State to take action to ensure the safety, adequacy, and reliability of electric service within that State, as long as such action is not inconsistent with any reliability standard established under this section.

''(4) Not later than 90 days after the date of the application of the electric reliability organization or other affected party, and after notice and opportunity for comment, the Commission shall issue a final order determining whether a State action is inconsistent with a reliability standard, taking into consideration any recommendation of the electric reliability organization.

''(5) The Commission, after consultation with the electric reliability organization, may stay the effectiveness of any State action, pending the Commission's issuance of a final order.

''(j) APPLICATION OF ANTITRUST LAWS.—(1) To the extent undertaken to develop, implement, or enforce a reliability standard, each of the following activities shall not, in any action under the antitrust laws, be deemed illegal per se—

''(A) activities undertaken by an electric reliability organization under this section;

''(B) activities of a user or owner or operator of the bulk power system undertaken in good faith under the rules of an electric reliability organization.

''(2) In any action under the antitrust laws, an activity described in paragraph (1) shall be judged on the basis of its reasonableness, taking into account all relevant factors affecting competition and reliability.

''(3) For purposes of this subsection, the term 'antitrust laws' has the meaning given the term in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), except that it includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that section 5 applies to unfair methods of competition.

''(k) REGIONAL ADVISORY BODIES.—The Commission shall establish a regional advisory body on the petition of at least ⅔ of the States within a region that have more than ½ of their electric load served within the region. A regional advisory body shall be composed of one member from each participating State in the region, appointed by the Governor of each state, and may include representatives of agencies, States, and provinces outside the United States. A regional advisory body may provide advice to the electric reliability organization, a regional reliability entity, or the Commission regarding the governance of an existing or proposed regional reliability entity within the same region, whether a standard proposed to apply within the region is just, reasonable, not unduly discriminatory or preferential, and in

the public interest, whether fees proposed to be assessed within the region are just, reasonable, not unduly discriminatory or preferential, and in the public interest and any other responsibilities requested by the Commission. The Commission may give deference to the advice of any such regional advisory body if that body is organized on an interconnection-wide basis.

''(l) APPLICATION TO ALASKA AND HAWAII.—The provisions of this section apply only to the contiguous 48 states.''.

SEC. 102. MODEL ELECTRIC UTILITY WORKERS CODE.

Subtitle B of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621 et seq.) is amended by adding at the end the following:

''SEC. 118. MODEL CODE FOR ELECTRIC UTILITY WORKERS.

''(a) IN GENERAL.—The Secretary shall develop by rule and circulate among the States for their consideration a model code containing standards for electric facility workers to ensure electric facility safety and reliability.

''(b) CONSULTATION.—In developing these standards, the Secretary shall consult with all interested parties, including representatives of electric facility workers.

''(c) NOT AFFECTING OCCUPATIONAL SAFETY AND HEALTH.—In issuing a model code under this section, the Secretary shall not, for purposes of section 4 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653) be deemed to be exercising statutory authority to prescribe or enforce standards or regulations affecting occupational safety and health.''.

SEC. 103. INTERSTATE COMPACTS ON REGIONAL TRANSMISSION PLANNING.

Part II of the Federal Power Act (16 U.S.C. 824 et seq.) (as amended by section 101) is amended by adding at the end the following:

''SEC. 216. INTERSTATE COMPACTS ON REGIONAL TRANSMISSION PLANNING.

''(a) CONSENT OF CONGRESS.—The consent of Congress is given for an agreement to establish a regional transmission planning agency if the Commission determines that the agreement would—

''(1) facilitate coordination among the States within a particular region with regard to the planning of future transmission, generation, and distribution facilities;

''(2) carry out State electric facility siting responsibilities more effectively;

''(3) meet the other requirements of this section and rules prescribed by the Commission under this section; and

''(4) otherwise be consistent with the public interest.

''(b) AUTHORITY TO CARRY OUT AGREEMENT.—(1) If the Commission determines that an agreement meets the requirements of subsection (a), the agency established under the agreement has the authority necessary or appropriate to carry out the agreement. This includes authority with respect to matters otherwise within the jurisdiction of the Commission, if expressly provided for in the agreement and approved by the Commission.

''(2) The Commission's determination under this section may be subject to any terms or conditions the Commission determines are necessary to ensure that the agreement is in the public interest.

''(c) CRITERIA.—(1) The Commission shall prescribe—

''(A) criteria for determining whether a regional transmission planning agreement meets subsection (a); and

''(B) standards for the administration of a regional transmission planning agency established under the agreement.

''(2) The criteria shall provide that, in order to meet subsection (a)—

''(A) a regional transmission planning agency must operate within a region that includes all tribal governments and all States and that are a party to the agreement;

''(B) a regional transmission planning agency must be composed of one or more members from each State and tribal government that is a party to the agreement;

''(C) each participating State and tribal government must vest in the regional transmission planning agency the authority necessary to carry out the agreement and this section; and

''(D) the agency must follow workable and fair procedures in making its respect to matters covered by this agreement, including a requirement that all decisions of the agency be made by majority vote (or majority weighted votes) of the members present and voting.

''(3) The criteria may include any other requirement for meeting subsection (a) that the Commission determines is necessary to ensure that the regional transmission planning agency's organization, practices, and procedures are sufficient to carry out this section and the rules issued under it.

''(d) TERMINATION OF APPROVAL.—The Commission, after notice and opportunity for comment, may terminate the approval of an agreement under this section at any time if it determines that the regional transmission planning agency fails to comply with this section or Commission prescriptions under subsection (c) or that the agreement is contrary to the public interest.

''(e) REVIEW.—Section 313 applies to a rehearing before a regional transmission planning agency and judicial review of any action of a regional transmission planning agency. For this purpose, when section 313 refers to 'Commission' substitute 'regional transmission planning agency' and when section 313(b) refers to 'licensee or public utility' substitute 'entity'.''.

SEC. 104. ELECTRICITY OUTAGE INVESTIGATION.

Part III of the Federal Power Act (16 U.S.C. 824) is amended—

(1) by redesignating sections 320 and 321 (16 U.S.C. 825r, 791a) as 321 and 322 respectively; and

(2) by inserting after section 319 (16 U.S.C. 825q) the following:

''SEC. 320. ELECTRICITY OUTAGE INVESTIGATION BOARD.''

''(a) ESTABLISHMENT.—There is established an Electricity Outage Investigation Board that shall be an independent establishment within the Executive Branch

''(b) MEMBERSHIP.—The Board shall consist of 7 members and shall include—

(1) the Secretary of Energy or his or her designee;

''(2) the Chairman of the Federal Regulatory Commission or his or her designee;

''(3) a representative of the National Academy of Sciences appointed by the President; a representative appointed by the Majority leader of the Senate; a representative appointed by the Minority leader of the Senate; a representative appointed by the Majority Leader of the House of Representatives; and a representative appointed by the Minority Leader of the House of Representatives. Each such appointee shall demonstrate relevant expertise in the field of electricity generation, transmission and distribution, and such other expertise as will best assist in carrying out the duties of the Board.

''(c) TERMS.—The Secretary of Energy and the Chairman of the Federal Regulatory Commission shall be permanent members. The remaining members shall each serve for a term of three years.

''(d) DUTIES.—The Board shall—

''(1) upon request by Congress or by the President investigate a major bulk-power system failure in the United States to determine the causes of the failure;

''(2) report expeditiously to the Congress and to the President the results of the investigation; and 14

''(3) recommend to the Congress and the President actions to minimize the possibility of future bulk-power system failure.

''(e) COMPENSATION.—Each member of the Board shall be paid at the rate payable for level III of the Executive Schedule for each day (including travel time) such member is engaged in the work of the Board. Each member of the Board may receive travel expenses, including per diem in lieu of subsistence, in the same manner as is permitted under section 5702 and 5703 of title 5, United States Code.''.

SEC. 105. STUDY ON RELIABILITY OF U.S. ELECTRICITY GRID.

(a) STUDY ON RELIABILITY.—Within 45 days after enactment of this Act, the Secretary of Energy shall contract with the National Academy of Sciences to conduct a study on the reliability of the U.S. electricity grid. The study shall examine the effectiveness of the current U.S. electricity transmission and distribution system at providing efficient, secure and affordable power to U.S. consumers.

(b) CONTENTS.—The study shall include an analysis of—

(1) vulnerability of the transmission and distribution system to disruption by natural, mechanical or human causes including sabotage;

(2) the most efficient and cost-effective solutions for dealing with vulnerabilities or other problems of the U.S. electricity transmission and distribution system, including a comparison of investments in:

''(A) efficiency;

''(B) distributed generation;

''(C) technical advances in software and other devices to improve the 15 efficiency and reliability of the grid;

''(D) new power line construction; and ''(E) any other relevant matters.

(c) REPORT.—The contract shall provide that within six months of entering into the contract, the National Academy of Sciences shall submit a report to the President and Congress detailing findings and recommendations of the study.

TITLE II—EFFICIENCY

SEC. 201. SYSTEM BENEFITS FUND.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) BOARD.—The term ''Board'' means the Board established under subsection (b).

(3) COMMISSION.—The term ''Commission'' means the Federal Energy Regulatory Commission.

(4) FUND.—The terms ''Fund'' means the System Benefits Trust Fund established by under subsection (c).

(5) RENEWABLE ENERGY.—The term ''renewable energy'' means electricity generated from wind, ocean energy, organic waste (excluding incinerated municipal solid waste), or biomass (including anaerobic digestion from farm systems and landfill gas recovery) or a geothermal, solar thermal, or photovoltaic source. For purposes of this paragraph, a farm system is an electric generating facility that generates electric energy from the anaerobic digestion of agricultural waste produced by farming that is located on the farm where substantially all of the waste used is produced.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) BOARD.—

(1) ESTABLISHMENT.—The Secretary shall establish a System Benefits Trust Fund

Board to carry out the functions and responsibilities described in this section.

(2) MEMBERSHIP.—The Board shall be composed of—

(A) 1 representative of the Federal Energy Regulatory Commission appointed by the Federal Energy Regulatory Commission;

(B) 2 representatives of the Secretary of Energy appointed by the Secretary;

(C) 2 persons nominated by the National Association of Regulatory Utility Commissioners and appointed by the Secretary;

(D) 1 person nominated by the National Association of State Utility Consumer Advocates and appointed by the Secretary;

(E) 1 person nominated by the National Association of State Energy Officials and appointed by the Secretary;

(F) 1 person nominated by the National Energy Assistance Directors' Association and appointed by the Secretary; and

(G) 1 representative of the Environmental Protection Agency appointed by the Administrator of the Environmental Protection Agency.

(3) CHAIRPERSON.—The Secretary shall select a member of the Board to serve as Chairperson of the Board.

(c) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—The Board shall establish an account or accounts at one or more financial institutions, which account or accounts shall be known as the System Benefits Trust Fund consisting of amounts deposited in the fund under subsection (e).

(2) STATUS OF FUND.—The wires charges collected under subsection (e) and deposited in the Fund—

(A) shall not constitute funds of the United States;

(B) shall be held in trust by the Board solely for the purposes stated in subsection (d); and

(C) shall not be available to meet any obligations of the United States.

(d) USE OF FUND.—

(1) FUNDING OF STATE PROGRAMS.—Amounts in the Fund shall be used by the Board to provide matching funds to States and Indian tribes for the support of State or tribal public benefits programs relating to—

(A) energy conservation and efficiency;

(B) renewable energy sources;

(C) assisting low-income households in meeting their home energy needs; or

(D) research and development in areas described in subparagraphs (A) through (C).

(2) DISTRIBUTION.—

(A) IN GENERAL.—Except for amounts needed to pay costs of the Board in carrying out its duties under this section, the Board shall distribute all amounts in the Fund to States or Indian tribes to fund public benefits programs under paragraph (1).

(B) FUND SHARE.—

(i) IN GENERAL.—Subject to clause (iii), the Fund share of a public benefits program funded under paragraph (1) shall be 50 percent.

(ii) PROPORTIONATE REDUCTION.—To the extent that the amount of matching funds requested by States and Indian tribes exceeds the maximum projected revenues of the Fund, the matching funds distributed to the States and Indian tribes shall be reduced by an amount that is proportionate to each State's annual consumption of electricity compared to the Nation's aggregate annual consumption of electricity.

(iii) ADDITIONAL STATE OR INDIAN TRIBE FUNDING.—A State or Indian tribe may apply funds to public benefits programs in addition to the amount of funds applied for the purpose of matching the Fund share.

(3) PROGRAM CRITERIA.—The Board shall recommend eligibility criteria for public benefits programs funded under this section for approval by the Secretary.

(4) APPLICATION.—Not later than August 1 of each year beginning in 2004, a State or Indian tribe seeking matching funds for the following fiscal year shall file with the Board, in such form as the Board may require, an application—

(A) certifying that the funds will be used for an eligible public benefits program;

(B) stating the amount of State or Indian tribe funds earmarked for the program; and

(C) summarizing how System Benefit Trust Fund funds from the previous calendar year (if any) were spent by the State and what the State accomplished as a result of these expenditures.

(e) WIRES CHARGE.—

(1) DETERMINATION OF NEEDED FUNDING.—Not later than September 1 of each year, the Board shall determine and inform the Commission of the aggregate amount of wires charges that will be necessary to be paid into the Fund to pay matching funds to States and Indian tribes and pay the operating costs of the Board in the following fiscal year.

(2) IMPOSITION OF WIRES CHARGE.—

(A) IN GENERAL.—Not later than December 15 of each year, the Commission shall impose a nonbypassable, competitively neutral wires charge, to be paid directly into the Fund by the operator of the wire, on electricity carried through the wire (measured as the electricity exits at the busbar at a generation facility, or, for electricity generated outside the United States, at the point of delivery to the wire operator's system) in interstate commerce.

(B) AMOUNT.—The wires charge shall be set at a rate equal to the lesser of—

(i) 1.0 mills per kilowatt hour; or

(ii) a rate that is estimated to result in the collection of an amount of wires charges that is as nearly as possible equal to the amount of needed funding determined under paragraph (1).

(3) DEPOSIT IN THE FUND.—The wires charge shall be paid by the operator of the wire directly into the Fund at the end of each month during the calendar year for distribution by the Board under subsection (c).

(4) PENALTIES.—The Commission may assess against a wire operator that fails to pay a wires charge as required by this subsection a civil penalty in an amount equal to not more than the amount of the unpaid wires charge.

(F) AUDITING.—

(1) IN GENERAL.—The Fund shall be audited annually by a firm of independent certified public accountants in accordance with generally accepted auditing standards.

(2) ACCESS TO RECORDS.—Representatives of the Secretary and the Commission shall have access to all books, accounts, reports, files, and other records pertaining to the Fund as necessary to facilitate and verify the audit.

(3) REPORTS.—

(A) IN GENERAL.—A report on each audit shall be submitted to the Secretary, the Commission, and the Secretary of the Treasury, who shall submit the report to the President and Congress not later than 180 days after the close of the fiscal year.

(B) REQUIREMENTS.—An audit report shall—

(i) set forth the scope of the audit; and

(ii) include—

(I) a statement of assets and liabilities, capital, and surplus or deficit;

(II) a surplus or deficit analysis;

(III) a statement of income and expenses;

(IV) any other information that may be considered necessary to keep the President and Congress informed of the operations and financial condition of the Fund; and

(V) any recommendations with respect to the Fund that the Secretary or the Commission may have.

SEC. 202. ELECTRICITY EFFICIENCY PERFORMANCE STANDARD.

Title VI of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621 note) is amended by adding at the end the following:

"SEC. 609. FEDERAL ELECTRICITY EFFICIENCY PERFORMANCE STANDARD.

''(a) IN GENERAL.—Each electric retail supplier shall implement energy efficiency and load reduction programs and measures to achieve verified improvements in energy efficiency and peak load reduction in retail customer facilities and the distribution systems that serve them.

''(b) POWER SAVINGS.—Such programs shall produce savings in total peak power demand and total electricity use by retail customers by an amount that is equal to or greater than the following percentages relative to the peak demand and electricity used in that year by the retail electric supplier's customers:

	Reduction in Demand	Reductions in Use
In calendar year 2004	1%	.75%
In calendar year 2005	2%	1.5%
In calendar year 2007	4%	3.0%
In calendar year 2009	6%	4.5%
In calendar year 2011	8%	6.0%
In calendar year 2013	10%	7.5%

''(c) BEGINNING DATE.—For purposes of this section, savings shall be counted only for measures installed after January 1, 2003.

''(d) RULEMAKING.—The Secretary of Energy is directed to establish, by rule, procedures and standards for counting and independently verifying energy and demand savings for purposes of enforcing the energy efficiency performance standards imposed by this section. Such rule shall also include procedures and a schedule for reporting findings to the Department of Energy and for making such reports available to the public. The Secretary shall consult with the association representing the nation's public utility regulators, and with the association representing the nation's state energy officials in developing these procedures and standards. This rulemaking shall be completed no later than June 30, 2004.

''(e) REPORTING.—By June 30, 2006, and every two years thereafter, each retail electric supplier shall file with the state public utilities commission in each state in which it supplies service to retail customers, a report demonstrating that it has taken action to comply with the energy efficiency performance standards of this section. These reports shall include independent verification of the estimated savings pursuant to standards established by the Secretary. A state public utilities commission may accept such report as filed, or may review and investigate the accuracy of the report. Each state public utilities commission shall make findings on any deficiencies relative to the requirements in section 2, and shall create a remedial order for the correction of any deficiencies that are found.

''(f) UTILITIES OUTSIDE STATE JURISDICTION.—Electric retail suppliers not subject to the jurisdiction of state public utilities commissions shall report to their governing bodies. Such reports shall include independent verification of the estimated savings pursuant to standards established by the Secretary.

''(g) PROGRAM PARTICIPATION.—Electric retail suppliers may demonstrate satisfaction of this standard, in whole or part, by savings achieved through participation in statewide, regional, or national programs that can be demonstrated to significantly improve the efficiency of electric distribution and use. Verified efficiency savings resulting from such programs may be assigned to each participating retail supplier based upon their

degree of participation in such programs. Electric retail suppliers may also purchase rights to extra savings achieved by other electric retail suppliers, provided that the selling supplier or another electric retail supplier does not also take credit for those savings.

''(h) REMEDIES FOR FAILURE TO COMPLY.—In the event that any retail electric supplier fails to achieve its energy savings and/or load reduction target for a specific year, any aggrieved party may enter suit and seek prompt remedial action before a state public utilities commission or an appropriate governing body in the case of electric retail suppliers not subject to state public utility commission jurisdiction. The state public utilities commission or other appropriate governing body shall have a maximum of one year to craft a remedy. However, if a state public utilities commission or other governing body certifies that it has inadequate resources or authority to promptly resolve enforcement actions under this section, or fails to take action within the time period specified above, enforcement may be sought in Federal district court. If a commission or court determines that energy savings and/or load reduction targets for a specific year have not been achieved, the commission or court shall determine the amount of the deficit and shall fashion an equitable remedy to restore the lost savings as soon as practicable. Such remedies may include a refund to retail electric customers of an amount equal to the retail cost of the electricity consumed due to the failure to reach the target, and the appointment of a special master to administer a bidding system to procure the energy and demand savings equal to 125% of the deficit.

SEC. 203. APPLIANCE EFFICIENCY.

Section 325(d)(3) of the Energy Policy and Conservation Act (42 U.S.C. 6295(d)(3)) is amended by striking subparagraph (B) and inserting instead:

''(B) The Secretary shall publish a final rule no later than January 1, 2007, to determine whether the standards in effect for central air conditioners and central air conditioning heat pumps should be amended. Such rule shall address both system annual energy use and peak electric demand and may include more than one efficiency descriptor. Such rule shall apply to products manufactured on or after January l, 2010.''.

SEC. 204. LOAN GUARANTEES.

(a) AUTHORITY.—The Secretary may guarantee not more than 50 percent of the principal of any loan made to a qualifying entity for eligible activities under this section.

(b) CONDITIONS.—(1) The Secretary shall not guarantee a loan under this section unless—

(A) the guarantee is a qualifying entity;

(B) the guarantee has filed an application with the Secretary;

(C) the project, activity, program or system for which the loan is made is an eligible activity; and

(D) the project, activity, program or system for which the loan is made will significantly enhance the reliability, security, efficiency and cost-effectiveness of electricity generation, transmission or distribution.

(2) The Secretary shall give priority to guaranteed loans under this section for eligible activities which accomplish the objectives of this section in the most environmentally beneficial manner.

(3) A loan guaranteed under this section shall be made by a financial institution subject to the examination of the Secretary.

(c) RULES.—Not later than 1 year after enactment of this section, the Secretary shall publish a final rule establishing guidelines for loan requirements under this section. The rules shall establish—

(1) criteria for determining which entities shall be considered qualifying entities eligible for loan guarantees under this section;

(2) criteria for determining which projects, activities, programs or systems shall be considered eligible activities eligible for loan guarantees in accordance with the purposes of this section;

(3) loan requirements including term, maximum size, collateral requirements; and

(4) any other relevant features.

(d) LIMITATION ON SIZE.—The Secretary may make commitments to guarantee loans only to the extent that the total principal, any part of which is guaranteed, will not exceed $10,000,000,000.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to cover the cost of loan guarantees as defined by section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)).

(F) DEFINITIONS.—In this section:

(1) The term ''eligible activity'' means—

(A) advanced technologies for high-efficiency electricity transmission control and operation, including high-efficiency power electronics technologies (including software-controlled computer chips and sensors to diagnose trouble spots and re-route power into appropriate areas), high-efficiency electricity storage systems, and high-efficiency transmission wire or transmission cable system;

(B) distributed generation systems fueled solely by—

(i) solar, wind, biomass, geothermal, or ocean energy;

(ii) landfill gas;

(iii) natural gas systems utilizing best available control technology;

(iv) fuel cells; or

(v) any combination of the above.

(C) combined heat and power systems; and

(D) energy efficiency systems producing demonstrable electricity savings.

(2) The term ''qualifying entity'' means an individual, corporation, partnership, joint venture, trust or other entity identified by the Secretary of Energy under subsection (c)(1) as eligible for a guaranteed loan under this section.

(3) The term ''Secretary'' means the Secretary of Energy.

TITLE III—ON-SITE GENERATION

SEC. 301. NET METERING.

(a) ADOPTION OF STANDARD.—Section 111 (d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

''(13) NET METERING.—(A) Each electric utility shall make available upon request net metering service to any electric consumer that the electric utility serves.

''(B) For purposes of implementing this paragraph, any reference contained in this section to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of this paragraph.''.

(b) SPECIAL RULES FOR NET METERING.—Section 115 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2625) is amended by adding at the end the following:

''(i) NET METERING.—In undertaking the consideration and making the determination concerning net metering established by section 111(d)(13), the following shall apply—

''(1) RATES AND CHARGES.—An electric utility—

''(A) shall charge the owner or operator of an on-site generating facility rates and charges that are identical to those that would be charged other electric consumers of the electric utility in the same rate class; and

''(B) shall not charge the owner or operator of an on-site generating facility any additional standby, capacity, interconnection, or other rate or charge.

''(2) MEASUREMENT.—An electric utility that sells electric energy to the owner or operator of an on-site generating facility shall measure the quantity of electric energy produced by the on-site facility and the quantity of electricity consumed by the owner or operator of an on-site generating facility during a billing period in accordance with normal metering practices.

''(3) ELECTRIC ENERGY SUPPLIED EXCEEDING ELECTRIC ENERGY GENERATED.—If the quantity of electric energy sold by the electric utility to an on-site generating facility exceeds the quantity of electric energy supplied by the on-site generating facility to the electric utility during the billing period, the electric utility may bill the owner or operator for the net quantity of electric energy sold, in accordance with normal metering practices.

''(4) ELECTRIC ENERGY GENERATED EXCEEDING ELECTRIC ENERGY SUPPLIED.—If the quantity of electric energy supplied by the on-site generating facility to the electric utility exceeds the quantity of electric energy sold by the electric utility to the on-site generating facility during the billing period—

''(A) the electric utility may bill the owner or operator of the on-site generating facility for the appropriate charges for the billing period in accordance 29 with paragraph (2); and

''(B) the owner or operator of the on-site generating facility shall be credited for the excess kilowatt-hours generated during the billing period, with the kilowatt-hour credit appearing on the bill for the following billing period.

''(5) SAFETY AND PERFORMANCE STANDARDS.—An eligible on-site generating facility and net metering system used by an electric consumer shall meet all applicable safety, performance, reliability and interconnection standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and Underwriters Laboratories.

''(6) ADDITIONAL CONTROL AND TESTING REQUIREMENTS.—The Commission, after consultation with State regulatory authorities and nonregulated electric utilities and after notice and opportunity for comment, may adopt, by rule, additional control and testing requirements for on-site generating facilities and net metering systems that the Commission determines are necessary to protect public safety and system reliability.

''(7) DEFINITIONS.—-For purposes of this subsection:

''(A) the term 'eligible on-site generating facility' means—

''(i) a facility on the site of a residential electric consumer with a maximum generating capacity of 25 kilowatts or less; or

''(ii) a facility on the site of a commercial electric consumer with a maximum generating capacity of 1000 kilowatts or less

that is fueled solely by a renewable energy resource.

''(B) the term 'renewable energy resource' means solar, wind, biomass, geothermal or wave energy; landfill gas; fuel cells; or a combined heat and power system.

''(C) the term 'net metering service' means service to an electric consumer under which electric energy generated by that electric consumer from an eligible on-site generating facility and delivered to the local distribution facilities may be used to offset electric energy provided by the electric utility to the electric consumer during the applicable billing period.''.

''(8) STATE AUTHORITY.—An electric utility must provide net metering services to electric consumers until the cumulative generating capacity of net metering systems equals 1.0 percent of the utility's peak demand during the most recent calendar year.

This subsection does not preclude a state from imposing additional requirements regarding the amount of net metering available within a state consistent with the requirements in this section.

SEC. 302. INTERCONNECTION.

(a) DEFINITIONS.—Section 3 of the Federal Power act (16 U.S.C. 796) is amended(1) by striking paragraph 23 and inserting the following:

''(23) TRANSMITTING UTILITY.—The term 'transmitting utility' means any entity (notwithstanding section 201(f)) that owns, controls or operates an electric power transmission facility that is used for the sale of electric energy.'' and (2) by adding at the end the following:

''(26) APPROPRIATE REGULATORY AUTHORITY.—The term 'appropriate regulatory authority means—

''(A) the Commission;

''(B) a State commission;

''(C) a municipality; or

''(D) a cooperative that is self-regulating under State law and is not a public utility.

''(27) GENERATING FACILITY.—The term 'generating facility' means a facility that generates electric energy.

''(28) LOCAL DISTRIBUTION UTILITY.—The term 'local distribution facility' means an entity that owns, controls or operates an electric power distribution facility that is used for the sale of electric energy.

''(29) NON-FEDERAL REGULATORY AUTHORITY.—The term 'non-Federal regulatory authority' means an appropriate regulatory authority other than the Commission.''.

(b) INTERCONNECTION TO DISTRIBUTION FACILITIES.—Section 210 of the Federal Power Act (16 U.S.C. 824i) is amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following:

''(e) INTERCONNECTION TO DISTRIBUTION FACILITIES.—

''(1) Interconnection.—(A) A local distribution utility shall interconnect a generating facility with the distribution facilities of the local distribution utility if the owner of the generating facility—

''(i) complies with the final rule promulgated under paragraph (2); and

''(ii) pays the costs of the interconnection.

''(B) The costs of the interconnection—

''(i) shall be just and reasonable, and not unduly discriminatory or preferential, as determined by the appropriate regulatory authority; and

''(ii) shall be comparable to the costs charged by the local distribution utility for interconnection by any similarly situated generating facility to the distribution facilities of the local distribution utility.

''(C) The right of a generating facility to interconnect under subparagraph (A) does not relieve the generating facility or the local distribution utility of other Federal, State or local requirements.

''(2) RULE.—Not later than six months after the date of enactment of this subparagraph, the Commission shall promulgate final rules establishing reasonable and appropriate technical standards for the interconnection of a generating facility with the distribution facilities of a local distribution utility.

''(3) RIGHT TO BACKUP POWER.—(A) In accordance with subparagraph (B) a local distribution utility shall offer to sell backup power to a generating facility that has interconnected with the local distribution utility to the extent that the local distribution utility—

''(i) is not subject to an order of a non-Federal regulatory authority to provide open access to the distribution facilities of the local distribution utility;

''(ii) has not offered to provide open access to the distribution facilities of the local distribution utility; or

''(iii) does not allow a generating facility to purchase backup power from another entity using the distribution facilities of the local distribution utility.

''(B) A sale of backup power under subparagraph (A) shall be at such a rate, and under such terms and conditions as are just and reasonable and not unduly discriminatory or preferential, taking into account the actual incremental cost, whenever incurred by the local distribution utility, to supply such backup power service during the period in which the backup power service is provided, as determined by the appropriate regulatory authority.

''(C) A local distribution utility shall not be required to offer backup power for resale to any entity other than the entity for which the backup power is purchased.

''(D) To the extent backup power is used to serve a new or expanded load on the distribution system, the generating facility shall pay any reasonable cost associated with any transmission, distribution or generating upgrade required to provide such service.

(c) INTERCONNECTION TO TRANSMISSION FACILITIES.—Section 210 of the Federal Power Act (16 U.S.C. 824i) (as amended by subsection (b)) is amended by inserting after subsection (e) the following:

''(f) INTERCONNECTION TO TRANSMISSION FACILITIES.—

''(1) INTERCONNECTION.—(A) Notwithstanding subsections (a) and (c), a transmitting utility shall interconnect a generating facility with the transmission facilities of the transmitting utility if the owner of the generating facility

''(i) complies with the final rules promulgated under paragraph (2); and

''(ii) pays the costs of interconnection.

''(B) Subject to subparagraph (C), the costs of interconnection—

''(i) shall be just and reasonable and not unduly discriminatory or preferential; and

''(ii) shall be comparable to the costs charged by the transmitting utility for interconnection by any similarly situated generating facility to the transmitting facilities of the transmitting utility.

''(C) A non-Federal regulatory authority that is authorized under Federal law to determine the rates for transmission service shall be authorized to determine the costs of any interconnection under this subparagraph.

''(D) The right of a generating facility to interconnect under subparagraph (A) does not relieve the generating facility or the transmitting utility of other Federal, State or local requirements.

''(2) RULE.—Not later than six months after the date of enactment of this subparagraph, the Commission shall promulgate rules establishing reasonable and appropriate technical standards for the interconnection of a generating facility with the transmission facilities of a transmitting utility.

''(3) RIGHT TO BACKUP POWER.—(A) In accordance with subparagraph (B), a transmitting utility shall offer to sell backup power to a generating facility that has interconnected with the transmitting utility unless

''(i) Federal or State law allows a generating facility to purchase backup power from an entity other than the transmitting utility; or

''(ii) a transmitting utility allows a generating facility to purchase backup power from an entity other than the transmitting utility using the transmission facilities of the transmitting utility and the transmission facilities of any other transmitting utility.

''(B) A sale of backup power under subparagraph (A) shall be at such a rate and under such terms and conditions as are just and reasonable and not unduly discriminatory or preferential, taking into account the actual incremental cost, whenever incurred by the local distribution utility, to supply such backup power service during the period in which the backup power service is provided, as determined by the appropriate regulatory authority.

''(C) A transmitting utility shall not be required to offer backup power for resale to any entity other than the entity for which the backup power is purchased.

''(D) To the extent backup power is used to serve a new or expanded load on the transmission system, the generating facility shall pay any reasonable costs associated with any transmission, distribution or generation upgrade required to provide such service.

(D) CONFORMING AMENDMENTS.—Section 210 of the Federal Power Act (16 U.S.C. 824i) is amended—

(1) in subsection (a)(1)—

(A) by inserting ''transmitting utility, local distribution utility,'' after ''electric utility,''; and

(B) in subparagraph (A) by inserting ''any transmitting utility,'' after ''small power production facility,'';

(2) in subsection (b)(2) by striking ''an evidentiary hearing'' and inserting ''a hearing'';

(3) in subsection (c)(2)—

(A) in subparagraph (B) by striking ''or'' at the end;

(B) in subparagraph (C) by striking ''and'' at the end and inserting ''or''; and

(C) by adding at the end the following:

''(D) promote competition in electricity markets, and''; and

(4) in subsection (d) by striking the last sentence.

SEC. 303. ON-SITE GENERATION FOR EMERGENCY FACILITIES.

(a) DEMONSTRATION AND TECHNOLOGY TRANSFER PROGRAM.—The Secretary shall establish a demonstration program for the implementation of innovative technologies for renewable uninterruptible power supply systems located in eligible buildings and for the dissemination of information on such systems to interested parties.

(b) LIMIT ON FEDERAL FUNDING.—The Secretary shall provide no more than 40 percent of the costs of projects funded under this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated $30,000,000 for each of the fiscal years 2004 through 2007 to carry out this section.

(d) DEFINITIONS.—For purposes of this section:

(1) The term ''eligible facility'' means a building owned or operated by a State or local government that is used for critical governmental dispatch and communication; police, fire or emergency services; traffic control systems; or public water or sewer systems.

(2) The term ''Secretary'' means the Secretary of Energy;

(3) The term ''renewable uninterruptible power supply system'' means a system designed to maintain electrical power to critical loads in a public facility in the event of a loss or disruption in conventional grid electricity, where such system derives its energy production or storage capacity solely from solar, wind, biomass, geothermal or ocean energy, natural gas; landfill gas; a fuel cell device; or from a combination of the above.

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

S. 1755. A bill to amend the Richard B. Russell National School Lunch Act

to provide grants to support farm-to-cafeteria projects; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LEAHY. Mr. President, I am pleased to introduce today, with my respected colleague from Pennsylvania, Senator SPECTER, the Farm-to-Cafeteria Projects Act of 2003. This important bipartisan proposal will support grassroots efforts all across our Nation to bring school cafeterias and local farms together.

It is amazing how many kids do not know where the food that they eat comes from. It is also amazing how far some farm products travel to get to the cafeteria table. The Farm-to-Cafeteria Projects Act of 2003 will establish a U.S. Department of Agriculture, USDA, grant program to help schools connect children with local farms by bringing fresh local foods to their cafeterias and by implementing hands-on nutrition education programs.

Communities all across our Nation are beginning to explore the concept of linking farms and cafeterias. In my home State of Vermont, from rural towns like Jay and Westfield to the city of Burlington, schools have experimented with how they can integrate the daily service of school meals with classroom learning and local agriculture. And as more schools create these connections, more and more want to learn how they too can start a program. Oftentimes these are very small schools, which do not have the staff or money to kick off a project on their own. With just a little money and some technical assistance, these schools can create a program that teaches kids about good nutrition, shows them the importance of agriculture, and supports local farms by keeping food dollars within the community. In introducing The Farm-to-Cafeteria Projects Act of 2003, Senator SPECTER and I seek to provide these communities with the assistance they need to get such school and farm partnerships off the ground. I urge my colleagues to join us in support of this exciting initiative, and I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1755

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Farm-to-Cafeteria Projects Act of 2003''.

SEC. 2. GRANTS TO SUPPORT FARM-TO-CAFETERIA PROJECTS.

Section 12 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760) is amended by adding at the end the following:

''(q) GRANTS TO SUPPORT FARM-TO-CAFETERIA PROJECTS.—

''(1) IN GENERAL.—To improve access to local foods in schools and institutions receiving funds under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) (other than section 17 of that Act (42 U.S.C. 1786)), the Secretary shall provide competitive grants to nonprofit entities and educational institutions to establish and carry out farm-to-cafeteria projects that may include the purchase of equipment, the procurement of foods, and the provision of training and education activities.

''(2) PREFERENCE FOR CERTAIN PROJECTS.—In selecting farm-to-cafeteria projects to receive assistance under this subsection, the Secretary shall give preference to projects designed to—

''(A) procure local foods from small- and medium-sized farms for the provision of foods for school meals;

''(B) support nutrition education activities or curriculum planning that incorporates the participation of school children in farm and agriculture education projects; and

''(C) develop a sustained commitment to farm-to-cafeteria projects in the community by linking schools, agricultural producers, parents, and other community stakeholders.

''(3) TECHNICAL ASSISTANCE AND RELATED INFORMATION.—

''(A) TECHNICAL ASSISTANCE.—In carrying out this subsection, the Secretary may provide technical assistance regarding farm-to-cafeteria projects, processes, and development to an entity seeking the assistance.

''(B) SHARING OF INFORMATION.—The Secretary may provide for the sharing of information concerning farm-to-cafeteria projects and issues among and between government, private for-profit and nonprofit groups, and the public through publications, conferences, and other appropriate means.

''(4) GRANTS.—

''(A) IN GENERAL.—From amounts made available to carry out this subsection, the Secretary shall make grants to assist private nonprofit entities and educational institutions to establish and carry out farm-to-cafeteria projects.

''(B) MAXIMUM AMOUNT.—The maximum amount of a grant provided to an entity under this subsection shall be $100,000.

''(C) MATCHING FUNDS REQUIREMENTS.—

''(i) IN GENERAL.—The Federal share of the cost of establishing or carrying out a farm-to-cafeteria project that receives assistance under this subsection may not exceed 75 percent of the cost of the project during the term of the grant, as determined by the Secretary.

''(ii) FORM.—In providing the non-Federal share of the cost of carrying out a farm-to-cafeteria project, the grantee shall provide the share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services.

''(iii) SOURCE.—An entity may provide the non-Federal share through State government, local government, or private sources.

''(D) ADMINISTRATION.—

''(i) SINGLE GRANT.—A farm-to-cafeteria project may be supported by only a single grant under this subsection.

''(ii) TERM.—The term of a grant made under this subsection may not exceed 3 years.

''(5) EVALUATION.—Not later than January 30, 2008, the Secretary shall—

''(A) provide for the evaluation of the projects funded under this subsection; and

''(B) submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the results of the evaluation.

''(6) FUNDING.—

''(A) IN GENERAL.—On October 1, 2002, and on each October 1 thereafter through October 1, 2007, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this subsection $10,000,000, to remain available until expended.

''(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this subsection the funds transferred under subparagraph (A), without further appropriation.''.

By Mr. CONRAD (for himself, Mr. SMITH, Mr. BREAUX, Mr. COCHRAN, Ms. LANDRIEU, and Mr. CRAIG):

S. 1756. A bill to amend the Internal Revenue Code of 1986 to protect the health benefits of retired miners and to restore stability and equity to the financing of the United Mine Workers of America Combined Benefit Fund by providing additional sources of revenue to the Fund, and for other purposes; to the Committee on Finance.

Mr. CONRAD. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1756

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Coal Industry Retiree Health Benefit Stability and Fairness Act''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title, etc.

TITLE I—FINANCING PROVISIONS

Subtitle A—Federal Funds

Sec. 101. Mandatory transfer of general funds to Combined Benefit Fund.
Sec. 102. Annual audit.
Sec. 103. Appointment of Government trustees.

Subtitle B—Premiums

Sec. 111. Modifications of premiums to reflect transfers from general fund.
Sec. 112. Refunds to certain operators.
Sec. 113. Reduction in annual premiums to Combined Benefit Fund if surplus exists.
Sec. 114. Refund of contributions paid by certain small entities to United Mine Workers Combined Benefit Fund.
Sec. 115. First year payments of 1988 operators.
Sec. 116. Liability in the event of prefunding.
Sec. 117. Definition of successor in interest.

TITLE II—RETROACTIVE PROVISIONS

Sec. 201. Reform of retroactive provisions of Coal Industry Health Benefit System.

TITLE I—FINANCING PROVISIONS

Subtitle A—Federal Funds

SEC. 101. MANDATORY TRANSFER OF GENERAL FUNDS TO COMBINED BENEFIT FUND.

(a) IN GENERAL.—Section 9705 (relating to transfers to the Combined Benefit Fund) is amended by adding at the end the following new subsection:

''(c) MANDATORY TRANSFERS FROM GENERAL FUND.—

''(1) IN GENERAL.—There are hereby authorized and appropriated, out of any amounts in the Treasury not otherwise appropriated, to the Combined Fund such sums as may be necessary to—

''(A) pay any benefit or administrative costs of unassigned beneficiaries of the Combined Fund remaining after the transfer under subsection (b), and

''(B) eliminate any annual deficit in any premium account of the Combined Fund as certified by the Trustees of the Combined Fund.

Deficits referred to in subparagraph (B) shall be certified by the trustees only after utilizing and taking into account all premiums and other government reimbursements to the Fund.

''(2) USE OF FUNDS.—Any amounts transferred under paragraph (1) shall be available without fiscal year limitation.

''(3) TRANSFER.—The Secretary of the Treasury shall transfer amounts appropriated under paragraph (1) on October 1 of each fiscal year.''.

(b) TRANSFER FROM ABANDONED MINE RECLAMATION FUND.—Section 9705(b)(2) (relating to use of funds) is amended to read as follows:

''(2) USE OF FUNDS.—Any amount transferred under paragraph (1) for any fiscal year shall be used to pay any benefit or administrative costs of unassigned beneficiaries of the Combined Fund for the plan year in which transferred.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal years beginning after September 30, 2003.

SEC. 102. ANNUAL AUDIT.

(a) IN GENERAL.—Section 9702 (relating to establishment of the Combined Fund) is amended by adding at the end the following:

''(d) ANNUAL AUDIT.—

''(1) AUDIT.—The Comptroller General of the United States shall conduct an annual audit of the Combined Fund. Such audit shall include—

''(A) a review of the progress the Combined Fund is making toward a managed care system as required under this subchapter, and

''(B) a review of the use of, and necessity for, amounts transferred to the Combined Fund under section 9705(c).

''(2) REPORT.—The Comptroller General shall report the results of any audit under paragraph (1) to the Secretary of the Treasury and to the appropriate committees of Congress, including the Comptroller General's recommendations (if any) as to any administrative savings which may be achieved without reducing the effective level of benefits under section 9703.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years of the Combined Fund beginning after the date of the enactment of this Act.

SEC. 103. APPOINTMENT OF GOVERNMENT TRUSTEES.

(a) IN GENERAL.—Section 9702(b)(1) (relating to the Board of Trustees), as amended by section 201(c), is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting ''; or'', and by inserting after subparagraph (C) the following new subparagraph:

''(D) 2 persons designated by the Secretary of the Treasury.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Subtitle B—Premiums

SEC. 111. MODIFICATIONS OF PREMIUMS TO REFLECT TRANSFERS FROM GENERAL FUND.

(a) ELIMINATION OF UNASSIGNED BENEFICIARIES PREMIUM.—Section 9704(d) (establishing unassigned beneficiaries premium) is amended to read as follows:

''(d) UNASSIGNED BENEFICIARIES PREMIUM.—

''(1) PLAN YEARS ENDING ON OR BEFORE SEPTEMBER 30, 2003.—For plan years ending on or before September 30, 2003, the unassigned beneficiaries premium for any assigned operator shall be equal to the applicable percentage of the product of the per beneficiary premium for the plan year multiplied by the number of eligible beneficiaries who are not assigned under section 9706 to any person for such plan year.

''(2) PLAN YEARS BEGINNING ON OR AFTER OCTOBER 1, 2003.—For plan years beginning on or after October 1, 2003, there shall be no unassigned beneficiaries premium.''.

(b) PREMIUM ACCOUNTS.—

(1) CREDITING OF ACCOUNTS.—Section 9704(e)(1) (relating to premium accounts; adjustments) is amended by inserting ''and amounts transferred under section 9705 (b) or (c)'' after ''premiums received''.

(2) SHORTFALLS.—Section 9704(e)(3) (relating to shortfalls and surpluses) is amended—

(A) by striking ''shortfall or'' each place it appears in subparagraph (A),

(B) by striking ''reduced or increased, whichever is applicable,'' in subparagraph (A) and inserting ''reduced'',

(C) by striking ''or the unassigned beneficiaries premium account'' in subparagraph (B), and

(D) by striking ''SHORTFALLS AND SURPLUSES'' in the heading and inserting ''SURPLUSES''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years of the Combined Fund beginning after September 30, 2003.

SEC. 112. REFUNDS TO CERTAIN OPERATORS.

(a) IN GENERAL.—Section 9704 (relating to the liability of assigned operators) is amended by adding at the end the following new subsection:

''(j) REFUNDS TO CERTAIN OPERATORS.—The Combined Fund shall, before December 31, 2003, refund to an assigned operator which was an assigned operator prior to the date of the enactment of this subsection (and any related person to such operator) an amount equal to the sum of—

''(1) any amount paid by such operator or person to the Combined Fund (and not previously refunded) by reason of the operator having been a signatory to a pre-1974 coal wage agreement, and

''(2) interest on the amount under paragraph (1) at the overpayment rate established under section 6621 for the period from the payment of such amount to the refund under this subsection.''

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 113. REDUCTION IN ANNUAL PREMIUMS TO COMBINED BENEFIT FUND IF SURPLUS EXISTS.

(a) IN GENERAL.—Part II of subchapter B of chapter 99 (relating to financing of Combined Benefit Fund) is amended by inserting after section 9704 the following new section:

''SEC. 9704A. REDUCTIONS IN HEALTH BENEFIT PREMIUM IF SURPLUS EXISTS.

''(a) GENERAL RULE.—If this section applies to any plan year, the per beneficiary premium used for purposes of computing the health benefit premium under section 9704(b) for the plan year shall be the reduced per beneficiary premium determined under subsection (c).

''(b) YEARS TO WHICH SECTION APPLIES.—

''(1) IN GENERAL.—This section applies to any plan year beginning after September 30, 2003, if the trustees determine that the Combined Fund has an excess reserve for the plan year.

''(2) EXCESS RESERVE.—For purposes of this section—

''(A) IN GENERAL.—The term 'excess reserve' means, with respect to any plan year, the excess (if any) of—

''(i) the projected net assets as of the close of the test period for the plan year, over

''(ii) the projected 3-month asset reserve as of such time.

''(B) PROJECTED NET ASSETS.—For purposes of subparagraph (A)(i), the projected net assets shall be the amount of the net assets which the trustees determine will be available at the end of the test period for projected fund benefits. Such determination shall be made in the same manner used by the Combined Fund to calculate net assets available for projected fund benefits in the Statement of Net Assets (Deficits) Available for Fund Benefits for purposes of the monthly financial statements of the Combined Fund for the plan year beginning October 1, 2003.

''(C) PROJECTED 3-MONTH ASSET RESERVE.—For purposes of subparagraph (A)(ii), the projected 3-month asset reserve is an amount equal to 25 percent of the projected expenses (including administrative expenses) from the health benefit premium account and unassigned beneficiaries premium account for the plan year immediately following the test period. The determination of such amount shall be based on the 10-year forecast of the projected net assets and cash balance of the Combined Fund prepared annually by an actuary retained by the Combined Fund.

''(D) TEST PERIOD.—For purposes of this section, the term 'test period' means, with respect to any plan year, that plan year and the following plan year.

''(c) REDUCED PER BENEFICIARY PREMIUM.—For purposes of this section, the reduced per beneficiary premium for any plan year to which this section applies is the per beneficiary premium determined under section 9704(b)(2) without regard to this section, reduced (but not below zero) by—

''(1) the excess reserve for the plan year, divided by

''(2) the total number of eligible beneficiaries which are assigned to assigned operators under section 9706 as of the close of the preceding plan year.

''(d) TERMINATION OF PREMIUM REDUCTION.—If, on any day during a plan year to which this section applies, the Combined Fund has net assets available for projected fund benefits (determined in the same manner as projected net assets under subsection (b)(2)(B)) in an amount less than the projected 3-month asset reserve determined under subsection (b)(2)(C) for the plan year—

''(1) this section shall not apply to months in the plan year beginning after such day, and

''(2) the monthly installment under section 9704(g)(1) for such months shall be equal to the amount which would have been determined if the health benefits premium under section 9704(b) had not been reduced under this section for the plan year.''

(b) CONFORMING AMENDMENTS.—

(1) Section 9704(a) (relating to annual premiums) is amended by striking ''Each'' and inserting ''Subject to section 9704A, each''.

(2) The table of sections for part II of subchapter B of chapter 99 is amended by inserting after the item relating to section 9704 the following new item:

''Sec. 9704A. Reductions in health benefit premium if surplus exists.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years of the Combined Fund beginning after September 30, 2003.

SEC. 114. REFUND OF CONTRIBUTIONS PAID BY CERTAIN SMALL ENTITIES TO UNITED MINE WORKERS COMBINED BENEFIT FUND.

(a) IN GENERAL.—Part II of subchapter B of chapter 99, as amended by section 113, is amended by inserting after section 9704A the following new section:

''SEC. 9704B. REFUNDS OF ANNUAL PREMIUMS OF CERTAIN SMALL ENTITIES.

''(a) GENERAL RULE.—The Combined Fund shall refund to each eligible small entity any premiums paid by the entity to the Combined Fund under section 9704 for any plan year of the Combined Fund which began before October 1, 2003. This section shall not apply to any premium which was previously refunded.

''(b) ELIGIBLE SMALL ENTITY.—For purposes of this section, the term 'eligible small entity' means an assigned operator, but only if, as determined under the records of the Combined Fund, such operator (or any related person of such operator)—

''(1) was not a signatory to the 1981 or later National Bituminous Coal Wage Agreement or any 'me too' agreement related to such Coal Wage Agreement;

''(2) reported credit hours to the UMWA 1974 Pension Plan on fewer than ten classified mine workers in every month during its last year of operations under the National Bituminous Coal Wage Agreement of 1978 or any 'me too' agreement related to such Coal Wage Agreement;

''(3) has had not more than 60 beneficiaries, including eligible dependents of retired miners, assigned to it under section 9706 (determined without regard to beneficiary assignments relieved by the Social Security Administration);

''(4) was assessed premiums by the Combined Fund, made payments pursuant to those assessments, and has no delinquency as of September 30, 2003; and

''(5) is not directly engaged in the production or sale of coal engaged in the production of coal as of September 30, 2003.''

(b) CONFORMING AMENDMENT.—The table of sections for part II of subchapter B of chapter 99 is amended by inserting after the item relating to section 9704A the following new item:

''Sec. 9704B. Refunds of annual premiums of certain small entities.''

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 115. FIRST YEAR PAYMENTS OF 1988 OPERATORS.

(a) IN GENERAL.—So much of section 9704(i)(1)(D) as precedes clause (ii) is amended to read as follows:

''(D) PREMIUM REDUCTIONS AND REFUNDS.—

''(i) 1st YEAR PAYMENTS.—In the case of a 1988 agreement operator making payments under subparagraph (A)—

''(I) the premium of such operator under subsection (a) shall be reduced by the amount paid under subparagraph (A) by such operator for the plan year beginning February 1, 1993, and

''(II) if the amount so paid exceeds the operator's liability under subsection (a), the excess shall be refunded to the operator before December 31, 2003.''

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 116. LIABILITY IN THE EVENT OF PREFUNDING.

(a) IN GENERAL.—Section 9704 is amended—

(1) by striking ''Any'' in the last sentence of subsection (a) and inserting ''Except as provided in subsection (k), any'', and

(2) by adding at the end the following new subsection:

''(k) RELATED PERSONS RELIEVED OF LIABILITY FUNDED THROUGH VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION.—

''(1) IN GENERAL.—If a qualified voluntary employees' beneficiary association is established with respect to any signatory operator, then, as of the date determined under paragraph (2)—

''(A) the last sentence of subsection (a) shall not apply to any related person with respect to the operator (determined without regard to this subsection), and

''(B) all such persons shall permanently cease to be treated for purposes of this subchapter as related persons with respect to the signatory operator.

''(2) TIMING OF LIMITATION ON LIABILITY.—The date determined under this paragraph shall be the first date by which all of the following have occurred:

''(A) The qualified voluntary employees' beneficiary association's enrolled actuary (as defined in section 7701(a)(35)), using actuarial methods and assumptions each of which is reasonable and which are reasonable in the aggregate (as determined by such enrolled actuary), determines the balance of funds held by the association, resulting from 1 or more contributions to the association and earnings thereon, equals or exceeds the sum of—

''(i) the present value of the total premium liability of the signatory operator for its assignees under section 9704 with respect to the Combined Fund, plus

''(ii) the amount necessary to pay administrative and other incidental expenses of such association.

''(B) The enrolled actuary files a signed actuarial report with the Secretary containing—

''(i) the date of the actuarial valuation applicable to the report,

''(ii) a description of the funding method and actuarial assumptions used to determine costs of the association,

''(iii) a statement by the enrolled actuary signing the report that to the best of the actuary's knowledge the report is complete and accurate and that in the actuary's opinion the actuarial assumptions used are in the aggregate—

''(I) reasonably related to the experience of the association and to reasonable expectations, and

''(II) represent the actuary's best estimate of anticipated experience of the association, and

''(iv) such other information as may be necessary to fully and fairly disclose the actuarial position of the association.

''(C) The signatory operator provides security (in the form of a bond, letter of credit, or cash escrow) to the trustees of the 1992 UMWA Benefit Plan which—

''(i) is solely for the purpose of paying premiums for beneficiaries described in section 9712(b)(2)(B),

''(ii) is in an amount equal to 1 year's liability of the signatory operator under section 9711, determined by using the average cost of such operator's liability during its prior 3 calendar years, and

''(iii) is to remain in place for a period of 5 years.

''(D) 30 calendar days have elapsed after the report required by subparagraph (B) is filed with the Secretary, along with a description of the security required by subparagraph (C), and the Secretary has not notified the association's enrolled actuary in writing that the requirements of this subparagraph have not been satisfied.

''(3) QUALIFIED VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION.—For purposes of this subsection, the term 'qualified voluntary employees' beneficiary association' means, with respect to a signatory operator, an association described in section 501(c)(9)—

''(A) which is established by the operator, a related person to the operator (determined without regard to this subsection), or a member of a controlled group of corporations which includes the operator;

''(B) the purpose of which is exclusively—

''(i) to satisfy the premium liability of the signatory operator with respect to the Combined Fund,

''(ii) to fund health benefits provided pursuant to a collective bargaining agreement, including benefits for individuals covered by sections 9711 and 9712, or to fund premiums for insurance exclusively covering such benefits, and

''(iii) to pay administrative and other incidental expenses of such association;

''(C) no part of the assets of which may be used for, or diverted to, any purpose other than the purposes described in subparagraph (B); and

''(D) payments from which may be made for the purposes described in subparagraph (B)(ii) only to the extent that—

''(i) the signatory operator no longer has an obligation to make payments under subparagraph (B)(i); or

''(ii) during any annual accounting period of the association such payments do not exceed, in the aggregate, 90 percent of the excess of—

''(I) fair market value of the association's assets, over

''(II) the present value of the liability described in subparagraph (B)(i).

Amounts under subparagraph (D)(ii) shall be determined, as of the end of the association's prior year annual accounting period, by the association's enrolled actuary (as defined in section 7701(a)(35)) using actuarial methods and assumptions each of which is reasonable and which are reasonable in the aggregate (as determined by such enrolled actuary).

''(4) OTHER RULES RELATING TO ASSOCIATIONS.—For purposes of this subsection—

''(A) if a qualified voluntary employees' beneficiary association makes a payment, the association's enrolled actuary shall, within 30 days after the end of the association's annual accounting period which includes the payment, file with the Secretary an actuarial report containing the information described in paragraph (2)(B) and a statement that the requirements of paragraph (3)(D) have been satisfied during the prior year; and

''(B) a signatory operator, or member of the controlled group of corporations which includes such signatory operator, which has previously established an association under section 501(c)(9) for purposes which include purposes described in paragraph (3) may use funds from such previously established association to fund all or a portion of the association established under this subsection.''

(b) CONFORMING AMENDMENT.—Section 419A(f)(5)(A) is amended by inserting '', including a qualified voluntary employees' beneficiary association (as defined in section 9704(k))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to associations established after the date of the enactment of this Act.

SEC. 117. DEFINITION OF SUCCESSOR IN INTEREST.

(a) IN GENERAL.—Subsection (c) of section 9701 is amended by adding at the end the following new paragraph:

''(8) SUCCESSOR IN INTEREST.—

''(A) SAFE HARBOR.—The term 'successor in interest' shall not include any person—

''(i) who is an unrelated person to a seller, and

''(ii) who purchases for fair market value assets, or all the stock of a related person, in

a bona fide, arm's-length sale which is subject to section 5 of the Securities Act of 1933 (15 U.S.C. 77f et seq.) or the Securities Exchange Act of 1934 (15 U.S.C.78a et seq.).

''(B) UNRELATED PERSON.—The term 'unrelated person' means a purchaser who does not bear a relationship to the seller described in section 267(b).

''(C) CONTINGENT LIABILITY.—This paragraph shall only apply if the contract for sale provides that, if the seller fails to make a premium payment to the Combined Fund during the first 5 plan years beginning after the sale, then the purchaser shall be secondarily liable for any liability to the Combined Fund it would have had but for the provisions of this paragraph.

''(D) NO INFERENCE.—Nothing in this paragraph shall be construed to infer that a purchaser in a sale not described in this paragraph is a successor in interest.''

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to transactions after the date of the enactment of this Act.

TITLE II—RETROACTIVE PROVISIONS

SEC. 201. REFORM OF RETROACTIVE PROVISIONS OF COAL INDUSTRY HEALTH BENEFIT SYSTEM.

(a) AGREEMENTS COVERED BY HEALTH BENEFIT SYSTEM.—

(1) IN GENERAL.—Section 9701(b)(1) (defining coal wage agreement) is amended to read as follows:

''(1) COAL AGREEMENTS.—

''(A) 1988 AGREEMENT.—The term '1988 agreement' means the collective bargaining agreement between the settlors which became effective on February 1, 1988.

''(B) COAL WAGE AGREEMENT.—The term 'coal wage agreement' means the 1988 agreement and any predecessor to the 1988 agreement.''

(2) CONFORMING AMENDMENT.—Section 9701(b) (relating to agreements) is amended by striking paragraph (3).

(b) DEFINITIONS APPLICABLE TO OPERATORS.—

(1) SIGNATORY OPERATOR.—Section 9701(c)(1) (defining signatory operator) is amended to read as follows:

''(1) SIGNATORY OPERATOR.—The term 'signatory operator' means a 1988 agreement operator.''.

(2) 1988 AGREEMENT OPERATOR.—Section 9701(c)(3) (defining 1988 agreement operator) is amended to read as follows:

''(3) 1988 AGREEMENT OPERATOR.—The term '1988 agreement operator' means—

''(A) an operator which was a signatory to the 1988 agreement, or

''(B) a person in business which, during the term of the 1988 agreement, was a signatory to an agreement (other than the National Coal Mine Construction Agreement or the Coal Haulers' Agreement) containing pension and health care contribution and benefit provisions which are the same as those contained in the 1988 agreement.

Such term shall not include any operator who was assessed, and paid the full amount of, contractual withdrawal liability to the 1950 UMWA Benefit Plan, the 1974 UMWA Benefit Plan, or the Combined Fund.''

(3) CONFORMING AMENDMENTS.—

(A) Section 9711(a) is amended by striking ''maintained pursuant to a 1978 or subsequent coal wage agreement''.

(B) Section 9711(b)(1) is amended by striking ''pursuant to a 1978 or subsequent coal wage agreement''.

(c) MODIFICATIONS TO REFLECT REACHBACK REFORMS.—

(1) BOARD OF TRUSTEES OF COMBINED FUND.—

(A) IN GENERAL.—Section 9702(b)(1) is amended—

(i) by striking ''one individual who represents'' in subparagraph (A) and inserting ''two individuals who represent'',

(ii) by striking subparagraph (B) and redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively, and

(iii) by striking ''(A), (B), and (C)'' in subparagraph (C) (as so redesignated) and inserting ''(A) and (B)''.

(B) CONFORMING AMENDMENT.—Section 9702(b)(3) is amended to read as follows:

''(3) SPECIAL RULE.—If the BCOA ceases to exist, any trustee or successor under paragraph (1)(A) shall be designated by the 3 employers who were members of the BCOA on October 24, 1992, and who have been assigned the greatest number of eligible beneficiaries under section 9706.''

(C) TRANSITION RULE.—Any trustee serving on the date of the enactment of this Act who was appointed to serve under section 9702(b)(1)(B) of the Internal Revenue Code of 1986 (as in effect before the amendments made by this paragraph) shall continue to serve until a successor is appointed under section 9702(b)(1)(A) of such Code (as in effect after such amendments).

(2) ASSIGNMENT OF BENEFICIARIES.—Section 9706 (relating to assignment of eligible beneficiaries) is amended by adding at the end the following:

''(h) ASSIGNMENT AS OF OCTOBER 1, 2003.—

''(1) IN GENERAL.—Effective October 1, 2003, the Commissioner of Social Security shall—

''(A) revoke all assignments to persons other than 1988 agreement operators for purposes of assessing premiums for periods after September 30, 2003,

''(B) make no further assignments to persons other than 1988 agreement operators, and

''(C) terminate all unpaid liabilities of persons other than 1988 agreement operators with respect to eligible beneficiaries whose assignment to such persons is pending on October 1, 2003.

''(2) REASSIGNMENT UPON PURCHASE.—This subsection shall not be construed to prohibit the reassignment under subsection (b)(2) of an eligible beneficiary.''

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 246—EXPRESSING THE SENSE OF THE SENATE THAT NOVEMBER 22, 1983, THE DATE OF THE RESTORATION BY THE FEDERAL GOVERNMENT OF FEDERAL RECOGNITION TO THE CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON, SHOULD BE MEMORIALIZED

Mr. SMITH (for himself and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 246

Whereas the Grand Ronde Restoration Act (25 U.S.C. 713 et seq.), which was signed by the President on November 22, 1983, restored Federal recognition to the Confederated Tribes of the Grand Ronde Community of Oregon;

Whereas the Confederated Tribes of the Grand Ronde Community of Oregon historically inhabited land that extended from the summit of the Cascade Range, west along the shores of the Columbia River to the summit of the Coast Range, and south to the California border;

Whereas in addition to restoring Federal recognition, that Act and other Federal Indian statutes have provided the means for the Confederated Tribes to achieve the goals of cultural restoration, economic self-sufficiency, and the attainment of a standard of living equivalent to that enjoyed by other citizens of the United States;

Whereas by enacting the Grand Ronde Restoration Act (25 U.S.C. 713 et seq.), the Federal Government—

(1) declared that the Confederated Tribes of the Grand Ronde Community of Oregon were eligible for all Federal services and benefits provided to federally recognized tribes;

(2) established a tribal reservation; and

(3) granted the Confederated Tribes of the Grand Ronde Community of Oregon self-government for the betterment of tribal members, including the ability to set tribal rolls;

Whereas the Confederated Tribes of the Grand Ronde Community of Oregon have embraced Federal recognition and self-sufficiency statutes and are actively working to better the lives of tribal members; and

Whereas economic self-sufficiency, which was the goal of restoring Federal recognition for the Confederated Tribes of the Grand Ronde Community of Oregon, is being realized through many projects: Now, therefore, be it

Resolved, That it is the sense of the Senate that November 22, 1983, should be memorialized as the date on which the Federal Government restored Federal recognition to the Confederated Tribes of the Grand Ronde Community of Oregon.

SENATE RESOLUTION 247—CALLING ON THE PRESIDENT TO CONDEMN THE ANTI-SEMITIC SENTIMENTS EXPRESSED BY DR. MAHATHIR MOHAMAD, THE OUTGOING PRIME MINISTER OF MALAYSIA

Mr. LAUTENBERG (for himself, Mr. SMITH, Mrs. FEINSTEIN, Mrs. CLINTON, Mr. CORZINE, Mrs. BOXER, Mr. DASCHLE, Mr. DODD, Mr. SCHUMER, Mr. HATCH, Mrs. MURRAY, Mr. COLEMAN, Mr. WYDEN, Mr. BROWNBACK, Mr. REID, Mr. BAYH, Mr. CHAMBLISS, Mr. LEAHY, and Mr. GRAHAM of Florida) submitted the following resolution; which was considered and agreed to:

Whereas the outgoing prime minister of Malaysia, Dr. Mahathir Mohamad, has become notorious over the years for his virulent opposition to Israel;

Whereas Dr. Mahathir opened the 57-nation, October 2003 summit of the Organization of the Islamic Conference in Malaysia by characterizing Israel and Jews around the world as ''the enemy'' who ''rule the world by proxy'';

Whereas Dr. Mahathir's anti-Semitic remarks are despicable and will serve to incite further sectarian violence; and

Whereas President George W. Bush will be traveling to Thailand to attend the October 20–21, 2003, meeting in Bangkok of the leaders of Asia-Pacific Economic Cooperation (APEC), which Dr. Mahathir will also be attending: Now, therefore, be it

Resolved, That the Senate—

(1) thoroughly repudiates the damaging rhetoric of the outgoing prime minister of Malaysia, Dr. Mahathir Mohamad, which makes peace in the Middle East and around the world more elusive; and

(2) calls upon President George W. Bush, on behalf of the United States, to condemn Dr. Mahathir's injurious sentiments when the President and the prime minister meet to attend the October 20–21, 2003, meeting in Bangkok of the leaders of Asia-Pacific Economic Cooperation (APEC).

Mr. SMITH. Mr. President, I rise today to join my colleague, Senator LAUTENBERG, in the introducing an important resolution. This resolution condemns the highly inflammatory and hate-ridden statements by the Malaysian Prime Minister Mahathir Mohamad at the opening of the Organization of the Islamic Conference this Thursday.

Prime Minister Mohamad expressed the most despicable of views toward people of the Jewish faith. The Malaysian Prime Minister did not confine himself merely to vitriolic anti-Semitic remarks, however. He moved to incite Muslims throughout the world to fight Jews. These remarks are not only hateful, but directly undermine the goals of tolerance and understanding that the U.S. hopes its allies will promote.

As you are aware, President Bush is currently in Asia and will attend the Asia-Pacific Economic Conference in Thailand, October 20. This resolution urges the President to condemn the Prime Minister's remarks when the two meet next week.

I urge my respected colleagues to join us in supporting this important legislation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1883. Mr. DORGAN (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table.

SA 1884. Mr. BYRD (for himself, Mr. DURBIN, Mr. BIDEN, Mr. LEAHY, Mr. DORGAN, Ms. MIKULSKI, Ms. LANDRIEU, and Mrs. FEINSTEIN) proposed an amendment to amendment SA 1819 submitted by Mr. BYRD (for himself and Mr. DURBIN) to the bill S. 1689, supra.

SA 1885. Mr. BROWNBACK proposed an amendment to the bill S. 1689, supra.

SA 1886. Mr. BYRD proposed an amendment to the bill S. 1689, supra.

SA 1887. Mr. DORGAN (for himself, Mr. WYDEN, and Mr. HARKIN) proposed an amendment to the bill S. 1689, surpa.

SA 1888. Mr. BYRD (for himself, Mr. LAUTENBERG, Mr. SARBANES, Mr. FEINGOLD, Mr. WYDEN, Mr. JEFFORDS, and Mr. DAYTON) proposed an amendment to the bill S. 1689, supra.

SA 1889. Mrs. LINCOLN (for herself and Mr. REID) submitted an amendment intended to be proposed by her to the bill S. 1689, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1883. Mr. DORGAN (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

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

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

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SA 1884. Mr. BYRD (for himself, Mr. DURBIN, Mr. BIDEN, Mr. LEAHY, Mr. DORGAN, Ms. MIKULSKI, Ms. LANDRIEU, and Mrs. FEINSTEIN) proposed an amendment to amendment SA 1819 submitted by Mr. BYRD (for himself and Mr. DURBIN) to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

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

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

SEC. 3003.

(a) Notwithstanding any other provision of this Act, amounts appropriated under the heading ''Iraq Relief and Reconstruction Fund'' shall be reduced by $1,655,000,0000 and the total amount appropriated under this heading shall be allocated as follows:

(1) $3,243,0000,000 for security and law enforcement; (2) $1,268,000,000 for justice, public safety infrastructure, and civil society, of which not less than $107,000,000 shall be made available for the Iraqi Civil Defense Corps; (3) $5,646,000,000 for the electric sector; (4) $1,850,000,000 for oil infrastructure; (5) $4,332,000,000 for water resources and sanitation; (6) $500,000,000 for transportation and telecommunications; (7) $240,000,000 for roads, bridges, and construction; (8) $850,000,000 for health are; (9) $155,000,000 for private sector development; and (10) $245,000,000 for refugees, human rights, democracy, and governance: Provided, That none of the funds appropriated by this Act may be used to fund (1) traffic police buildings, fleet, and equipment; (2) parking lots and cosmetic improvements at airports; (3) electric sector institutional strengthening; (4) solid waste management; (5) an Iraqi-American Enterprise Fund; (6) wireless internet capabilities for the Iraqi Telephone Postal Company (ITPC); (7) technical and management training for ITPC; (8) postal information technology architecture and systems; (9) management for Iraqi television and radio; (10) a numbering schema and 911 initiative for ITPC; (11) new housing communities and new government buildings; (12) a national security communications network; (13) market-oriented specialized training; (14) municipal public information centers; and (15) catch-up business training: *Provided further,* That of the funds appropriated by this Act, not more than $765,000,000 may be made available for petroleum product imports, and not more than $100,000,000 may be made available for new prison construction.

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

''Operation and Maintenance, Army'', $66,600,000

''Operation and Maintenance, Navy'', $118,400,000

''Operation and Maintenance, Marine Corps'', $9,200,000

''Operation and Maintenance, Air Force'', $166, 900,000; and

''Other Procurement, Air Force'', $2,200,000.

(c) For an additional amount for ''Military Construction, Army'', $65,200,000, to remain available until September 30, 2008, to be used only to repair facilities damaged by Hurricane Isabel at Fort Monroe, Virginia: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law.

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

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

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

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

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

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

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

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

(1) not to exceed $60,000,000 should be used for activities related to disarmament, demobilization, and reintegration of militia combatants, including registration of such combatants, notwithstanding section 531(e) of the Foreign Assistance Act of 1961; (2) not to exceed $120,000,000 for major and provincial road construction and repair; (3) not to exceed $95,000,000 for schools and education; (4) not to exceed $55,000,000 for private sector development including to repair and procure electric power generation and distribution infrastructure; (5) not to exceed $50,000,000 to support the Government of Afghanistan; (6) not to exceed $2,000,000 for additional policy experts in Afghan ministries; (7) not to exceed $65,000,000 for elections, governance, and human rights; (8) not to exceed $50,000,000 for projects directly involving requirements identified by provincial reconstruction teams; (9) not to exceed $66,000,000 for health services; (10) not to exceed $25,000,000 for water projects; (11) not to exceed $25,000,000 for environmental projects related to drought relief; (12) not to exceed $25,000,000 for emergency food, fuel, clothing and shelter materials for Afghans who are internally displaced; and (13) not to exceed $45,000,000 for additional activities that are specifically targeted to advancing the social, economic, and political rights and opportunities of women.

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

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

(n) The entire amount in:

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

(ii) subsection (c) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(iii) subsection (d) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(iv) subsection (e) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(v) subsection (f) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(vi) subsection (g) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress; and

(vii) subsection (h) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

(viii) subsection (i) shall be available only to the extent that an official budget request for that amount, that includes designation of the entire amount of the request as an emergency requirement as defined in H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress;

SA 1885. Mr. BROWNBACK proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 38, between lines 20 and 21, insert the following new sections:

SEC. 2313. (a) The total amount appropriated in chapter 2 of this title under the subheading ''IRAQ RELIEF AND RECONSTRUCTION FUND'' under the heading ''OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT'', is hereby reduced by $600,000,000.

(b) Of the total amount appropriated in chapter 2 of this title under the subheading referred to in subsection (a), $5,186,000,000 shall be available for security, including public safety requirements, national security, and justice, of which not less than $126,000,000, shall be available for the Iraqi Civil Defense Corps.

SEC. 2313. None of the funds appropriated by this Act may be used to fund the following:

(1) Solid waste management in Iraq.

(2) WiFi capabilities for IPTC in Iraq.

(3) Housing in Iraq.

(4) Market-oriented specialized training for Iraqis.

(5) Catch-up business training for Iraqis.

(6) Development or construction of the Abu Gharaib Memorial, or any similar memorial.

(7) The Athletes Committee in Iraq, including any conference or memorial that addresses atrocities committed against Iraqi athletes.

On page 28, beginning on line 18, strike ''$422,000,000'' and all that follows through ''*Provided*,'' on line 20 and insert ''$822,000,000, to remain available until September 30, 2005, for accelerated assistance for Afghanistan, of which not less than $60,000,000 shall be available for disarmament, demobilization, and reintegration; $50,000,000 shall be available for a venture capital fund to promote development of the private sector; $155,000,000 shall be available for accelerated funding for the National Army of Afghanistan; $60,000,000 shall be available for the Government of Afghanistan to provide security and minimal services, collect revenue, and pay salaries for military and civilian officials; $15,000,000 shall be available for power generation projects; and $5,000,000 shall be available for natural resources assessments: *Provided*,''.

On page 29, line 17, strike ''$100,000,000'' and all that follows through ''*Provided*'' beginning on line 17, and insert ''$250,000,000, to remain available until expended, of which not less than $200,000,000 shall be made available for humanitarian relief and reconstruction activities in Liberia: *Provided*, That funds appropriated under this heading shall be made available for Sudan: *Provided further*,''.

SA 1886. Mr. BYRD proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title I, add the following:

SEC. 316. No funds appropriated or otherwise made available by this Act may be obligated or expended for the involuntary deployment overseas in support of Operation Iraqi Freedom of a member of the National Guard or Reserves if that member has been involuntarily deployed for any period of six months or more during the six-year period ending on the date the involuntary deployment overseas would otherwise commence.

SA 1887. Mr. DORGAN (for himself, Mr. WYDEN, and Mr. HARKIN) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 25, strike lines 7 through the colon on line 18, and insert the following:

For necessary expenses for security, rehabilitation and reconstruction in Iraq, $18,449,000,000, to remain available until expended, to be allocated as follows: $3,243,000,000 for security and law enforcement; $1,318,000,000 for justice, public safety infrastructure, and civil society; $5,560,000,000 for the electric sector; $1,900,000,000 for oil infrastructure; $4,332,000,000 for water resources and sanitation; $500,000,000 for transportation and telecommunications; $370,000,000 for roads, bridges, and construction; $793,000,000 for health care; $153,000,000 for private sector development; and $280,000,000 for education, refugees, human rights, democracy, and governance:

SA 1888. Mr. BYRD (for himself, Mr. LAUTENBERG, Mr. SARBANES, Mr. FEINGOLD, Mr. WYDEN, Mr. JEFFORDS, and Mr. DAYTON) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 27, line 9, strike ''*Provided further*, That the President may reallocate funds provided under this heading:''

On page 27, line 21, strike ''used for such purposes'' and insert ''shall be available only to the extent that the funds are made available in a subsequent appropriations act''.

On page 12, line 11, strike, '', and in addition such funds as necessary, not to exceed $5,000,000,000, as approved by the House and Senate Appropriations Committees, Subcommittees on Defense'';

On page 15, strike Section 312;

SA 1889. Mrs. LINCOLN (for herself and Mr. REID) submitted an amendment intended to be proposed by her to the bill S. 1689, making emergency supplemental appropriations for Iraq and

Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, between lines 2 and 3, insert the following:

SEC. 3002. (a) Notwithstanding any other provision of law, and subject to subsection (b), none of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2004 or any fiscal year thereafter may be expended by a United States Government agency or contractor to enter into or modify any contract or subcontract with the Government of Saudi Arabia or any company or other business entity incorporated or otherwise based in Saudi Arabia.

(b) The prohibition in subsection (a) shall be in effect until the Secretary of State has certified, in writing, to Congress that—

(1) the Government of Saudi Arabia has issued and made available valid exit visas to all United States citizens who are 18 years of age or older, and the minor children of such citizens, who the Secretary of State has reason to believe desire to leave Saudi Arabia but are currently prohibited from doing so;

(2) the Government of Saudi Arabia has surrendered custody of United States citizen minor children who the Secretary of State has reason to believe were taken or removed from the United States in violation of a custody order issued by a court in the United states or in violation of United States law, to the United States or the minor child's left behind parent or guardian; and

(3) the United States citizens referred to in paragraphs (1) and (2) were provided a safe and meaningful opportunity to exit Saudi Arabia and return to the United States or their place of residence.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that privilege of the floor be granted to two congressional fellows in the office of Senator MARK PRYOR, Gita Upple and John Pierson, during consideration of this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I ask unanimous consent that Denese Merritt, a congressional fellow in Senator GORDON SMITH's office, be granted floor privileges during the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONDEMNATION OF ANTI-SEMITIC STATEMENTS BY MAHATHIR MOHAMAD

Mr. LAUTENBERG. Mr. President, I rise this evening to call the Senate's attention to a despicable expression of hatred that occurred in Malaysia yesterday. In his address to the opening of the 57-nation summit of Islamic nations, Malaysia's Prime Minister, Dr. Mahathir Mohamad, urged Muslims around the world to unite against the Jews who he says rule the world by proxy.

Dr. Mahathir is a man known for his incendiary public condemnations of the United States, Israel, and the western world. Yesterday, his rhetoric escalated, or should I say degenerated, to a new level of hate. Using the foul canards Hitler and other anti-Semites have repeated throughout history, he accused the Jewish people of gaining control of the most powerful countries.

He said ''they, this tiny community, have become a world power,'' and he urged the 1.3 billion Muslims throughout the world to fight this ''enemy.'' That is his definition. How was the speech received? According to today's New York Times, it got a standing ovation from the kings and presidents, sheiks and emirs, including key U.S. allies, gathered in Malaysia's capital, Putrajaya. I believe these comments are likely to encourage violence against Jewish people worldwide, and especially in Israel.

The Organization of the Islamic Conference (OIC) charter calls for creating a favorable atmosphere for the promotion of cooperation and understanding between member states and other countries. But how can it be so, if the Prime Minister's remarks aptly capture the views of the OIC members? After all, they gave him a standing ovation. One has to wonder if they really want to promote peace between their nations and western democracies.

The Prime Minister of Malaysia, a country with one of the world's biggest Muslim populations, essentially expressed an open invitation for hate crimes and terrorism. Therefore, I am introducing a resolution that puts the Senate on record as repudiating Dr. Mohamad's loathsome remarks to the OIC.

My resolution also asks President Bush, who will be traveling to Southeast Asia next week, to repudiate Dr. Mohamad's vile sentiments when the two participate in the Asia-Pacific Economic Cooperation meeting in Bangkok, Thailand, on October 20.

I am pleased that Senator SMITH, Senator FEINSTEIN, Senator CLINTON, Senator CORZINE, Senator BOXER, Senator DASCHLE, Senator DODD, Senator SCHUMER, Senator HATCH, Senator MURRAY, Senator COLEMAN, Senator WYDEN, Senator BROWNBACK, Senator REID, Senator LEAHY, Senator GRAHAM of Florida, Senator BAYH, and Senator CHAMBLISS are all cosponsors of my resolution.

I believe the leaders of the Muslim world should be encouraging mutual tolerance and understanding between people of different faiths. Instead, Dr. Mohamad's anti-Semitic remarks will only serve to undermine the peace and security people of all faiths seek so earnestly.

I send a resolution to the desk and ask for its immediate consideration. This resolution has been cleared, as I understand it, on both sides.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 247) calling on the President to condemn the anti-Semitic sentiments expressed by Dr. Mahathir Mohamad, the outgoing prime minister of Malaysia.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LAUTENBERG. I ask unanimous consent the resolution and preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 247) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 247

Whereas the outgoing prime minister of Malaysia, Dr. Mahathir Mohamad, has become notorious over the years for his virulent opposition to Israel;

Whereas Dr. Mahathir opened the 57-nation, October 2003 summit of the Organization of the Islamic Conference in Malaysia by characterizing Israel and Jews around the world as ''the enemy'' who ''rule the world by proxy'';

Whereas Dr. Mahathir's anti-Semitic remarks are despicable and will serve to incite further sectarian violence; and

Whereas President George W. Bush will be traveling to Thailand to attend the October 20–21, 2003, meeting in Bangkok of the leaders of Asia-Pacific Economic Cooperation (APEC), which Dr. Mahathir will also be attending: Now, therefore, be it

Resolved, That the Senate—

(1) thoroughly repudiates the damaging rhetoric of the outgoing prime minister of Malaysia, Dr. Mahathir Mohamad, which makes peace in the Middle East and around the world more elusive; and

(2) calls upon President George W. Bush, on behalf of the United States, to condemn Dr. Mahathir's injurious sentiments when the President and the prime minister meet to attend the October 20-21, 2003, meeting in Bangkok of the leaders of Asia-Pacific Economic Cooperation (APEC).

The PRESIDING OFFICER. The Senator from New York.

Mrs. CLINTON. Mr. President, I thank my distinguished colleague, the Senator from New Jersey, for introducing this resolution in such a timely manner. I was proud to be an original cosponsor. I believe it is essential the Senate and our Congress be on record standing against hate and bias and discrimination, and particularly the kind of anti-Semitism that flowed at the meeting yesterday in Malaysia.

I join with Senator LAUTENBERG in urging the President to raise this directly with the Malaysian Government and with the other participants in the APEC meeting. I appreciate the quick action of Senator LAUTENBERG in ensuring our Senate could go on record while this meeting is still occurring.

MEASURE PLACED ON THE CALENDAR—S. 1751

Mr. FRIST. Mr. President, I understand that S. 1751 is at the desk and is due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 1751) to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants and for other purposes.

Mr. FRIST. I object to further proceedings.

CLASS ACTION FAIRNESS ACT OF 2003—MOTION TO PROCEED

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 117, S. 274, the class action fairness legislation. I further ask unanimous consent that all after the enacting clause be stricken, and the text of S. 1751 be inserted in lieu thereof; further, that the language be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DAYTON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to S. 1751, Senator GRASSLEY's class action bill, which is now on the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. DAYTON. Mr. President, I object.

Mr. FRIST. I ask unanimous consent that it now be in order to make a motion to proceed to S. 1751.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. I now move to proceed to S. 1751, and I further ask unanimous consent that the motion be temporarily set aside and that the Senate resume consideration of the motion on Monday, October 20, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL CEMETERY EXPANSION ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 307, H.R. 1516.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1516) to provide for the establishment by the Secretary of Veterans Affairs of five additional cemeteries in the National Cemetery System.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Veterans' Affairs, with amendments, as follows:

[Strike the parts shown in black brackets and insert the parts shown in italic.]

H.R. 1516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Cemetery Expansion Act of 2003''.

SEC. 2. ESTABLISHMENT OF NEW NATIONAL CEMETERIES.

(a) ESTABLISHMENT.—Not later than four years after the date of the enactment of this Act, the Secretary of Veterans Affairs, in accordance with chapter 24 of title 38, United States Code, shall establish [five] *six* new national cemeteries. The new cemeteries shall be located in the following locations (those locations having been determined by the Secretary of Veterans Affairs to be the most appropriate locations for new national cemeteries):

(1) Southeastern Pennsylvania.

(2) The Birmingham, Alabama, area.

(3) The Jacksonville, Florida, area.

(4) The Bakersfield, California, area.

(5) The Greenville/Columbia, South Carolina, area.

(6) The Sarasota County, Florida, area.

(b) FUNDS.—Amounts appropriated for the Department of Veterans Affairs for any fiscal year after fiscal year 2003 for Advance Planning shall be available for the purposes of subsection (a).

(c) SITE SELECTION PROCESS.—In determining the specific sites for the new cemeteries required by subsection (a) within the locations specified in that subsection, the Secretary shall solicit the advice and views of representatives of State and local veterans organizations and other individuals as the Secretary considers appropriate.

(d) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemeteries required by subsection (a). The report shall—

(1) set forth a schedule for the establishment of each such cemetery and an estimate of the costs associated with the establishment of each such cemetery; and

(2) identify the amount of Advance Planning Funds obligated for purposes of this section as of the submission of the report.

(e) ANNUAL REPORTS.—The Secretary shall submit to Congress an annual report on the implementation of this section until the establishment of all [five] *six* cemeteries is completed and each such cemetery has opened. The Secretary shall include in each such annual report an update of the information provided under paragraphs (1) and (2) of subsection (d).

(f) DEFINITION OF SOUTHEASTERN PENNSYLVANIA.—In this section, the term ''southeastern Pennsylvania'' means the city of Philadelphia and Berks County, Bucks County, Chester County, Delaware County, Philadelphia County, and Montgomery County in the State of Pennsylvania.

Amend the title to read: ''An Act to provide for the establishment by the Secretary of Veterans Affairs of additional cemeteries in the National Cemetery Administration.''.

Mr. FRIST. I ask unanimous consent that the committee amendments be agreed to, that the bill, as amended, be read a third time and passed, the amendment to the title be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The title amendment was agreed to.

The bill (H.R. 1516), as amended, was read the third time and passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 1516) entitled ''An Act to provide for the establishment by the Secretary of Veterans Affairs of five additional cemeteries in the National Cemetery System.'', do pass with the following amendments:

(1) Page 2, line 8, strike out [five] and insert: *six*

(2) Page 2, after line 18, insert:

(6) The Sarasota County, Florida, area.

(3) Page 3, line 17, strike out [five] and insert: *six*

Amend the title so as to read: ''An Act to provide for the establishment by the Secretary of Veterans Affairs of additional cemeteries in the National Cemetery Administration.''

CONGRESSIONAL GOLD MEDAL TO JACKIE ROBINSON

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1900.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1900) to award a congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation, and to express the sense of the Congress that there should be a national day in recognition of Jackie Robinson.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1900) was read the third time and passed.

CONGRESSIONAL GOLD MEDAL TO JACKIE ROBINSON

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 311, S. 300.

The PRESIDING OFFICER. The clerk will report the title of the bill.

The legislative clerk read as follows:

A bill (S. 300) to award a congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation, and to express the sense of the Congress that there should be a national day in recognition of Jackie Robinson.

There being no objection, the Senate proceeded to consider the bill.

Mr. KERRY. Mr. President, I come to the floor today to pay tribute to Jackie Robinson—a great ballplayer, great leader and a great American.

Most Americans know of Jackie Robinson's baseball greatness. He was the 1947 Rookie of the Year; the National League Most Valuable Player in 1949; he lead the Dodgers to six pennants and one World Series; he batted over 300 for his career; and he was elected to the Hall of Fame in 1962.

But there is, of course, far more to the story of Jackie Robinson than talent and success on the baseball diamond.

Jackie Robinson was born in 1919 in Cairo, GA. He was the grandson of a slave and son of a sharecropper. As a boy, he moved with his family to Pasadena, CA. Jackie was born a competitor and excelled at sports from a young age. His talents earned him a scholarship to UCLA, where he lettered in football, basketball, baseball, and track—and he was heralded as one of the best-all-around athletes in the country.

After college, Robinson was drafted into the Army. He rose to the rank of second lieutenant, and along the way he fought for equality and against injustice. Robinson and his good friend, the boxer Joe Louis, opened an Officer Candidate School to black soldiers. When Robinson was ordered to sit in the back of a bus at Fort Hood, TX, he refused and was court-martialed. Robinson stood his ground at the court martial, and for his bravery he was exonerated when the order was ruled a violation of Army regulations.

After the Army, Robinson signed to play for 2 years in the Negro Baseball League for the Kansas City Monarchs. Then in 1947, Robinson signed with the Brooklyn Dodgers to become the first African-American to play in the major leagues. It's hard to imagine the personal courage this demanded of Robinson. Branch Rickey, the president of the Dodgers, said that, ''Robinson was the target of racial epithets and flying cleats, of hate letters and death threats, of pitchers throwing at his head and legs, and catchers spitting on his shoes.''

But for all the hatred and ignorance Robinson faced, he responded with strength. Roger Kahn captured that strength in Boys of Summer when he wrote that Robinson ''bore the burden of a pioneer and the weight made him stronger. If one can be certain of anything in baseball, it is that we shall not look upon his like again.''

Today, it is hard to understand the significance of Robinson signing in the majors. It happened before our military was desegregated, before the civil rights marches in the South, and before the historic ruling in Brown v. the Board of Education. Robinson engaged America in a constructive conversation about race even before other great leaders like Martin Luther King. Indeed, King once said that his great crusade for racial justice would not have been possible if not for Jackie Robinson.

Robinson's skill, demeanor and fortitude made him one of the most popular people in America, and he used his fame to encourage the fair treatment of all people. His ideas and principles influenced John F. Kennedy and Dwight Eisenhower. After retiring from professional baseball in 1957, he dedicated himself to fighting for equality and justice. He was a leader with the NAACP, chairing its Freedom Fund Drive in 1957, and was awarded its highest achievement award. Jackie and his wife, Rachel, began annual concerts to benefit civil rights and voter registration drives in the South. In 1964, Jackie helped create a minority-owned commercial bank based in Harlem, New York, called the Freedom National Bank. He also started the Jackie Robinson Construction Company to build low-income housing.

On October 15, 1972, Jackie Robinson attended a World Series Game that commemorated the 25th anniversary of the breaking of the color line in baseball. At the game, as he had done in the past, Jackie called for more opportunities for black Americans. Unfortunately, Jackie passed away only 9 days—later and today—56 years after Jackie signed with the Brooklyn Dodgers—we have yet to achieve the opportunity for all he so desired.

Jackie Robinson once said that, ''a life is not important, except in the impact it has on other lives.'' Jackie Robinson not only impacted lives, he impacted the very spirit of our country. He was more than a sports hero—he was an American hero.

And it is time for Congress to recognize his heroic contributions to the Nation by awarding him the Congressional Gold Medal. The Congressional Gold Medal is the highest expression of congressional appreciation and has been bestowed on great leaders like George Washington, Winston Churchill and Rosa Parks. I cannot think of a more deserving person to join this distinguished group than Jackie Robinson.

As I close my remarks, I thank the Boston Red Sox and Larry Luchino and George Mitrovich for helping with this legislation. I also thank Senator MCCAIN for joining as our lead cosponsor and Representative RICHARD NEAL for passing this legislation through the House of Representatives.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 300) was read the third time and passed, as follows:

S. 300

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) Jackie Roosevelt Robinson was born on January 31, 1919, in Cairo, Georgia, and was the youngest of 5 children.

(2) Jackie Robinson attended the University of California Los Angeles where he starred in football, basketball, baseball, and track. His remarkable skills earned him a reputation as the best athlete in America.

(3) In 1947, Jackie Robinson was signed by the Brooklyn Dodgers and became the first black player to play in Major League Baseball. His signing is considered one of the most significant moments in the history of professional sports in America. For his remarkable performance on the field in his first season, he won the National League's Rookie of the Year Award.

(4) In 1949, Jackie Robinson was voted the National League's Most Valuable Player by the Baseball Writers Association of America.

(5) In 1962, Jackie Robinson was elected to the Baseball Hall of Fame.

(6) Although the achievements of Jackie Robinson began with athletics, they widened to have a profound influence on civil and human rights in America.

(7) The signing of Jackie Robinson as the first black player in Major League Baseball occurred before the United States military was desegregated by President Harry Truman, before the civil rights marches took place in the South, and before the Supreme Court issued its historic ruling in Brown v. Board of Education, 347 U.S. 483 (1954).

(8) The American public came to regard Jackie Robinson as a person of exceptional fortitude, integrity, and athletic ability so rapidly that, by the end of 1947, he finished ahead of President Harry Truman, General Dwight Eisenhower, General Douglas MacArthur, and Bob Hope in a national poll for the most popular person in America, finishing only behind Bing Crosby.

(9) Jackie Robinson was named vice president of Chock Full O' Nuts in 1957 and later co-founded the Freedom National Bank of Harlem.

(10) Leading by example, Jackie Robinson influenced many of the greatest political leaders in America.

(11) Jackie Robinson worked tirelessly with a number of religious and civic organizations to better the lives of all Americans.

(12) The life and principles of Jackie Robinson are the basis of the Jackie Robinson Foundation, which keeps his memory alive by providing children of low-income families with leadership and educational opportunities.

(13) The legacy and personal achievements of Jackie Robinson, as an athlete, a business leader, and a citizen, have had a lasting and positive influence on the advancement of civil rights in the United States.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of Congress, to the family of Jackie Robinson, a gold medal of appropriate design in recognition of the many contributions of Jackie Robinson to the Nation.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (in this Act referred to as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2 at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 4. STATUS AS NATIONAL MEDALS.

The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medal authorized under section 2.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

SEC. 6. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) there should be designated a national day for the purpose of recognizing the accomplishments of Jackie Robinson; and

(2) the President should issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 406, 407, 408, and 409. I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

DEPARTMENT OF COMMERCE

Peter Lichtenbaum, of Virginia, to be an Assistant Secretary of Commerce.

EXECUTIVE OFFICE OF THE PRESIDENT

Harvey S. Rosen, of New Jersey, to be a Member of the Council of Economic Advisers.

Kristin J. Forbes, of Massachusetts, to be a Member of the Council of Economic Advisers.

DEPARTMENT OF COMMERCE

Julie L. Myers, of Kansas, to be an Assistant Secretary of Commerce.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that at 5:15 p.m. on Monday, October 20, the Senate proceed to executive session to consider the following nomination on today's Executive Calendar: Calendar No. 401, the nomination of Margaret Catharine Rodgers to be U.S. District Judge for the Northern District of Florida. I further ask unanimous consent that the Senate then immediately proceed to a vote on the confirmation of the nomination; further, that following the vote, the President be immediately notified of the Senate's action and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR MONDAY, OCTOBER 20, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 1:30 p.m., Monday, October 20. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period for morning business until 2 p.m., with the time equally divided between the two leaders or their designees, provided that at 2 p.m. we resume the debate on the motion to proceed to the consideration of S. 1751.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. I further ask unanimous consent that at 5:15 p.m., the Senate proceed to executive session as provided under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. For the information of all Senators, as I mentioned earlier today, it had been my hope that we could work out an agreement to consider the healthy forest issue during Monday's session. Chairman COCHRAN has been working diligently toward an agreement to consider amendments on both sides of the aisle on that legislation. Unfortunately, there is an objection to proceeding to the measure from the other side. We will continue our discussions on that important legislation. I hope we may still reach a consent for its consideration as soon as possible.

On Monday, under the previous order, we will resume debate on the motion to proceed to the class action bill. Again, this is a critically important bill that we hope to consider and complete next week, but there is an objection from the Democratic side. We do have a number of Senators who are very interested in this bill and will be here on Monday prepared to speak on its behalf.

Under the earlier consent, we will proceed to a vote on a judicial nomination at 5:15 p.m. and that will be the first vote of Monday's session.

Again, I do want to thank all Members for their tremendous efforts over the course of this week. It took many busy days, and many long hours, well into the night, but we did accomplish what we set out to do, and that was to complete the Iraq supplemental.

Today, we had 11 rollcall votes culminating with a vote on passage, 87 to 12, a strong bipartisan vote. I, once again, thank Chairman STEVENS for his tireless efforts in helping shepherd this bill through the Senate.

CONGRATULATING SENATOR SUNUNU

Mr. FRIST. Last, Mr. President, I congratulate the current occupant of the chair, the junior Senator from New Hampshire. Just a short time ago, about an hour and a half ago, at approximately 6 p.m., he reached his 100th hour of presiding time. That wasn't all just tonight, but I know he may feel like it at this time, 7:30 in the evening—100 hours during this first session of the 108th Congress. Everybody in this body owes him a debt of gratitude for his service to this institution as he presides over us just about every Friday, I believe, with a firm but a very fair gavel.

ORDER FOR ADJOURNMENT

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order, following the remarks of Senator DAYTON.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota is recognized.

SENATOR SUNUNU'S GOLDEN GAVEL

Mr. DAYTON. Mr. President, I join the distinguished majority leader in expressing my appreciation for your presence here this evening. I assure the Chair I will not take him too far down the path to his next 100 hours—not tonight, anyway.

I was in the dubious position of being 100th in seniority for the previous 2 years. I did not achieve my golden gavel status as swiftly as the Senator from New Hampshire, but I did. I suffered through many hours when I would rather have been elsewhere in order to achieve that. I again thank the distinguished Chair and also commend him for the dignity and the stature with which he presides over what are, as we both know, occasionally unruly adults.

IRAQ

Mr. DAYTON. A year ago this month, Congress cast a fateful vote. The majority decided to give the President blanket authority to declare war against Iraq. On several occasions during our deliberations over that resolution, I had the good fortune to be on the Senate floor when the great Senator from West Virginia, the senior Senator, spoke. Both Senators from West Virginia are truly outstanding Senators and men. One is extraordinary in his seniority in this body and also the wisdom he has acquired through his experience and service and his search for the history of this country and the history of other countries throughout the world and across the spans of time.

It was my great opportunity, sitting in that chair where the Presiding Officer now sits, to be instructed about this country, especially the Constitution which all of us take our oath of office to uphold, that extraordinary document which has shown, over the span of more than two centuries, a foresight, a vision, an understanding of

human nature and an appreciation for the potential we bring and the pitfalls we must avoid. It has been unprecedented in the history of the world and has produced, along with the quality of our citizenry, the most successful form of self-governance that has ever been devised or practiced on this planet.

As a result of much of what I learned from Senator BYRD, I voted against the resolution which passed the Senate last October. I did that because those tutorials convinced me that by acting at that point, before the President himself had decided whether to recommend or undertake an invasion of Iraq, the commencing of a war against another country, for Congress then to pass not a declaration of war, which the Constitution prescribes, but rather a resolution authorizing, with its usual euphemism, something like ''whatever force necessary in order to accomplish the objectives,'' Congress was abdicating to the President that constitutional responsibility which it had no right or authority to pass on.

The Constitution says clearly that the Congress shall declare war, that Congress and only Congress shall make that final decision whether or not to declare war and to commit this country to that course of action against another nation, at which point the President is the Commander in Chief and undertakes the prosecution of the war. It is exactly that balance of power the Constitution wanted to achieve.

I also said last October that I was not persuaded at that time by the intelligence and other information that I received to that point that Saddam Hussein's estimated military arsenal constituted an imminent and urgent threat to the national security of the United States of America. I may not have been privy to every piece of information that a few of the more senior colleagues in this body had at the time, particularly members of the Senate's Select Committee on Intelligence, but as a member myself of the Senate Armed Services Committee, I did have much of the information acquired from participating in a score of briefings, many of them classified top secret.

In my best judgment, from all the intelligence that was presented to me over a 5-year period of time, the case against Iraq was inconclusive and unconvincing. Furthermore, it was presented to us by our top intelligence officials as incomplete and inconclusive. Those officials, in my judgment and my experience, were very candid about the information they were providing us. They were candid about its uncertainty. They were candid about its reliability. They were candid about the difficulty to obtain reliable, accurate, and timely information in a country as closed as Iraq, where the penalty for any transgression could be torture and death.

It was reasonable to assume back then that Saddam Hussein possessed biological and chemical weapons of mass destruction, or materials with which to make them, using the supplies that presumably were not less than what were known to exist when the United Nations weapons inspectors were evicted in December of 1998. But our intelligence officials, in the meetings and briefings which I attended, never asserted more than that, nor did they assert a 100-percent certainty that those amounts of products still did remain in Iraq, nor did they ever state that Iraq was known to be close to developing nuclear weapons. They said they didn't know.

My own experience over the last year is that the discrepancies between our intelligence information and what we now know with 20/20 hindsight are far less, than the differences which on several occasions I witnessed between what the intelligence briefers were telling us and what the high level administration officials, especially the President and the Vice President, were telling us and were telling the American people and the people of the world.

Every time that occurred, administration officials portrayed the threat from Iraq's likely weapons of mass destruction as more certain, more urgent, and more dangerous than it turned out to be. The most glaring gaps, therefore, between fears and fiction and facts occurred when the intelligence information exaggerated the threat, and then the Bush administration exaggerated that threat.

When 138,000 or more U.S. troops and a reported 1,400 weapons of mass destruction hunters and investigators in the course of 6 months can find nothing, virtually none of the primary reasons we went to war in that country, that is about as glaring a gap as it gets. But blaming the intelligence gatherers missed the real culprits. The information users are the ones who should be investigated, not the providers. That is the investigation which should be conducted. That is the investigation which the White House is doing everything possible to prevent.

The investigation the administration cares about wants the answers, at least the answers that they want there to be, concerning the search for Iraq's weapons of mass destruction. That appeared to be their No. 1 priority, their No. 2 priority, and perhaps their whole top 10. Several of my colleagues on the Senate Armed Services Committee and the chairman and ranking members of the Senate Intelligence Committee and I traveled to Iraq in July and saw firsthand and were briefed about the priority operations beginning or underway there. The one that was far ahead of the rest in development, in deployment, and in resources committed to it was the search for Iraq's weapons of mass destruction.

Again, it has been reported publicly that some 1,400 professional intelligence gatherers, processors, and prosecutors have been scouring that country, investigating, incarcerating, interrogating. During that time, and the time we were there, many of the other important efforts were barely underway and were badly behind already—like finding and eliminating Saddam Hussein himself; like restoring basic services, electricity and running water; like connecting, communicating, and cooperating with the Iraqi citizenry. Those delays, and the lack of tangible progress made in those areas and others, have been costly.

The price is paid, tragically, by our own service men and women—those patriotic, courageous, and extraordinary Americans who won the military victory in Iraq just 3 weeks from the first day of the invasion to the triumphant takeover of Baghdad, the toppling of Saddam Hussein himself, and the statue coming down, symbolically, as the regime was overthrown. As other colleagues have noted here tonight, that was a great boon to the Iraqi people and to the world.

At the same time, American forces and British forces—primarily the coalition, being essentially those two nations—took over occupancy of most of Hussein's former presidential palaces. When I was there, the estimate was there were 120 of them throughout the country—the most incredible waste of resources one could imagine contrasted to the squalor in which most Iraqis were living their lives.

At that time also, American forces had accomplished dispersal of Saddam Hussein's army, of his political party, top government officials, and the henchmen who spread that tyranny, and even Saddam Hussein himself. American Armed Forces won. The mission was accomplished. Their objectives had been achieved. The job had been exceptionally well done. All of that training, all of that traveling and preparing, and all their upbringing, bravery, devotion to their country, their service, faith, and hard work, all came together effectively and successfully and they achieved what they needed to do, overwhelmingly.

That should have been the end, or very close to it. Their victory was decisive, their victory was complete, and they should have been going home. Most of them should be home today. Most of them were expected to be home today. One hundred and thirty-eight thousand American troops remain in Iraq today—more duration than what was planned for at this stage in the operation. Instead, for the present time and for the foreseeable future, 138,000, or close to that number, will have to remain in Iraq. Many of them are Minnesotans. Others have had their tours of duty extended 6 months.

Most of my colleagues and I went home to our respective States and visited with families and spouses who are getting desperate about the absence of their husbands, their wives, their sons, and their daughters with extensions of duty, not knowing when the end point will be. Many of them still do not have a definite return date.

It is a terrible way for the military and the administration to be mistreating those who are making these

heroic sacrifices on behalf of their country, and who are doing so at great personal risk. Often during the course of their responsibilities, they are exposed to the rest of their surroundings, standing at station, and are targets as they guard public and private property and other locations and highways throughout that country.

Since the takeover of the country militarily by U.S. forces, they have had to become more stationary. The point which should have been the end, or close to it, but which is really barely the beginning, American soldiers every single day are being attacked, wounded, maimed, and murdered. It has occurred while they are waiting for the rest of these other operations to get started and start getting the necessary results. Every day that those other operations aren't accomplishing what they must, aren't getting the resources they need, aren't being given the priorities they should be given, for every one of those additional days American troops must remain in Iraq, American troops are likely to die in Iraq.

It is our responsibility to get the rest of that job done—to get their government elected and in charge of the country, restore domestic law and order, train the Iraqi police force so they can maintain that, get the society functioning—once again, a lot of which has been accomplished. And much has been accomplished. It is important to acknowledge that. Hospitals have reopened. They now need to be supplied with the tools and be rehabilitated. An economy that is producing again—producing jobs, producing wealth, producing resources—can bring Iraq back into the civilized world.

A genuine international sharing must be achieved. The ongoing costs of responsibilities and risks are still going to be required during this transition until Iraq can take care of itself.

For those things to occur with other nations of the world, the United States must offer to provide a genuine sharing of control of postwar Iraq. It means the Bush administration doesn't make all of the decisions. It means their corporate cronies don't get all of the contracts and the profits. It means their colleagues in the majority caucus in the Senate should not get the only military transport escort to tour that country to assess the situation and to support our troops.

In fact, I would respectfully urge the President and the Vice President especially to use the passage of this important supplemental today by both the House and the Senate to mark the beginning of a new chapter in undertaking to restore our conduct before the world, the dignity, the civility, and integrity which our great Nation deserves and upon which it has built its reputation and its leadership position in the world.

I urge especially the Vice President to stop attacking the United Nations which was founded over half a century ago by American leaders of both political parties. It has been nurtured, guided, supported, and strengthened during that time as the best hope of the human race, to keep all nations of the world striving together for the peaceful resolution of our differences and the prevention of the next world war, which most believe will be the last world war. Through that diplomatic effort, working through the differences and the difficulties and all the barriers and obstacles that remain among the human race, it has succeeded in preventing that kind of holocaust for the last half century. It has prevented the scourge. It has been successful in discouraging other nations from launching preemptive military strikes against other countries and provoking additional conflict and conflagration that always threaten and risk escalation and annihilation.

Other nations of the world have been harangued and denounced for not agreeing with the decisions that were made by this Nation's Government. I urge a new spirit of genuine cooperation, partnership, recognition of their legal and moral autonomy as they also decide whether to commit their own resources, their own citizens, the lives of their young men and women to the undertakings which we believe are important but we have no right to compel other nations to adopt.

Whether we felt one way or the other, viewed the situation one way or the other a year ago, the facts are, clearly, today we are committed to a country with 138,000 of our men and women who are risking their lives and demonstrating courage and patriotism to sustain that operation. We owe it to them. We owe it to the world and to ourselves and to future generations to now complete this undertaking in the ways that bring out the best of America, that showcase the best of America for the world. That is where our ultimate national security is going to derive, from continued military preeminence, absolutely. That in and of itself is not enough, as we learned on September 11. We need allies, friends, eyes, ears, intelligence all over the world. We need to establish in the eyes of nations that now misunderstand us and our way of life; we need to showcase as we have been doing the last 2 years in Afghanistan and as we must do now over the next 2 years in Iraq and Afghanistan, what it is about our way of life, our economy, our technological know-how, our compassion, our generosity, what it is about all Americans that makes us a people who have so much to offer the rest of our fellow citizens throughout this planet.

I urge the President and the Vice President and the administration to demonstrate the best qualities of America. If they do so, I believe what comes out of this undertaking will be one that we will all be able to live with, better off than we were for many decades to come. Conversely, a failure to do so will have catastrophic consequences for decades to come.

ADJOURNMENT UNTIL MONDAY, OCTOBER 20, 2003, AT 1:30 P.M.

The PRESIDING OFFICER. Under a previous order, the Senate stands in adjournment until 1:30 p.m., Monday, October 20, 2003.

Thereupon, the Senate, at 7:52 p.m; adjourned until Monday, October 20, 2003, at 1:30 p.m.

NOMINATIONS

Executive nomination received by the Senate October 17, 2003:

DEPARTMENT OF JUSTICE

JAMES B. COMEY, OF NEW YORK, TO BE DEPUTY ATTORNEY GENERAL, VICE LARRY D. THOMPSON, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 17, 2003:

DEPARTMENT OF COMMERCE

PETER LICHTENBAUM, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

EXECUTIVE OFFICE OF THE PRESIDENT

HARVEY S. ROSEN, OF NEW JERSEY, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

KRISTIN J. FORBES, OF MASSACHUSETTS, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

DEPARTMENT OF COMMERCE

JULIE L. MYERS, OF KANSAS, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

RECOGNIZING UNION FIRE ASSOCIATION OF LOWER MERION TOWNSHIP, PENNSYLVANIA ON THEIR 100TH ANNIVERSARY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

Mr. GERLACH. Mr. Speaker, I rise today to recognize members of the Union Fire Association on the 100th Anniversary of their company's founding.

Ever since its establishment 100 years ago, the Union Fire Association has been an important member of Lower Merion Township. As the community has grown and prospered over the years, so has the Fire Association which now is one of the finest and well-equipped in the region.

The volunteers of this fine company deserve all the support that we may offer. They serve selflessly and tirelessly in order to protect their fellow citizens and, in the times of uncertainty we face today, their heroics are immeasurable. They are citizens just like you and I—teachers, students, doctors, lawyers, electricians, engineers, police officers. The list goes on and on—all willing to make sacrifices to ensure public safety. Before a member of this Company even sets foot into their first fire, they must undergo hours of training and, once completed, the education continues with advanced classes to learn vehicle rescue, firefighter rescue, pump operations and so on. As a service to the community, they put on demonstrations that educate us on how to stay safe in emergency situations. They are an irreplaceable and integral part of our community, whether it is raising money for a cause, adding to the joy of a local parade or hosting meetings and social functions. Clearly, the members of the Union Fire Association have served proudly and I rise today to recognize their service over the past 100 years.

I ask my colleagues to join me today in recognizing the Union Fire Association on their 100th Anniversary and salute, admire and appreciate all the volunteers that have served this community for so many years.

RECOGNIZING MRS. CARMEN VEGA

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

Mr. PALLONE. Mr. Speaker, I rise today to praise the achievements of Mrs. Carmen Vega, a paradigm of expertise in social work and education. Assistant Principal to the Long Branch High School and Middle School, Mrs. Vega has demonstrated outstanding versatility in various roles of leadership and mentorship. She proves an honorable recipient of the Latino American Committee of Monmouth County Annual Award, not solely for her work in the Long Branch public school network, but for numerous other experiences in helping the counties of Monmouth and Ocean excel as dynamic and thriving communities.

A native of Mayaguez, Puerto Rico, Mrs. Vega was raised in Long Branch, where she earned a Master's degree in Latino bilingual/bi-cultural issues from Rutgers University. More recently, she completed a Masters of Arts in Urban Education, also from Rutgers University. Her academic accolades provided her the honor as a licensed clinical social worker in the State of New Jersey.

Mrs. Vega's experience in advocacy and counseling, coupled with the framework of the Monmouth County Division of Social Services under which she worked, provided her with the skills to transform the outlooks and goals of many psychiatric patients. She was an engaging coordinator of a pre-discharge transitional program at Marlboro Psychiatric Hospital in Monmouth County, as well as a counselor to individuals and families throughout Ocean County. Mrs. Vega never forgot the importance of helping the psychiatrically handicapped, giving importance to their families and their friends as well. With a diverse background such as this, it is no wonder that in 1997, the Monmouth County Urban League honored Mrs. Vega with the Individual Equal Opportunity Award.

Once again, Mr. Speaker, I wish to congratulate Mrs. Vega for her dedication to the Monmouth and Ocean county communities. She exemplifies the ideals and aspirations of many dedicated and charitable citizens, as well as youth across all cultures. I ask that my colleagues rise and join me in honoring the distinguished Mrs. Carmen Vega.

PERSONAL EXPLANATION

HON. MARY BONO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

Mrs. BONO. Mr. Speaker, due to a medical emergency in my family, I was unable to cast my vote for two very important pieces of legislation considered the week of October 6, 2003.

Had I been present, I would have voted for H.R. 2998 (rollcall No. 537), a bill to exempt certain members of the Armed Forces from the requirement to pay subsistence charges while hospitalized. I believe it is abhorrent that this practice has been allowed to continue for so long and am pleased the House has acted to amend this law. The least we can do for the brave men and women who were hospitalized because they served our nation and were wounded, is to not charge them for food.

In addition, I would also have voted for H.R. 2997 (rollcall No. 536), the ''Veterans Benefits Act.'' Amongst many other provisions, this bill makes permanent the eligibility of certain former members of the Selected Reserve for veterans' housing loans and provides that the remarriage of a surviving spouse of a veteran after age 55 should not bar the payment of veterans' dependency and indemnity compensation.

Also, on Wednesday, October 15, I was unable to show my support for H.R. 1828 (rollcall No. 543), the Syria Accountability and Lebanese Sovereignty Act. Holding these nations accountable for their actions will only ensure a more stable environment in the Middle East.

Again, I am pleased the House took such decisive action on all these bills and I look forward to them moving swiftly through the legislative process.

NATIONAL SCHOOL LUNCH WEEK

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to announce the 57th year of the National School Lunch Program, which is dedicated to the health and well being of our Nation's children. National School Lunch Week commenced on October 13 and will run until October 17th. The National School Lunch Program has been joined through the years by several excellent child-feeding programs, such as: School Breakfast, Food Stamp, Child and Adult Care, Emergency Food Assistance and Summer Nutrition Programs, among others, and there is definitely a need to continue these programs in order to inspire nutrition education and awareness in our children.

President Harry S. Truman signed the National School Lunch Act on June 4, 1946, which authorized the National School Lunch Program, which is the oldest and largest of child nutrition programs. The legislation came in response to claims that many American men had been rejected for World War II military service because of diet-related health problems. The Federally assisted meal program was established as ''a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities.'' To continue the spirit of the program, in 1998, Congress expanded the National School Lunch Program to include reimbursement for snacks served to children in after school educational and enrichment programs for children through the age of 18.

In this day and age, we are even more focused on providing nutritious, well-balanced, low-cost or free meals for our young boys and girls. The Program contributes to the development of healthy eating habits by providing the children with no more than 30 percent calories from fat, and less than 10 percent from saturated fat. All children can take advantage of this program, but if the child comes from a family with an income at or below 130 percent of the poverty level, that child is eligible for free meals. With about 57 percent of children

receiving free or reduced price lunches, the National School Lunch Program often times provides the most nutritious meal or the only meal that some children receive in a day.

We celebrate another year of this Program because it has helped combat the growing hunger and poverty levels among children in our country. According to the Food Research and Action Center, National School Lunch Program has grown from about 7.1 million children participating in 1947 to over 27.2 million in the 2001–2002 school year. The program operates in more than 99,800 public and non-profit private schools and residential childcare institutions, with over 187 billion lunches having been served.

National School Lunch Program is just one step in developing our children into the prosperous, successful individuals we want them to become. The Program's Team Nutrition Initiative focuses on teaching and motivating children to make food choices that enhance their energy, growth, and potential. In addition, the Program is vitally important to achieving our educational goals. Poorly fed children have more difficulty learning, are less attentive in class, and suffer more chronic problems, such as absenteeism and tardiness, than children who are properly nourished. By making nutritious meals available to all school children, the National School Lunch Program will help us ensure that we leave no child behind. According to the Food Research and Action Center, proper nutrition improves a child's behavior, school performance, and overall cognitive development. All in all, properly nourished children more actively participate in the education experience, which benefits them, their fellow students, and the entire school community. Studies have shown what we already have known—that healthy school meals play a critical and positive role in students' development and learning process. Unfortunately, we have a double-sided battle to fight, with regards to mal-nourishment and obesity. A peer-reviewed study conducted by academic researchers at the University of North Carolina, Chapel Hill, and the University of Tennessee, Knoxville, found that girls in food insecure households had a significantly lower risk of being overweight if they participated in the National School Lunch Program. The findings suggest that participation in these Federal child nutrition programs can combat our growing problems with obesity in children.

According to the U.S. Department of Agriculture, in 2000, 10.5 percent of all U.S. households, representing 20 million adults and 13 million children, were ''food insecure'' because of lack of resources. In 2001, Illinois reported 9.2 percent of households are food insecure, which represents 3,239,229 children under the age of 18. Thanks to the National School Lunch Program, there are over 4,446 schools participating in Illinois, with over 1,083,548 students that benefits from it. Specifically in Chicago Public Schools, over 350,000 students are registered in the Program.

If President Truman found this to be important to our national security in 1946, we should continue his vision in 2003 by continuing to support National School Lunches. As the Committee on Education and the Workforce, of which I serve, continues to examine this program during its reauthorization, I will continue to ensure that good nutrition is promoted among our children, thus helping them to become healthier, positive, citizens within our country.

RECOGNIZING REVEREND FELIX SANTANA

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

Mr. PALLONE. Mr. Speaker, I rise today in memory of the late Reverend Felix Santana, a man who has served his faith and community tirelessly throughout his life. On October 17, 2003, the Latino American Committee of Monmouth County will honor the Reverend with an award for his contributions as a role model and mentor for Latino youths.

Reverend Santana was born in Humacao, Puerto Rico on August 21, 1924. In 1948 he moved to northern Indiana where he worked in the steel industry for two years. When America became entrenched in the Korean War, Reverend Santana heroically served his county in the U.S. Army and was decorated with the United Nations Service Medal. After the war, and a productive career in design, the Reverend entered the Bangor Theological Seminary in Maine.

After completing his studies, Reverend Santana and his family settled down in Monmouth County, New Jersey. It was then that Reverend Santana established the first Hispanic Ministry in Asbury Park, New Jersey. In addition, he led similar efforts in Ossining, New York, Plainfield, and Jersey City, New Jersey. However, the Reverend's commitment did not end at his religious responsibilities. Reverend Santana made time to serve Hispanics and others in his community. He helped set up an anti-poverty agency called ''Checkmate, Inc'' as was actively involved with the Puerto Rican Civic Association and the freeholders of New Jersey.

Mr. Speaker, Reverend Santana believed in serving his community. The legacy that he has left behind will continue to serve those he has given so much of himself too. I ask that my colleagues rise and join me to honor this most respectable man, Reverend Felix Santana.

PENSION FUNDING EQUITY ACT OF 2003

SPEECH OF

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 2003

Mr. ANDREWS. Mr. Speaker, I rise today to express my support for H.R. 3108, the Pension Funding Equity Act of 2003, a bill that passed this body last week, but also to express my dismay that a non-controversial, bipartisan provision was stripped from that bill before this House had an opportunity to vote for it. It is my hope that this provision, which would stabilize small business defined benefit pension plans, can be included in any conference report that this House may be asked to consider this year.

The provision, known as Section 415, would have replaced the 30-year Treasury bond rate with a fixed interest rate of 5.5 percent for purposes of the maximum cap on benefits under Internal Revenue Code section 415. In the case of a small business defined benefit plan, the maximum cap on benefits can have an enormous impact on funding, due to the small number of participants. The 30-year Treasury bond rate that business must currently use to calculate funding is extremely volatile, leading to unpredictable funding requirements. For example, just last year between March and September (only 6 months), the 30-year rate fluctuated by almost a full percentage point—96 basis points—resulting in funding obligations for a benefit that varied by as much as $140,000. That may not be much to a large company, but it is significant to a small business.

The cost of this unpredictability is choking off capital investments, new hires, higher wages, or better health care. The requirement to use an obsolete standard is depriving our economy of desperately needed capital at a time when our businesses and our workers need it most.

The small business provision has bipartisan support both in the House and Senate, it has no impact on current rules for calculating lump sums for rank-and-file participants, and there does not appear to be any substantive objections to its inclusion. So I am dismayed that it would have been taken out of the larger, two year pension fix.

I trust that as this process moves forward—in conference if there is an opportunity—we will be able to reattach this important small business provision to the bill.

RECOGNIZING MR. DIMAS MONTALVO

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

Mr. PALLONE. Mr. Speaker, I rise today to laud the accomplishments of Dr. Dimas Montalvo, a longtime community activist. Mr. Montalvo is the founder of the Latino American Committee and a tremendous supporter of various Latino-related programs. Friends and neighbors refer to him as a hometown hero for his many accomplishments and his longstanding service to the Latino community.

In search of a better future, Mr. Montalvo left Puerto Rico for New Jersey in 1957. He settled in Long Branch in 1959 where he began working at the Fort Monmouth Army Base barbershop before opening his own shop in 1965. Following the opening of his business, Mr. Montalvo started attending classes in the hopes of earning his GED and improving his English skills.

In 1969 Mr. Montalvo's barbershop was relocated and another business, Montalvo's Rooming House, was established in conjunction with the shop. Currently, he is still running both businesses from the same location, which has become a site for community outreach. It is there that Mr. Montalvo counsels people from all walks of life with various questions, concerns and problems. Over the years, Mr. Montalvo has become very active in numerous community organizations, including the Monmouth Community Action Program and the Spanish Fraternity of Monmouth County.

In 1992 Mr. Montalvo was appointed Commissioner of the City of Long Branch Housing Authority, while also serving as a member of the Long Branch Health Advisory Board. Later he founded the Latino American Committee, on which he served as President for many years. The LAC is responsible for many great things, such as collecting funds to be used in scholarships for Latino students and organizing the Latino Chamber of Commerce of Monmouth County, which exclusively serves the needs of Latino merchants and professionals.

Once again, Mr. Speaker, I would like to congratulate Mr. Montalvo on his hard work and dedication to the Latino community. I would like to thank him for all that he has done and all those that he has helped through the years. I ask my colleagues to rise with me in honoring the distinguished Mr. Dimas Montalvo.

TRIBUTE TO ARMY SPECIALIST JOSHUA NEUSCHE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

Mr. SKELTON. Mr. Speaker, on October 26, 2003, a memorial service in honor of Army Specialist Joshua Neusche will be held at the Camden County Courthouse Square in Camdenton, Missouri. On this occasion, participants will dedicate a tree and marker on the courthouse lawn to the memory of one of our neighbors, a young man whose life was tragically cut short while he served his fellow Americans by wearing the uniform of a citizen soldier.

Spc. Josh Neusche of Montreal, Missouri, was a member of the Missouri Army National Guard's 203rd Engineer Battalion from Joplin. He deployed to Iraq with his unit in May 2003. During this deployment, Spc. Neusche became seriously ill and passed away on July 12, 2003.

By all accounts, he was an outstanding young man and a favorite among his friends. Josh graduated from Camdenton High School in 2002. A participant in a number of extracurricular activities, Josh played in the Laker Band and the Pep Band, ran for the award winning track and cross country teams, was elected 2002 Prom King, tutored children in the A+ Program, and volunteered with the Big Brothers and Big Sisters in Camdenton. He was a member of the Buffalo Prairie Baptist Church in Montreal, Missouri.

Prior to his Guard activation, Josh attended Southwest Missouri State University while holding a full-time job and finding time to volunteer at the Boys' Club in Springfield, Missouri. He inspired loyalty and affection from his friends, as evidenced by the fact that the members of his unit took up a collection after Josh became ill which allowed his family to visit him in the hospital in Germany.

In wartime, the very best young people our country produces are asked to risk and possibly lose their lives in order to advance our national interests. In peacetime, serving as an airman, sailor, soldier, or marine also requires a great deal of hard work and sacrifice. Whether in war or in peace, those sacrifices are particularly difficult for the service members' families.

We can only imagine the pain felt by Josh's family—particularly by his mother, Cindy, his father, Mark, and his brother, Jake—as they have been forced to deal with his untimely death and this sudden, unexpected loss. Our deepest sympathy goes out to his entire family and circle of friends.

Our nation owes a debt of gratitude to Spc. Neusche for his service to our country. We also owe more than we can ever repay to Josh's family, who raised this young man and instilled in him the values that enabled him to succeed as an American soldier. On behalf of my fellow Missourians and my fellow Americans, I thank the Neusche family for their selfless contribution and immeasurable sacrifice.

HONORING WWII VETERAN TONY VITKUS

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to take a moment to honor a veteran of World War II and a resident of Kenosha, Wisconsin, who is currently visiting our Nation's Capital for the first time in his life. His story is a remarkable one, and I'd like to share a few highlights with you.

Tony Vitkus served in the Marine Corps in the South Pacific from 1942 to 1945. He was a rear gunner in a Dauntless dive bomber and survived a crash in that airplane. That very plane is now on display at the Smithsonian's Air and Space Museum just a few blocks from here. This week, Mr. Vitkus went there and saw his aircraft.

Anyone familiar with the dangerous position of a rear gunner knows the immense risk that Mr. Vitkus took in serving his country in this capacity. And, as if this wasn't enough, he also served as plane captain of a Corsair fighter on the U.S.S. *Bennington.*

After the war, Tony Vitkus got married and raised six children while working in Kenosha as a milkman and later as a pool custodian. He has been an active member of the community, serving as an alderman and also on the Water Commission, and he stays active to this day.

It is because of Tony Vitkus and others like him that we prevailed in World War II. These courageous individuals and the military men and women who have followed in their footsteps are the reason we remain free to this day. We owe them our respect and gratitude for their service and many sacrifices for our country.

RECOGNIZING FATHER MIGUEL VIRELLA

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

Mr. PALLONE. Mr. Speaker, I rise today to acknowledge the accomplishments of Father Miguel Virella, a man dedicated to the advocacy of a solid educational foundation for the Latino youth. Father Miguel is being honored as a mentor and role model to the Latino Community's youth by the Latino American Committee of Monmouth County, Inc., for his positive influence and many contributions to the Latino community. In my mind there is no one more deserving to receive this award.

Through a strong family, Father Virella was taught that determination and compassion were imperative parts of living a devout life. His religious and academic journey was influenced by the teachings of his friends and family. It was his devotion to his faith that motivated him to pursue studies of a religious nature and eventually to join the priesthood.

In 1976 Father Miguel graduated from Juan Rios Serpas High School, in his hometown of Ciales, Puerto Rico. Soon after, he traveled to New Jersey with his family where he was introduced to the Religious Order of the Society of the Divine Word. His participation in this community led him to develop a deep interest in working with the poor and minorities of other countries. He could relate to the hardships endured by those who were starting a new life in America and his compassion for those in need compelled him to do all that he could to help.

In 1984, Father Miguel decided to continue his studies in Dubuque, Iowa at Divine Word College. Later, he enrolled at the University of Saint Louis, Missouri and was awarded a Bachelors degree in Sociology with a minor in Spanish. Father Miguel decided to continue his studies in Theology, for which he received a Masters degree in Divinity. He was ordained as a priest in the Society of the Divine Word shortly thereafter.

Following his ordination in 1995, Father Miguel was asked to minister at St. Anthony Claret parish in Lakewood, NJ where he remained for two years. Due to the large number of incoming Hispanic parishioners, he was later called to serve at St. Rose of Lima in Freehold. He remained there for four years serving as minister to his fellow Hispanics before moving to our Lady of Providence in Neptune, NJ, in January of 2001. Father Miguel still serves as the minister to that parish which is composed of over four hundred families.

Mr. Speaker, it is evident that Father Miguel Virella is an asset to the Hispanic community and should be lauded for his accomplishments. I ask that my colleagues rise up and join me in honoring this most respectable man, Father Miguel Virella.

HONORING DAN ECKSTROM FOR HIS PUBLIC SERVICE AND DEDICATION TO PIMA COUNTY

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

Mr. PASTOR. Mr. Speaker, I rise before you today to pay tribute to a man who has dedicated himself to public service and serves as a shining role model in our community. I speak none other than of Mr. Dan Eckstrom who recently retired from serving on the Pima County Board of Supervisors in Arizona.

Dan is a native of South Tucson and a 1965 graduate of Pueblo High School. In 1969, he graduated from the University of Arizona, where he earned a Bachelor of Arts in Government. In addition to his duties as County Supervisor, he has more than 30 years of progressive business management experience.

Currently, he is the principal owner of a management consulting firm that provides marketing and management services to a variety of businesses. He formerly served for more than eight years as Executive Vice President and Chief Administrative Officer with Ruiz Engineering Corporation/Maya Construction Company, where he was responsible for managing and directing business activities relating to corporate planning, finance and business development.

Dan has worked on more than 50 local, state, and national campaigns, both on a partisan and non-partisan basis. His first measurable involvement in a campaign was at the age of 13 when he successfully assisted a group of neighbors who were running for the South Tucson Town Council by preparing a campaign slogan and printed literature. In 1991, he was very instrumental in organizing the successful Pima County campaign which helped to elect Ed Pastor as the first Hispanic in the state to serve in Congress. In 1994, he served a key role in the campaign of Democratic gubernatorial nominee, Eddie Basha. He has also provided valuable leadership and guidance to area non-partisan voter awareness and educational projects sponsored by the Southwest Voter Registration Education Project and the Labor Council of Latin American Advancement (LCLAA), of which he is an associate member. He is currently a member of the National Association of the Latino Elected and Appointed Officials (NALEO).

Dan has earned numerous award and honors for his community service. In March 1996, he received the League of United Latin American Citizens (LULAC) National Presidential Citation and Community Service Award. In 1993, we were both presented with the prestigious Montemayor-Barraza Award which is the highest national honor given by the Labor Council for Latin American Advancement (LCLAA). In 1992, Dan was inducted into the Arizona Democratic Party Hall of Fame. In 1991, he received the Distinguished Citizen Award by the University of Arizona Alumni Association. In 1988, his service to the City of South Tucson was best acknowledged when the Mayor and City Council named the newly constructed municipal complex in his honor.

Dan has been married for more than 30 years to Mary Alice Rosales. They reside in South Tucson with their two children, Jennifer, age 26, and Daniel, age 22. The Eckstrom family is very active in the community. His wife served four terms as President of the League of Mexican American Women. His daughter, at the age of 18 was elected to the South Tucson City Council and has the distinction of being one of the youngest elected officials in the state. His son serves as a Neighborhood Reinvestment Coordinator for the City of South Tucson and was a participant in the National LULAC Youth Legislative Conference in Washington, D.C.

Mr. Speaker, I ask that you and my colleagues join me today in honoring Dan Eckstrom for all his hard work and dedication to the people of Pima County.

PAYING TRIBUTE TO WHIT EASTMAN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. McINNIS. Mr. Speaker, it is with a heavy heart that I rise before this body of Congress and this nation today to pay tribute to the life and memory of an outstanding citizen from my district. Whit Eastman of Gunnison, Colorado recently passed away at the age of sixty-seven. Whit was a kind, generous man who cared greatly about his community. As his family and friends mourn his passing, I would like to take this opportunity to remember Whit today.

A life-long resident of Gunnison, Whit had deep roots in the community. Whit has given much to his country and his community. He served a tour of duty in Korea during the Korean War. Upon returning home, he became the Financial Director for the City of Gunnison and, later, the President of the First National Bank. He actively strengthened the local Masonic Lodge, as well as serving as the President of the Rotary. Whit also served on the Western State College Foundation Board of Directors at his alma mater, Western State College.

Mr. Speaker, Whit Eastman was a beloved member of the Gunnison community, and he will be deeply missed. His love for life and dedication to his friends and neighbors touched many lives. While Whit has passed on, his legacy will continue to live. I am honored to join with my colleagues in honoring Whit here today. My condolences go out to Whit's family and friends during this difficult time.

IN HONOR OF WORLD POPULATION AWARENESS WEEK

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in order to call attention to the Population Institute's annual World Population Awareness Week, which wild focus on ''Water: Our Most Precious Resource.''

This event is one of great importance, and its topic, water, is one that demands immediate action. Currently, 1.2 million people worldwide lack healthy and abundant water. As a member of the world community, the United States has a commitment to aid our fellow human beings in obtaining their natural right to water. And, even more importantly, the United States has a commitment to itself, to ensure that no American will ever be without water. Many regions in America have a water supply that is strained beyond its capacity, leaving many Americans vulnerable to massive shortages of water.

Unfortunately, the water supply problems are only becoming more prevalent, as currently there is a trend to turn water into a commodity through the privatization of the supply. Multinational companies that contract to supply developing countries focus on profit, not access. Their use of cost recovery measures increases profits for these companies through the additions of annual fees on water, but force many people to go without the essential and natural right to water because of burdensome costs.

Mr. Speaker and colleagues, please join me in recognizing the importance of water to our world community and in recognizing the Population Institute's World Awareness Week.

RECOGNIZING EDWIN R. HILL FOR HIS 30 YEARS OF SERVICE AS EAST CALN TOWNSHIP MANAGER

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. GERLACH. Mr. Speaker, I rise today to recognize Edwin R. Hill for his 30 years of service as manager for East Caln Township in Chester County, Pennsylvania.

Edwin R. Hill has served as one of only two full-time employees for East Caln Township for over three decades, where he took on many duties under his title of Township Manager. With his retirement, Mr. Hill leaves behind a legacy any public official would be proud of, and East Caln Township will be hard-pressed to replace such a fine individual.

In addition to his position as Township Manager, Edwin R. Hill was a past President of the Pennsylvania State Association of Township Supervisors, a role and an honor in our state that truly illustrates his tremendous leadership abilities. Mr. Hill made it a point over the years to pass his tremendous knowledge and experience on to others. He was a part-time instructor for the Governor's Center Municipal Training Classes where he taught such courses as Road Masters Class, Commercial Drivers License Training and orientation courses for newly-elected officials. Mr. Hill also served on the Chester County Planning Commission, as well as various other local committees to resolve issues in municipal government.

Mr. Speaker, I ask my colleagues join me today in recognizing and honoring Edwin R. Hill for the hard work and dedication he has demonstrated over the years in making East Caln Township, Chester County and all of Pennsylvania a better place to live.

HONORING MAYOR ALFONSO GEREFFI

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. DEUTSCH. Mr. Speaker, I rise today to honor the life of Mr. Alfonso Gereffi, former mayor of Lauderdale Lakes, Florida. A distinguished leader and great Floridian, Mr. Gereffi was also a devoted husband, father, grandfather and great grandfather.

Mr. Gereffi moved to South Florida in the late 1960's from Pittsburgh and quickly took an active role in the community. An outspoken advocate, Mr. Gereffi served on the Lauderdale Lakes City Council for nearly three decades. He served as a City Council member from 1973 to 1980 and as Mayor from 1980 to

1998. Under his exemplary leadership, the City boasted a record low tax rate and had a $9 million surplus. In addition to fulfilling his civic duties, Mr. Gereffi devoted his efforts towards charitable works as well. Among his proudest accomplishments was helping to open the Alzheimer's Day Care Center in Lauderdale Lakes.

Mr. Speaker, I am honored to stand before you today in memory of a model citizen from South Florida. Mr. Gereffi devoted his energies to his family, friends, constituents and community at large. His greatest joy was in helping his fellow man and improving the quality of life for all in his city. He is survived by his daughters, a brother, four grandchildren, four great grandchildren, and several nieces and nephews.

PAYING TRIBUTE TO OTHELL BALLAGE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. McINNIS. Mr. Speaker, it is with solemn heart that I rise before you today to pay tribute to the memory of a remarkable citizen from my district. Othell Ballage of Pueblo, Colorado was a leader in his community and a friend to many. Sadly, he recently passed away at the age of 74. As his family and friends mourn his passing, I would like to remember Othell for his kind heart and generous spirit.

Othell was transferred to Pueblo by the U.S. Army and stationed at the Chemical Depot over thirty years ago. Having seen much of the world during his time in the Army, Othell decided Pueblo would be a good place to call home upon retiring from the service in 1975. It was then that Othell chose to realign his sights from national service to a more regional focus. After his days in the Army, accomplishing what would be considered a lifetime of achievements for most, Othell began to leave his mark on Pueblo. For the next twenty years, Othell pursued his goals in both higher education and public service. He received a Bachelor of Science degree in business administration from the University of Maryland in 1982 and went on to earn a Master's degree in management from Pacific Western University in 1996. Othell also worked as a counselor for the Colorado Job Training Program and served on numerous boards, including those of the NAACP and the Pueblo Human Rights Commission, as well as the Governor's Task Force on Drunk Driving.

Mr. Speaker, the city of Pueblo and its citizens have lost a truly outstanding citizen and friend. Even more impressive than his numerous contributions to the community was Othell's role as a loving husband, father, grandfather and great-grandfather. Othell was a remarkable citizen and he will certainly be missed. I am honored to pay tribute to his life here today.

HONORING OF UHHS BEDFORD MEDICAL CENTER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of UHHS Bedford Medical Center on the occasion of its 75th anniversary of service to the community. Originally no more than four beds on the second floor of a private home in Bedford, the hospital has grown through the years to keep pace with an expanding population and the demand for high quality accessible medical care.

UHHS Bedford Medical Center originally opened as the Bedford Municipal Hospital on November 29, 1928. The community strongly supported this hospital through passing 5 levies between 1943 and 1952. By 1956, the hospital was known as Bedford Community Hospital and boasted many new and modern departments and amenities. In 1962, the Joint Commission for the Accreditation of Healthcare Organizations accredited the hospital for the first time. The hospital continued to grow, adding a new wing and surgical facilities. In 1979, the name was changed to The Community Hospital of Bedford. It continued to expand and, by 1984, the hospital achieved its current capacity of 110 beds.

On November 30, 1993, the University Hospital Health System purchased the hospital, ushering in an era of rapid growth and innovation, adding a state of the art Outpatient Surgery Center and the Bretschneider Women's Unit offering enhanced obstetrics and gynecological services. Bedford Medical Center is continuing to grow: in 2001, adjoining land was purchased to augment Bedford Medical Center's current facilities.

Bedford Medical Center represents a model of collaboration and success evidenced by the relationships established between the Board of Trustees, the physicians and staff. Growth has been a key word in the hospital's history. A key to the hospital's growth is an unparalleled staff that focuses on keeping patients and the staff satisfied, well cared for, healthy and happy.

Mr. Speaker and colleagues, please join me in honor and recognition of Bedford Medical Center on its Diamond Anniversary of serving over 260,000 residents in Southeast Cuyahoga and Northern Portage and Summit Counties. In tribute to the hospital's rich tradition of commitment to the community, let us celebrate these last 75 years with motto—Generations of Caring. I hope that the Bedford Medical Center will continue to serve and care for its community for at least another 75 years.

A TRIBUTE TO TOM MOHR—SAN MATEO UNION HIGH SCHOOL DISTRICT SUPERINTENDENT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in paying tribute to a dedicated and distinguished public servant, San Mateo Union High School District Superintendent Tom Mohr, who recently announced his retirement. During a remarkable 43-year career in public education as a teacher, counselor, principal, district level administrator, and Superintendent in my district, Mr. Mohr has demonstrated a continuous and unwavering commitment to providing the best education possible for San Mateo County's youth.

After an exceptional career in the Jefferson School District in Daly City, he joined the San Mateo Union High School District in 1985 as an Assistant Superintendent, and was promoted to Superintendent in 1996. During a time of tremendous challenges in the field of education, Superintendent Mohr has never failed in his determination to provide a superior education for our students, while building first class institutions, and supporting a first-class professional staff.

The San Mateo Union High School District serves 8,300 students from six communities in my congressional district. It maintains seven high schools—Aragon, Burlingame, Capuchino, Hillsdale, Mills, Peninsula, and San Mateo. Five of the district schools have been recognized as National Blue Ribbon, or California Distinguished Schools.

Superintendent Mohr has been a strong leader in the district. His excellent communication skills have kept the community, staff, and students informed and involved, and have effectively reduced tensions between groups. His boundless energy has enabled him to excel in the many roles and demands placed on the Superintendency. Recently, under Mr. Mohr's outstanding leadership, the community passed a $137.5 million bond issue to modernize six of the district's schools.

His erudition and experience have led to his appointment to numerous community and professional task forces and advisory boards, which include the U.S. Naval Academy undergraduate selection committee, plus nearly 30 different school accreditation teams, the majority of which he has chaired. He has worked tirelessly to establish high academic standards, encouraging all students from diverse backgrounds to pursue excellence in all of their endeavors. He initiated an exemplary safety program for the students that was endorsed by law enforcement agencies, and built strong school-community partnerships that serve the needs of citizens of all ages.

Superintendent Mohr was honored in 1999 by the Mid-Peninsula Boys & Girls Club as its Citizen of the Year. In 2001 he was named Superintendent of the Year by the San Francisco and San Mateo County region of the Association of California School Administrators, and he is the City of San Mateo's Citizen of the Year for 2003. Upon his retirement in January 2004, Mr. Mohr plans to spend more time with his grandchildren and possibly to pursue advanced university studies. Such is his personal commitment to the value of education.

Mr. Speaker, Mr. Mohr's presence will be greatly missed in the boardroom and classrooms of the San Mateo Union High School District. His courage, intellect, integrity, and level of professionalism testify to the endless capabilities of this man and to the impact he will surely leave on the district. His legacy lives in the standards of excellence he has modeled for those who follow and in his unwavering commitment to the district's goals and programs. Mr. Mohr's efforts to better the education of San Mateo County's youth will serve as an inspiration to all of us. I urge my

colleagues to join me in wishing him enjoyment in his new pursuits during his well-earned retirement!

HONORING THE FLORIDA MARLINS

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. DEUTSCH. Mr. Speaker, I rise today to congratulate the Florida Marlins on winning the 2003 National League Pennant. On October 15th, they dismantled the Chicago Cubs in Game 7 of the National League Championship Series, completing a thrilled comeback in a series they once trailed three games to one. Even when down to their last few outs, the Marlins carne together and rallied back to earn the right to play on baseball's highest stage; the World Series.

It should be noted, Mr. Speaker, that at the beginning of the season the Florida Marlins were not expected to be a factor in the postseason. Underestimated, overlooked, and ignored, the Marlins proceeded through the dog days of summer and down the stretch with courage and grit, and finishing the season with the best record in Major League Baseball since May.

Led by 72-year-old manager Jack McKeon, who took over the team in May when it held a losing record, the Marlins have relied on their tenacious young pitching and powerful, fast-paced offense. Josh Beckett, 23, and Dontrelle Willis, 21, have battled with hitters all season and continue to dominate. The offense has been consistent all season with the speed of Juan Pierre, the power of Ivan ''Pudge'' Rodriguez, the youth and enthusiasm of Miguel Cabrera, and the experience of baseball veterans Mike Lowell and Jeff Conine. This group of young players and journeymen has come together and created a powerful unit to be reckoned with in the World Series.

An expansion team in 1993, the Marlins won their first pennant in 1997, beating the perennial power, the Atlanta Braves. They went on to the World Series where they defeated the Cleveland Indians in seven games. This year the Marlins were once again the wild card team and are creating the same sort of magic as they did in 1997. It is my hope that the Marlins will continue their winning tradition next week against the New York Yankees.

Mr. Speaker, It is an honor for a team to represent their league in the World series. I am thrilled at the success of the Florida Marlins and I know that they will do their best to bring a second World Series title to South Florida.

PAYING TRIBUTE TO ERSILIA CRUZ

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. MCINNIS. Mr. Speaker, I rise before you today to pay tribute to an outstanding citizen from my district. Ersilia Cruz of Pueblo, Colorado led the charge to revitalize her neighborhood after it had begun to deteriorate before her eyes. Her efforts have helped resuscitate the community and transform the area into a better place to live. I would like to take this opportunity to thank Ersilia for her hard work and congratulate her on her success.

Having lived in the neighborhood for more than fifty years, Ersilia has seen a great deal of change take place in her community, much of which has occurred over the course of the past nine years. Old run-down homes have been scrapped and replaced with new ones, the local school has reopened and a community center has been erected, all due to the hard work of citizens like Ersilia committed to revitalizing their community.

In addition to Ersilia's role in the revitalization of her community, she is also the mother of eight. She is a dedicated servant with numerous community action organizations and serves as a member of the local PTA, president of the neighborhood association, and a member of the Community Development Block Grant committee. For her efforts, Ersilia was recently awarded the 2003 NeighborWorks Dorothy Richardson Award, one of only ten people throughout the U.S. to receive this recognition.

Thanks to Ersilia's determination to revive her neighborhood, the Hyde Park community is again a family friendly region. Not only did she receive a national award, the city of Pueblo also acknowledged her dedication by naming one of the streets in her community Cruz Circle in her honor. It is my pleasure to recount Ersilia's efforts here today, and I would also like to thank her for her tireless work. I wish her all the best.

HONORING OF ARLENE A. RAK

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Arlene Rak, upon her retirement as president of the UHHS Bedford Medical Center. Ms. Rak retired on August 31, 2003, after a long and successful career in health care administration.

Arlene Rak brought to the University Hospitals Health System a wealth of experience and a hands-on background in delivering health care. Her career began in nursing, but she quickly moved to administrative roles in both the non-profit and for profit sectors. She has worked in hospital administration as well as with organizations such as the Voluntary Hospitals of America and Johnson & Johnson. She also worked as an independent consultant for many years, and developed new business ventures, alternate delivery systems and helped others to focus on strategic networking.

In 1985, Ms. Rak was recruited from her private consulting practice to develop the Integrated Health Systems management center at University Hospitals. In 1992, UH persuaded Ms. Rak to return to their fold, first as a strategy consultant, then as a director of elder care and home care. Since February 2, 1996, Ms. Rak has served as the President of the Bedford Medical Center. In this role, she has worked tirelessly to make the hospital a wonderful resource to the community it serves, and a key part of University Hospital's health care system.

Mr. Speaker and colleagues, please join me in recognizing Arlene Rak for her many years of service to the Bedford Medical Center and to University Hospitals. We wish her many blessings of peace, health and happiness throughout her retirement.

KEEPING WOMEN HEALTHY—BREAST CANCER SCREENING AND AWARENESS DAY

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. RODRIGUEZ. Mr. Speaker, this month the National Breast Cancer Awareness Month (NBCAM) Campaign celebrates nineteen years of educating women about breast cancer, especially the importance of detecting the disease in its earliest stages through screening mammography. Since its inception, the number of women obtaining mammograms has more than doubled.

Today, October 17, 2003, is National Mammography Day. Mammograms are one of the most important prevention tools for breast cancer with the ability to find a cancerous growth an average of 1.7 years before a woman can feel the lump. Any breast cancer survivor can tell you that even days can make a difference.

Unfortunately, women who have limited access to care are less likely to receive mammograms. This is why I am proud to be participating, along with the Alamo Breast Cancer Foundation (ABCF), Atascosa County Ministerial Alliance, Atascosa Health Center, Atascosa Interagency Council, Greater Pleasanton Hispanic Chamber of Commerce and South Texas Regional Medical Center in Jourdanton, as an honorary sponsor of ''Keeping Women Healthy,'' a breast cancer screening and awareness day in my district tomorrow, October 18, 2003.

I am proud of the efforts of the San Antonio Metropolitan Health District and the ABCF to purchase a mammography van to take their message to our neighborhoods. Recently, their dreams were realized as the Avon Foundation awarded them a $569,000 grant, which will allow them to purchase and operate a van throughout the greater San Antonio area. They are great advocates and work tirelessly to ensure that women in the San Antonio area have access to critical prevention and treatment services.

The fight against breast cancer is a long and hard one. In my home state of Texas, an estimated 13,700 cases of breast cancer will be detected in 2003. If breast cancer is detected early, however, a woman's chance of survival is improved by 95 percent. Nevertheless, together we have shown that we can make a difference. We must continue the fight against cancer. We only celebrate breast cancer prevention for one month, but by getting our voices heard and our message across, we can give millions a whole lifetime to celebrate.

PAYING TRIBUTE TO PALISADE SEVENTH-DAY ADVENTIST CHURCH

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress and this nation to pay tribute to a landmark institution from my district. The Palisade Seventh-Day Adventist Church of Palisade, Colorado has served its parishioners and our community for over a century. By working to promote a spirit of unity and cooperation, the church has shaped the Palisade community for the better. For dedication to serving its community, I am honored to pay tribute to the Palisade Seventh-Day Adventist Church here today.

Founded in 1903, the Palisade Seventh-Day Adventist Church has worked tirelessly to meet the needs of its parishioners and the community at large. Its work includes everything from holding a week-long Vacation Bible School in the summer to preparing individuals to serve on mission trips overseas. The church is dedicated to reaching out to all members of the community, seeking to serve everyone in need.

Mr. Speaker, the efforts of Palisade Seventh-Day Adventist Church to meet the needs of their community and foster a spirit of generosity are an inspiration. The Palisade Seventh-Day Adventist Church is an institution that many in the Palisade community turn to for guidance and encouragement in their daily lives. I am honored to join with my colleagues today in honoring the Palisade Seventh-Day Adventist Church for its tireless work and dedication to the community.

HONORING POLICE OFFICER CHARLES E. BENNING SR.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Police Officer Charles E. Benning, Sr., on the occasion of his retirement from the Cleveland Police Department. Charles E. Benning, Sr., has honorably and diligently carried out his oath to protect and serve the people of the City of Cleveland for the past twenty-three years.

Officer Benning is a life long resident of Cleveland, Ohio, educated in the Cleveland Public Schools and a graduate of John Hay High School. He attended Bowling Green State University, and was a founder of the Delta Epsilon Chapter of the Omega Psi Phi Fraternity there. Officer Benning is a dedicated member of St. James Lutheran Church, and is a member of Bible Study Group that provides male leadership to the church, the Men of St. James (M. O. S. T). He also sings with the Male Chorus.

Officer Benning began his Masonic Career in 1995 in William T. Boyd Lodge #79. He built a solid foundation in Masonry by serving in all seats preceding Worshipful Master. He is a member of Cuyahoga Chapter #36 Royal Arch Masons, Bezaleel Consistory #15, Scottish Rite Masons and El Hasa Temple #28 of the E.E.A.O.N.MS. On December 3, 2002, he was elected to Worshipful Master of William T. Boyd Lodge and has served the craft faithfully and to the best of his ability.

For the past twenty-three years in the Cleveland Police Department, Officer Benning served in Basic Patrol, in the 5th District Vice Unit, and the 5th District Strike Force. He was selected as one of nine Gang Detectives when the Department started the Youth/Gang Task Force, and during his tenure in this department has made many presentations at Universities, High Schools, and Middle Schools on gang and youth violence. He is the current President of the Ohio Chapter of the Midwest Gang Investigators Association. He is also a member of the Black Shield Police Association, and the Cleveland Police Patrolmen's Association.

Mr. Speaker and colleagues, please join me in honor, gratitude and recognition of Officer Charles E. Benning Sr., upon his retirement as a Police Officer with the Cleveland Police Department. His exceptional and courageous service on behalf of the citizens of Cleveland and beyond have served to lift the spirits and the lives of countless individuals, families within Cleveland and all along the North Coast. We wish Officer Benning, his wife Jean, mother, Katie Mae, and children Kevin, Jason, Derrick and Charles Jr. many blessings of peace, health and happiness throughout his retirement.

HONORING THE STATEWIDE HISPANIC CHAMBER OF COMMERCE OF NEW JERSEY

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the Statewide Hispanic Chamber of Commerce of New Jersey for its efforts in developing and advancing the role of Hispanics in small businesses, and in enhancing the interests of Hispanics throughout New Jersey. On Friday, October 17, 2003, the Statewide Hispanic Chamber of Commerce of New Jersey will hold its 13th Annual Convention and Expo at the Newark Airport Marriot Hotel in Newark, New Jersey.

The Statewide Hispanic Chamber of Commerce of New Jersey has contributed to the increase of business opportunities, prosperity and success for Hispanics throughout the state by forming new partnerships with Latin America, bringing products and jobs back to New Jersey, and creating further economic development and business opportunities throughout our region.

The Statewide Hispanic Chamber of Commerce of New Jersey has been serving as an advocate for Hispanic small businesses in the political process since its inception in 1989, successfully bringing the issues and concerns of Hispanic-owned businesses to the forefront of the local and national economic agenda.

As the Hispanic market continues to represent the fastest growing economic sector in the United States, events, such as The Statewide Hispanic Chamber of Commerce of New Jersey 13th Annual Convention and Expo, benefit the general business community, government agencies and Hispanic entrepreneurs, while providing networking opportunities.

Today, I ask my colleagues to join me in honoring the Statewide Hispanic Chamber of Commerce of New Jersey for playing a critical role in the success of Hispanic businesses throughout New Jersey.

PAYING TRIBUTE TO FLO GALLEGOS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. McINNIS. Mr. Speaker, I rise today before this body of Congress and this nation today to pay tribute to an outstanding citizen from my district. Flo Gallegos of Arboles, Colorado has played an instrumental role in the recent renovations and rededication of the Saint Francis of Assisi Mission Church in Arboles. For her hard work and dedication, I am honored to pay tribute to Flo here today.

The Saint Francis of Assisi Mission Church, built in the early twentieth century, desperately needed renovation: the roof needed replacing, the exterior needed refurbishing, and the interior needed fixing up. Flo spearheaded the effort to get funds, volunteers, and artisans to do the work. She saw a need in her community and refused to sit by or to give up before that need was filled. When times got tough, Flo refused to give in, and she got the job done. The renovations Flo worked so hard to secure were finally achieved this year, and the church was recently rededicated.

Mr. Speaker, the determination and hard work of Flo Gallegos are truly inspirational. She displayed tremendous focus and fortitude in her quest to see that the renovation of the Saint Francis of Assisi Mission Church went forward. For her resolve and dedication, I am honored to join with my colleagues in paying tribute to Flo here today.

HONORING THE SCHOOL OF UKRAINIAN STUDIES, CLEVELAND, OHIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the School of Ukrainian Studies on the occasion of its 50th Anniversary serving students in the Ukrainian community of Cleveland, Ohio.

The School of Ukrainian Studies was established fifty years ago to ensure that the Ukrainian youth in Cleveland would retain the full glory of their language, culture, and community in the United States. The Ukrainian School has succeeded in keeping together a vibrant and cohesive community of Ukrainian-Americans by teaching its students in the language of their mother country, and bringing to the students the traditional dress and cultural awareness of the Ukraine. cam.

The School of Ukrainian Studies will celebrate its 50th Anniversary by holding a banquet resplendent with traditional foods from the Ukraine, and presenting a performance in

which all of its students will participate to demonstrate the knowledge, skills and traditions they have learned during their years of study at the School.

Mr. Speaker, I ask that my colleagues rise with me today in celebration of the commemorative banquet celebrating the 50th Anniversary of the School of Ukrainian Studies. Many young persons have surely benefited from the work of this wonderful school, and our community has benefited from its efforts to keep the language and tradition of the Ukraine alive in the United States. Let us honor this distinguished school and let us wish them 50 more years of fantastic service to our population.

PAYING TRIBUTE TO BILL HARPEL

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I rise before you today to pay tribute to the memory of a wonderful citizen from my district. Bill Harpel of Pueblo, Colorado recently passed away at the young age of 40 after a hard-fought battle with leukemia. As Bill's family and friends mourn his passing, I would like to recognize his life before this body of Congress and this nation.

Bill will always be remembered as a staple of the Pueblo theater community. A kind and caring family man at home, Bill was a highly respected professional on stage. Bill was a Pueblo native and studied acting at the University of Southern Colorado. He had an amazing passion for the theater and devoted his time to his acting. Bill spent most of his time in the theater on stage, but also could be found directing several productions. Bill served as President of the ''Impossible Players,'' a local theater company. He was recently awarded the Lifetime Service Award for 2003 by the organization. Away from the theater, Bill was known as a loving husband and a proud father of two.

Mr. Speaker, there is no doubt that the Pueblo theater community lost one of its most prominent members this past September, and the City of Pueblo has lost a remarkable citizen. Bill Harpel's memory will live on in the hearts of his friends and family. He will certainly be missed.

HONORING MOTHER TERESA

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. HOEKSTRA. Mr. Speaker, I rise today to honor Mother Teresa, a beloved humanitarian revered throughout the world for her charity toward the poor and afflicted.

Mother Teresa, who died on September 5, 1997, at 87 years old in her Missionaries of Charity home in central Calcutta, India, was truly a spiritual guide whom we admire and respect for her uncompromising generosity. Her impact was felt by millions worldwide, and she made all those she touched view the world with a kinder and gentler eye.

A Roman Catholic nun and missionary, she served impoverished people unselfishly, never asking for anything in return. She firmly believed that the poorest of the poor required self-esteem and hope to escape poverty, and she devoted her life to providing it one person at a time until the day that she died.

She was rightfully awarded a Nobel Peace Prize in 1979 following a lifetime of reaching out to the needy, the suffering and the dying. Her efforts have inspired generations to contribute to the well-being of humanity in both large and small ways.

Mr. Speaker, I offer these remarks to honor the beatification of Mother Teresa by Pope John Paul II on October 19, 2003, in Rome. Her tireless, inspirational work is missed, but her legacy will live on for eternity.

RECOGNIZING THE 150TH ANNIVERSARY OF THE VILLAGE OF NEWARK

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. WALSH. Mr. Speaker, I rise today in recognition of the Village of Newark's Sesquicentennial Anniversary. Incorporated on July 21, 1853, the Village of Newark along the Erie Canal in Wayne County, New York is 150 years old this year, and a host of celebratory events are planned to recognize this milestone this month.

Newark is the only village in Wayne County, New York established as a result of the building of the Erie Canal. Begun in 1817, canal construction crossed the bountiful farmlands of Wayne County, where land was cheap but virtually inaccessible overland or by natural waterways.

In 1820, Joseph Miller received the contract to construct a mile and a quarter of the canal through what is today the Town of Arcadia. In addition to constructing the waterway, Miller purchased some 100 acres for the establishment of a canal side village, plotting streets and dividing parcels into building lots.

The Village of Newark grew into a busy merchant port along the canal, and served as a gateway to markets for Wayne County farmers. Newark has a strong history as being the founding home to many well-known business entities, including Sarah Coventry Jewelry, the Jackson & Perkins Company, and Ultralife Batteries. Today, Newark remains a commercial center for the region and is Wayne County's most populated urban center.

On behalf of the people of New York's 25th Congressional District, it is my honor to recognize and congratulate the residents of Newark on the Village's 150th Anniversary.

PAYING TRIBUTE TO JOAN RICHARDSON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. McINNIS. Mr. Speaker, I rise before you today to pay tribute to a wonderful citizen from my district. ''Grandma Joan'' Richardson of Grand Junction, Colorado volunteers her time to help area students in the classroom, providing them with a helping hand and teaching them how to read. Joan is a valued citizen of the Grand Junction community, and I am honored to stand before this body of Congress and this nation today to honor her altruistic virtues.

Twice a week, for two and a half hours at a time, Joan devotes her time in an area that she is quite familiar with: the classroom. Having retired from her career as a high school and middle school teacher, Joan has felt the urge to continue to contribute toward the education of local children. The students benefit from having an additional teacher in the classroom a few days per week, while Joan is able to share her valuable skills as a teacher. Joan began helping out on a part time basis when her grandson began school over five years ago. Today she continues to donate her time, helping schools in the Mesa Valley School District.

By making the educational process both interesting and fun for the students, Joan is instilling learning habits that will benefit them for their entire lives. Thanks for your dedication to our youth Joan. I wish you all the best in your retirement.

PERSONAL EXPLANATION

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. SAXTON. Mr. Speaker, I rise today to provide an explanation for the votes I missed on October 15 and 16, 2003. Due to a Congressional fact-finding trip to Iraq and other parts of the Middle East, I unfortunately missed several votes on the floor of the House on the evening of October 15. Additionally, I missed votes on October 16 because I had to attend a conference regarding information technology at the Department of Defense, an issue over which my Subcommittee on Terrorism and Unconventional Threats and Capabilities has sole jurisdiction.

Had I been present, I would have voted in the following fashion:

Rollcall vote 540: ''Aye'' (H.R. 6, On motion to instruct Conferees on the Energy Conservation, Research, and Development).

Rollcall vote 541: ''No'' (H.R. 1308, On motion to instruct Conferees on the Tax Relief, Simplification, and Equity Act).

Rollcall vote 542: ''No'' (H.R. 1, On motion to instruct Conferees on the Medicare Prescription Drug and Modernization Act).

Rollcall vote 543: ''Aye'' (H.R. 1828, On motion to suspend the rules and pass the Syria Accountability and Lebanese Restoration Act of 2003).

Rollcall vote 544: ''Aye'' (H. Res. 396, On ordering the previous question for providing for the Consideration of H.R. 3289: Emergency Supplemental Appropriations for Defense and for the Reconstruction of Iraq and Afghanistan for Fiscal Year 2004).

Rollcall vote 545: ''Aye'' (H. Res. 198, On agreeing to the resolution as amended which expressed the sense of the House of Representatives that France, Germany, and Russia, can initially best contribute to the reconstruction of Iraq by forgiveness of outstanding debt).

I would like to also note, that I am a cosponsor and strong supporter of the Syria Accountability and Lebanese Restoration Act of

2003 (H.R. 1828) because it holds Syria accountable for the serious international security problems it has caused in the Middle East. Specifically, H.R. 1828 calls on Syria to halt its support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, and cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq.

Knowing the importance of this bill, I have been a long-time supporter of H.R. 1828. As such, I would have voted in favor of its passage and will continue to work to ensure it is signed into law as soon as possible.

MOURNING THE LOSS OF STEPHEN WYATT

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. HALL. Mr. Speaker, the grim realities of the war in Iraq came home to the Fourth District this week with the death of Private First Class Stephen E. Wyatt, 19, of Kilgore, Texas. Stephen died on October 13 in Balad, Iraq, in support of Operation Iraqi Freedom. He was in a convoy that was hit by an improvised explosive device and small arms fire. He was assigned to C Battery, 1st Battalion, 17th Field Artillery Regiment, Fort Sill, Oklahoma and had been in Iraq since April.

Stephen enlisted in the Army on his 18th birthday, having expressed his desire to join the military at an early age. He looked forward to the opportunity to serve his country, to travel and broaden his horizons, and to pursue a higher education degree through the Army. Stephen was a 2002 graduate of Kilgore High School, where his teachers described him as hard working, determined, and likeable. He returned to his high school for a visit in the spring before being deployed to Iraq. While there, he spoke to a government class about how well he liked the military, and he encouraged students to sign up if they were interested.

Stephen was described as an avid outdoorsman who loved hunting and fishing. His ultimate goal would have been to pursue his interest in wildlife preservation. Those aspirations ended on October 13 on the battle front in Iraq.

Our prayers go out to his family and friends. His wife, Kelly Wyatt, is a service member stationed in Hawaii. They were married on Thanksgiving, 2002. His father, Charles Wyatt, and stepmother Lilmah reside in Kilgore. His mother is deceased. Friends and residents of Kilgore responded to his death with an outpouring of sympathy. Mayor Joe Parker signed a proclamation honoring Stephen, asking that flags in Kilgore be flown at half-staff for a week.

Stephen's death is a tragic loss to his family and friends—and to all of us who mourn the loss of one so young who gave his life in defense of our Nation. We owe a debt of gratitude that can never be repaid to Stephen and all those who have made the ultimate sacrifice, generation after generation, in defense of the freedoms that we enjoy today. Without their service, and their willingness to place themselves in the line of fire, America would not be the great Nation that we know today.

Mr. Speaker, as we adjourn today in the House of Representatives, let us do so by honoring Stephen E. Wyatt and extending our deepest condolences to his family and friends. America is free today because of the sacrifices of such young American heroes. Stephen Wyatt is one of those heroes, and we will never forget him.

PAYING TRIBUTE TO THE BARBARA DAVIS CENTER FOR CHILDHOOD DIABETES

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress and this nation today to pay tribute to an outstanding organization. The Barbara Davis Center for Childhood Diabetes at the University of Colorado Health Sciences Center, Fitzsimons Campus in Denver, Colorado provides care and support for children with Type I diabetes and their families. For their diligent work and extraordinary commitment to excellence, I wish to pay tribute to the Barbara Davis Center for Childhood Diabetes here today.

Since 1980, the Davis Center has worked tirelessly to meet the needs of countless children throughout Colorado and the world who suffer from Type I, or Childhood On-Set, diabetes. The Center's clinics have received worldwide recognition for their care of those affected by this debilitating disease. In addition, the Center is a first-class teaching and research facility on the forefront of the investigation into the cause, treatment, and elimination of diabetes.

Mr. Speaker, the Barbara Davis Center for Childhood Diabetes is relentless in its efforts to treat children with diabetes, support their families, and find ways to prevent this devastating disease. For many years, the Center has proudly served the children of Colorado, our nation, and the world. The workers at the center have dedicated themselves to bettering the lives of those affected by diabetes. They are true heroes and I am honored to recognize their work here today.

PERSONAL EXPLANATION

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. BALLENGER. Mr. Speaker, on October 15, I inadvertently did not vote on rollcall vote 543, the Syria Accountability and Lebanese Sovereignty Restoration Act (H.R. 1828). I supported this amendment.

HONORING WILLIAM DANIEL BROWN

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Ms. BERKLEY. Mr. Speaker, on October 12, 2003, Nevada lost a friend and our nation lost a true patriot, when the Silver State's oldest veteran, William Daniel Brown passed away at 109 years old. Mr. Brown lived a long, rich life filled with many unique experiences. I had the pleasure to meet this wonderful, mild man and to watch as he was honored for his bravery on the battlefield in the First World War.

A grandson of slaves, Willie was born in a log cabin on August 23, 1894 in Cuero, Texas. He grew up in rural America, ate only what he and his family planted and harvested, attended school in a one-room school house, and learned at a young age what it meant to work hard. In 1918, Mr. Brown, a man of peace, left Texas when President Wilson called on him to serve his country in World War I. Upon his arrival in France, he fought with other black soldiers under French units because the United States Army was still segregated. ''I was assigned to repair barbed wire. I'd fix it at night, and the Germans would shoot it up during the day and I'd go back at night and fix it again,'' he recalled.

After the war, Willie, as his friends called him, returned to Cuero and made a living doing odd jobs around town. In 1935, he married Louise and they moved to California to start anew life together. In California, he worked in an old soldier's home for $5 a day, but found better work hauling freight for the Pacific Motor Trucking Co. until he retired. After the loss of his first wife, he married again in 1960 and enjoyed a happy life with his second wife Lucille, until her death in 1980. Although he never had children of his own, he was surrounded by the love and loyalty of his 30 nieces and nephews throughout his life.

Thirty years ago, Willie moved to Las Vegas, where his niece, Jennie Jefferson, cared for him. Even after he had surpassed the century mark, Willie continued to be active in the Las Vegas community and attended the New Jerusalem Baptist Church. As Nevada's oldest veteran, he took pride riding in parades and participating in the Veterans of Foreign Wars organization.

On the 80th anniversary of the armistice, Willie was overlooked by the French government when it awarded the Legion of Honor—its highest national award—to 900 American World War I veterans who fought on French soil. After I was made aware of this by the Veterans of Foreign Wars, I worked with the French government to ensure that William Brown's service was recognized. On his 107th birthday in 2001, I was truly honored to stand with the Nellis Air Force Base Honor Guard and several Nevada veterans when the French Consul General named Mr. Brown the Chevalier of the National Order of the Legion of Honor.

On the day before Mr. Brown was awarded the medal, I spoke with him and asked if there was anything that he wanted to do that he had not done already. He replied without hesitation that he wanted to meet President Clinton. Coincidentally, Bill Clinton was visiting Las Vegas on that day and I called the Las Vegas Sun Publisher, Brian Greenspun, who called President Clinton. Without hesitation, President Clinton invited William to his hotel so that he could personally thank him for his service to our country.

The day before Mr. Brown's death, he received a U.S. Presidential Citation from President Bush for his longevity and his wartime service during World War I.

Mr. Brown lived a long and fruitful life despite facing many challenges. He had said of

prejudice, ''In my life I never cared about a person's nationality, the color of their skin or anything else because we are all God's people.'' He was a man of faith and lived his life one day at a time. He will be remembered as an extraordinary man who was treasured by his family, veterans, and the Las Vegas community.

PAYING TRIBUTE TO EVA BACA ELEMENTARY SCHOOL

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. McINNIS. Mr. Speaker, I rise before you today to pay tribute to an outstanding elementary school from my district. Eva Baca Elementary School in Pueblo, Colorado recently received national recognition as an award winning ''Blue Ribbon'' school under the ''No Child Left Behind'' initiative. It is a privilege to stand here and recognize the amazing accomplishments of this terrific school and pay tribute to its success before this body of Congress and this nation today.

Thanks to the hard work of everyone from administrators to students, Eva Baca Elementary has dramatically improved its performance ratings. By focusing on individual student achievement, the school targets kids beginning to show signs of difficulty with their studies and provides them with the extra help they need to succeed. Helping children excel in learning requires a tremendous amount of effort from the school's staff and a high level of participation on the part of the parents. Overall test scores at Eva Baca Elementary are in the top ten percent of the state, making it one of the top performing schools in the nation. National recognition by the ''Blue Ribbon'' program signifies Eva Baca Elementary School as one of Colorado's best.

Mr. Speaker, I am proud to stand before this body of Congress and this great nation to recognize the accomplishments of Eva Baca Elementary School. They provide a shining example for the educational system in Colorado. Keep up the good work.

HONORING PAUL C. LAUTERBUR ON HIS RECEIPT OF THE 2003 NOBEL PRIZE IN MEDICINE

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. BISHOP of New York. Mr. Speaker, I rise today to honor Dr. Paul C. Lauterbur, who was recently awarded the 2003 Nobel prize in medicine for his groundbreaking research in magnetic resonance imaging (MRI). Dr. Lauterbur conducted his work on MRI technique during his tenure at the State University of New York at Stony Brook, which is located in the First Congressional District of New York. His research was a revolutionary contribution to the field of medicine, and has since enhanced the lives of millions of patients suffering from devastating illnesses in the United States and around the world.

The development of MRI represents a breakthrough in medical diagnostics and research, which has led to improved treatment and better health for millions of patients. MRI is a medical diagnostic technique that can create thin-section images of any part of the body, including the heart, arteries, and veins, from any angle in a relatively short period of time. Given the level of detail MRI can provide a physician on a patient's anatomy and condition, its use has dramatically improved accuracy in medical diagnostics and has become an indispensable tool in medical research. The technique has proven especially useful for detailed study of the brain and spinal cord. Perhaps the most important contribution of MRI to medicine is that it has, in many cases, replaced the need for patients to undergo invasive surgery for diagnosing illnesses.

It was Dr. Lauterbur's research in the area of nuclear magnetic resonance (NMR) that aided the development of modern MRI. Dr. Lauterbur was the first researcher to use NMR, a process in which molecules are entrained in a strong magnetic field and zapped with radio waves, to produce an image and apply it to the field of medicine. In doing so, he introduced gradients to the magnetic field, which, he discovered, made it possible to create two-dimensional images of structures that could not be visualized by other techniques. Among the first images that Dr. Lauterbur made through NMR was of a clam and two test tubes of heavy water in a beaker of ordinary water. In 1971, the doctor realized that his idea could be used for producing medical images and, in 1973, his findings on the technique were published. Dr. Lauterbur's work led to the development of the MRI scanner, and has been called the most significant medical diagnostic study of the 20th century.

Dr. Lauterbur spent 22 years at Stony Brook before joining the University of Illinois faculty in 1985. He earned a bachelor's degree in chemistry in 1951 from the Case Institute of Technology in Cleveland, Ohio, and a doctorate in chemistry in 1962 from the University of Pittsburgh. Dr. Lauterbur's other achievements include the National Academy of Sciences Award for Chemistry in Service to Society (2001); the Kyoto Prize from the Inamon Foundation of Japan for lifelong research accomplishments in advanced chemistry (1994); and the National Medal of Science (1987).

Mr. Speaker, the development of MRI has spared millions of patients the physical discomfort and risk associated with the surgical diagnosis of disease. Last year, 22,000 MRI cameras were in use worldwide, and more than 60 million scans were performed. Clearly, without Dr. Lauterbur's groundbreaking work, modern MRI might not be in existence today. Every patient who has been spared surgery and accurately diagnosed through the use of MRI has Dr. Lauterbur to thank. I am proud that Dr. Lauterbur conducted this important work at Stony Brook and I commend him for his invaluable contribution to medicine and humanity.

HONORING THE LATE TONY GARCIA, JR.

HON. JIM DAVIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. DAVIS of Florida. Mr. Speaker, I rise in honor of the late Tony Garcia, Jr., longtime community leader and executive director of the Tampa United Service Organization (USO). His dedication to America's servicemen and -women and his hometown of Tampa is an inspiration to us all.

A veteran of World War II and the Korean War, Tony worked for the Tampa USO for 35 years, ensuring that military personnel had a pleasant stay while in Tampa. In the 50's and 60's, he was known for bringing in celebrities to perform at Christmas shows for the men and women of our armed services that were unable to go home for the holidays.

Tony was also known for his remarkably selfless and never ceasing service to the community. As a board member of the West Tampa Chamber of Commerce; he crusaded for improvements in the area, day after day. He was also active in the Tampa Urban League, the Optimist Club, the Sertoma Club, and the Hillsborough Education Foundation. Tony was continually organizing fundraisers and events. A friend referred to him as ''a unique blend of humility and charity,'' and his service to the Tampa Bay area was exactly that. He used his personal gifts to bring people together, making our community stronger.

On behalf of the Tampa Bay community, I would like to extend my deepest sympathies to Tony's family—his wife of 58 years, Blanche, a son, two siblings, two grandchildren, and one great grandchild. They have been truly blessed by having such a caring person in their lives, as we all have. The Tampa community will always remember Tony's bountiful dedication and generosity.

PAYING TRIBUTE TO CARI SUE MICHAELS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress and this nation today to pay tribute to a remarkable citizen from my district. Cari Sue Michaels of Durango, Colorado has shown tremendous courage in the face of a devastating disease. For her courage and unconquerable spirit, I am honored to pay tribute to Cari here today.

In January of 2003, Cari began her courageous battle against ovarian cancer and underwent surgery to remove a tumor on her ovary. Shortly thereafter, Cari learned that she suffered from a very rare and difficult to treat form of cancer. She underwent radiation and chemotherapy, but they appeared to do little to fight the cancer. Despite the battle that lay before her, Cari refused to give up. She has remained committed to fighting every day and living her life to the fullest.

Mr. Speaker, Cari Sue Michaels' unconquerable spirit and courage are an inspiration to us all. Through difficult and trying times, she has maintained her positive attitude and has refused to give in to the disease that she battles every day. I know that Cari's fight is far from over, and I am honored to join with my colleagues here today in recognizing her courage in continuing her fight.

IN HONOR OF DR. TOMÁS A. ARCINIEGA

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. BECERRA. Mr. Speaker, it is with utmost pleasure and privilege that I rise today to recognize and pay tribute to Dr. Tomás Arciniega, President of California State University Bakersfield. Dr. Arciniega has been a champion of higher education, a trailblazer who has opened doors for countless underrepresented students, and a good friend. After 30 years with the California State University system, this exceptional teacher and administrator will complete his service at CSU Bakersfield, retiring soon after the commencement of the Class of 2004. Recognizing that his career has been both distinguished and memorable, the Hispanic Association of Colleges and Universities will honor him tonight in its first ever Roast and Fundraiser, which will support a scholarship in Dr. Arciniega's name.

Growing up in the projects of El Paso, Texas, Tomás learned his strong work ethic and core values from his parents, Tomás and Judith Arciniega. In tenth grade, he met his future wife, Concha, and together they became an indivisible team, blessed with a true partnership, friendship and love. Tomás and Concha are now the proud parents of four daughters (Wendy, Lisa, Judy and Laura) and seven grandchildren (Nico, Melina, Vanessa, Natalie, Jakob, Lukas and Benjamin). Family has always been the top priority for Tomás and Concha, who relish their regular road-trips to San Diego, Albuquerque and Phoenix to ensure their active and valuable role in the lives of their grandchildren.

The first in his family to attend college, Tomás's successes in his early years demonstrate his commitment to learning, competing, and serving. He earned his bachelor's degree from New Mexico State University in teacher education. He holds a master's and doctorate in educational administration—both completed at the University of New Mexico. And his pursuit of education has taken him east to Harvard where he attended the Institute for Educational Management program for senior university executives.

A well-rounded scholar athlete, Tomás played football and baseball throughout high school and received a football scholarship to New Mexico State University. He even played catcher in baseball's minor leagues on a farm team for the Pittsburgh Pirates.

Tomás proudly served his country, first as an officer in the United States Army, and later as a foreign officer for the U.S. Department of State, where he was responsible for the coordination and contracting of technical support services in health and education in the Dominican Republic. Tomás continued his work overseas in Colombia, on behalf of UNM, as a principal advisor in school administration and higher education to the Colombian Ministry of Education.

Tomás's educational career has always combined his passion for students with his commitment to making a difference as an administrator. His career has taken him from the Las Cruces Independent School District's hall of administration, to teaching at the intermediate and high school levels in Albuquerque, New Mexico, and then on to the University of Texas, El Paso where he served as an associate professor of educational administration and assistant dean. From there, he was named the dean of the School of Education and professor of educational administration at San Diego State University.

The California State University system recognized Tomás's achievements by appointing him vice president for academic affairs and professor of educational administration at California State University, Fresno. In that capacity, Tomás accomplished significant changes including the reorganization of the academic budget management system, increasing the level of outside grant activities, revising the system for tenure and promotion of faculty, reorganizing the School of Social Work and Health Services, and initiating and implementing major affirmative action initiatives in academic affairs.

For the last 20 years, Tomás has served as the president and a professor of education at California State University, Bakersfield. During his tenure, CSUB has grown dramatically as demonstrated by the institution achieving university status and record enrollment gains. CSUB has enjoyed increased funding for research and training, as well as major capital outlay projects, including an athletics activities center, a new library, a Child Care Center, an outdoor amphitheatre, a student union, and the Business Development Center. Tomás has been central to the fundamental redefinition of CSUB's institutional mission to achieve a closer nexus between CSUB and its regional community, resulting in the community's generous support for and coordination with the university. Furthermore, Tomás has demonstrated true leadership in promoting educational equity and access to a quality higher education for the region's diverse population, thus, helping to dramatically increase the enrollments of minority and women students and the hiring of ethnic minorities and women at the faculty, staff and administration levels.

Mr. Speaker, as family, friends, and colleagues gather to roast and pay tribute to Tomás's many accomplishments, it is with great admiration and pride that I ask my colleagues to join me today in saluting this truly remarkable example of the American dream. Tomás is a fortunate man who can retire with the knowledge that he made a difference fighting his entire life to improve education for all students, but even more importantly, he did so while also maintaining a sincere commitment to loving and supporting his family. Tomás sent his own children off to school every morning with the simple, yet profound, message to ''just remember you're the greatest!'' And he worked hard every day to provide those same opportunities for all children to believe in themselves, dream big and obtain a first-rate education. As Tomás closes this chapter of his distinguished career, I would like to say ''thank you'' on behalf of the students, teachers and families whose lives he has changed by opening doors, leading by example and always holding firm to his convictions. His countless contributions will be felt for generations to come.

ANNUAL SIKH CONVENTION LAYS PLANS FOR EXPANDING STRUGGLE FOR FREEDOM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. TOWNS. Mr. Speaker, the International Sikh Organization held its annual convention on the weekend of October 10–11–12, 2003 in Houston. The convention laid plans for the expansion of the movement to free Khalistan, the Sikh homeland that declared its independence on October 7, 1987.

The convention was attended by many delegates from all around the United States and Canada. They made plans to expand their office in Washington, which has been an invaluable resource to us here in Congress in getting out information about the oppression of the Sikhs and other minorities by the Indian government. This is good to see. The glow of freedom still burns brightly in the hearts of these Sikh leaders.

The delegates also congratulated Dr. Gurmit Singh Aulakh, President of the International Sikh Organization and the Council of Khalistan, for his tireless work in support of the interests of Sikhs in this country and the cause of freedom for Khalistan. I can say from my personal experience that Dr. Aulakh has worked for that cause with great dedication for several years and he has provided a lot of information to those of us in Congress who are interested in the cause of human rights and freedom in South Asia.

Mr. Speaker, I would simply like to take this opportunity to salute the International Sikh Organization on a very successful convention and wish it continued success in the future. We can support its efforts to bring freedom to the Sikh people, and other regions in South Asia by insisting that human rights are observed and by declaring our support for a free and fair plebiscite under international monitoring on the question of independence.

HONORING LOCAL ORGANIZATIONS FOR THEIR CONTRIBUTIONS TO CIVIC EDUCATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. ANDREWS. Mr. Speaker, I rise today to honor local organizations throughout our great nation for their contributions to civic education. Estimates are that State governments have slashed over $11–15 billion from their education budgets this year. At the same time, public opinion surveys indicate that education is at the top of the list of issues of interest to American citizens.

It is at times like this that we are particularly grateful that private sector individuals and organizations contribute to the education of America's youth. One such group is the Committee for Citizen Awareness, a not-for-profit organization that produces award-winning educational videotapes addressing civic subjects. In cooperation with organizations across America, they give these civic videotapes for free to high schools, community colleges,

many libraries and community access cable television stations. Over 30 million students and countless others have viewed these award-winning videos, free of charge.

At this moment in American history, when others are challenging our system of government, it is essential that our citizens understand their country's civic underpinnings. Helping to educate our citizens, particularly our young Americans, about these civic issues is indeed a noble and worthwhile goal. Mr. Speaker, I ask that my colleagues join me in showing sincere gratitude to all organizations that have contributed to this effort, including:

The Cooper Health System
Dr. Mamie Howard Golladay, President of Sullivan County Community College
Elizabeth N. Hamilton, President & CEO of Summit Credit Union
Carole Biggers, Corporate Counsel of Syngenta Crop Protection
Todd Hendricks, General Partner of T. H. Properties
Dale Schumacher, President of Tampa Bay Federal Credit Union
Loy M. Howard, President/CEO of Tanner Health System
Wayne Mansur, President and CEO of Texoma Community Credit Union
Paul M. Pantozzi, Chairman, President, and CEO of The Provident Bank
Dr. James A. ''Red'' Duke, Trauma Surgeon of The University of Texas Health Science Center @ Houston
Stephen P. Dexter, President and CEO of Thomas Memorial Hospital
Robert B. Tracy, Jr., CEO of TPS Credit Union, Inc.
Dan Kampen, President and CEO of U.S. Central Credit Union
Dr. James Moeser, Chancellor of UNC at Chapel Hill
Dr. Kathryn Martin, Chancellor of University of Minnesota Duluth
Glen R. Kershner, COO/VP Business Development of Universal 1 Credit Union, Inc.
Michael C. Engel, President and CEO of University of Kentucky Federal Credit Union
Dr. John D. Stobo, President of University of Texas Medical Branch at Galveston
Dr. Dan Johnson, President of University of Toledo
Michael F. Ambrose, President and CEO of USAlliance Federal Credit Union
Diana Dykstra, President and CEO of Vandenberg Federal Credit Union
Albert G. Duff, Board of Directors of Ventura County Credit Union
Dr. Bryan K. Blanchard, President of Vincennes University
Dr. Gary S. Kaplan, Chairman and CEO of Virginia Mason Medical Center
Nancy Farber, CEO of Washington Township Health Care District
Dr. Christine Sobek, President of Waubonsee Community College
Dr. Michael H. Gerwitz, Director of Pediatrics of Westchester Medical Center
F. Nicholas Jacobs, President of Windber Medical Center
Dr. Harold L. Martin, Sr., Chancellor of Winston-Salem State University
Dr. Robert Lowdermilk, President of Wood College
Douglas A. Fecher, President and CEO of Wright-Patt Credit Union
Dr. Anthony Parker, President of Albany Technical College
Lawrence E. Dewey, CEO of Allison Transmission Division General Motors
Jude Thompson, Vice President and General Manager of Anthem Blue Cross and Blue Shield
Dennis Smith, Associate Executive Director of Arthur G. James Cancer Hospital and Richard J. Solove Research Institute
Dr. William Frame, President of Augsburg College
Calvin E. Bellamy, Chairman of Bank Calumet
Joel Allison, President and CEO of Baylor Health Care System
Patrick Magoon, President and CEO of Children's Memorial Hospital
Jeffery L. March, President and CEO of Citadel Federal Credit Union
Dr. Karen A. Nicodemus, President of Cochise College
Randy Segler, CEO of Comanche County Memorial Hospital
Keith Spivey, Vice President of Branch Operations of EECU
Denise Floyd, President/CEO of Fort Sill Federal Credit Union
John N. Kastanis, President and CEO of Hospital for Joint Diseases
R. Michael Barry, FACHE, Chief Executive Officer of Jupiter Medical Center
Jean G. Leon, RNMPA, Executive Director of Kings County Hospital Center
Jean M. Yokum, President and CEO of Langley Federal Credit Union
Todd L. Swims, President & CEO of Leaders Credit Union
Jose R. Sanchez, CSW, ACSW, Senior Vice President of Lincoln Medical & Mental Health Center
Parker H. Petit, Chairman, President and CEO of Matria Healthcare, Inc.
Thomas Rozek, President and CEO of Miami Children's Hospital
Gregory K. Smith, President of Mountain State Blue Cross Blue Shield
Kevin A. Johnson, CEO of Mountain View Hospital
Laurence C. Hinsdale, President and CEO of NorthEast Medical Center
Ed Piper, Ph.D., CEO of Onslow Memorial Hospital
Niels Vernegaard, President/CEO of Parkridge Medical Center, Inc.
Thomas F. Schutte, President of Pratt Institute
Neil DeFeo, Chairman, President, and CEO of Remington Products Company LLC
Timothy G. Rupert, President & CEO of RTI International Metals, Inc.
James W. Henderson, Division Manager of RTI International Metals, Inc.
Wallace Strickland, President and CEO of Rush Foundation Hospital
Fred Fraizer, President and CEO of Saint Mary's Hospital
Bob Peebles, CAO of Saint Vincent Catholic Medical Centers
Dr. Steven Gamer, Chief Medical Officer of Saint Vincent Catholic Medical Centers
Thom Clark, President and CEO of Saints Memorial Medical Center
Bruce Rampage, President of St. Anthony Memorial Health Centers
George Winn, President and CEO of St. Elizabeth Health Services
Colleen L. Kannaday, President of St. Francis Hospital & Health Center
Andrew S. Passeri, Ph.D., President and CEO of Adolescent Medicine of Staten Island University Hospital
April C. Lee, M.D., Director of Adolescent Medicine of Staten Island University Hospital
Catherine Ann Paura, CEO of The National Research Group, Inc.
Dr. Catherine Bannerman, Medical Director, Quality Improvement of Torrance Memorial Medical Center
Arlene Rak, President of UHHS/Bedford Medical Center
Bruce L. Barnett, President and CEO of Education of Vantage Credit Union
Dr. Peter C. Mehas, Superintendent, Fresno County Department of Education of Vantage Credit Union
Richard Davis, Esquire, Partner of Weil Gotshal & Manges, LLP
Charles M. O'Brien, Jr., President and CEO of West Penn Allegheny Health System
Richard Brvenik, President and CEO of Windham Community Memorial Hospital
Dr. J.P. (Jack) London, Chairman, President and CEO of CACI International Inc.
Bernard W. Dan, President and CEO of Chicago Board of Trade
Dr. Michael Schwartz, President of Cleveland State University
K. Peter Maneri, Vice President of Corporate Communications of Computer Sciences Corporation
Gary J. Holt, President of Delta School of Business & Technology
George L. Kerns, President and CEO of Digex Incorporated
Dr. David G. Carter, President of Eastern Connecticut State University
Joe Shearin, President and CEO of Eastern Virginia Bankshares, Inc.
J.A. Lacy, President and CEO of FinishMaster, Inc.
Jim Sartain, President and CEO of FirstCity Financial Corporation
S. Dale High, President of High Industries
Daniel J. Wetta, CEO of John Randolph Medical Center
Dr. Betty Siegel, President of Kennesaw State University
Dr. F. Javier Cevallos, President of Kutztown University of Pennsylvania
Charles W. Thomas, President and CEO of Mid-Atlantic Federal Credit Union
Mark Griffin, Executive Vice President of Nishikawa Standard Company
Dr. David Sam, President, North Harris College of North Harris Montgomery Community College District
Charles Florio, Ph.D., President of Northeast Texas Community College
Gary Wehrle, President and CEO of Pacific Crest Bank
Dr. Paul J. McCarthy, President of Prairie State College
Barbara Berghoff, President and CEO of Professional Federal Credit Union
Dr. John Waddell, President of St. Paul's College
Michael T. Dan, Chairman, President and CEO of The Pittston Company W.R. Timken Jr., Chairman and CEO of The Timken Company
Marv Athey, CEO/General Manager of Trico Electric Cooperative
Bobbie Booker, Chairwoman of Tulsa Teachers Credit Union
Bill Sterner, President/CEO of U of C Federal Credit Union
Dr. Don Huff, President of Weatherford College
Bob Worth, Bay Area Region President of Wells Fargo & Company
Glen F. Post, President, Chairman and CEO of CenturyTel
David R. Anderson, President and COO of American Family Insurance
Robert S. Curtis, President and CEO of Ball Memorial Hospital
Frank V. Murphy, President and CEO of BayCare Health System
William Longfield, Chairman and CEO of C.R. Bard, Inc.
Dr. Antoinette Iadarola, President of Cabrini College
Deborah H. Trotter, President and CEO of Charlotte Fire Department Credit Union
David Macoubrie, Esquire of Cleaveland, Macoubrie & Cox
John A. Calderone, Ph.D. of Corona Regional Medical Center
Paul Dell Uomo, CEO of Covenant Health Care System, Inc.

Allan G. Komarek, Executive Director of Delano Regional Medical Center
Dr. Bryant Cureton, President of Elmhurst College
Kevin C. Martin, President & CEO of EMH Regional Healthcare System
Lauren Rock, COO of Euclid Hospital
Jim Tadvick, Senior Vice President of Farmers State Bank
Gary Duncan, President and CEO of Freeman Health Systems
George Irwin, President and CEO of Great Falls Bank a.k.a Greater Community Bank
Carl J. Sorgatz, President of Hawthorne Credit Union
Michael D. Means, FACHE, President and CEO of Health First
Dr. Johnathan M. Astroth, President of Heartland Community College
Norman F. Mitry, President and CEO of Heritage Valley Health System
Thomas R. Martin, Senior Vice President of ITT Industries
Father Edward Glynn, S.J., President of John Carroll University
Steven Kazan, Managing Partner of Kazan McClain Edises Simon & Abrams.

PERSONAL EXPLANATION

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. KIRK. Mr. Speaker, on October 15, 2003, I was recorded as a ''nay'' vote on rollcall No. 540. Please let the RECORD show that I intended to vote ''yea'' on this motion.

TRIBUTE TO DR. LEONARD L. COLEMAN

HON. JIM TURNER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. TURNER of Texas. Mr. Speaker, I rise today in tribute of a distinguished public servant, Dr. Leonard L. Coleman. To the people of Grimes County, in East Texas, Dr. Coleman is a living legend. Considered by many to be the father of modern medicine in Grimes County, Dr. Coleman's surgical skills have helped mend and save lives for more than 34 years.

Dr. Coleman's distinguished medical career, during which he touched the lives of thousands of East Texans, represents the very best American values of commitment, selflessness, and hard work.

Not only a fine doctor, Dr. Coleman has been a dedicated public servant as well. At a time when many physicians were moving to larger communities and increasing the sizes of their practices, Dr. Coleman remained committed to the community in which he was raised throughout his career. As part of this commitment, Dr. Coleman has been a community leader, serving in a variety of civic positions, including President of the School Board, City Commissioner, Elder in the Presbyterian Church, and school physician. He has been a lifelong public servant in the truest sense of the word.

Dr. Coleman was also a teacher. He mentored young men who thought they might be interested in a medical career. During many summers, high school and college students assisted Dr. Coleman in surgery, while he made rounds and house calls, and worked with him in the Navasota Clinic laboratory. Dr. Coleman's charm, wit, and warmth enchanted everyone he met, including both his patients and his students.

Mr. Speaker, please join me in commending Dr. Coleman on a distinguished career and in thanking him for a lifetime of outstanding medical care and selfless service to the citizens of East Texas.

RECOGNIZING LUPUS INTERNATIONAL

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. COX. Mr. Speaker, I rise today to call this Congress' attention to a devastating disease that affects millions of Americans.

Systematic Lupus Erythematosus, commonly known as lupus, is a chronic, complex, and often life-threatening autoimmune disease. It causes the immune system to become hyperactive and attack the body's own tissue, damaging vital organs which can lead to severe disability or death.

Research shows that 2.8 million people have been diagnosed with lupus in the United States—more than those affected by AIDS, Cerebral Palsy, Multiple Sclerosis, Sickle Cell Anemia and Cystic Fibrosis combined. Although lupus can affect people of all ages, it strikes primarily women between the ages of 16–45, and is currently the fourth leading cause of disability in females.

To date, there is no known cure for lupus and there are still very few treatments specific to the disease. However, with increased public awareness, education, and innovative research, we are hopeful that this battle can and will be won. Lupus International, a nonprofit organization in Irvine, California, has been a champion in the field of lupus research since it was founded in 1983. Over 2 decades, Lupus International has worked to alleviate suffering for millions of patients through support services and early detection of undiagnosed cases through awareness promotion.

Today, I ask my colleagues to join me in honoring Lupus International for its 20-year commitment to finding a cure for lupus, and its tremendous service to millions of Americans suffering from this devastating disease.

WHY WE NEED MORE MILITARY END STRENGTH

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. SKELTON. Mr. Speaker, throughout my years of service, I have spent considerable time learning and understanding the complexities of our Nation's national security programs, and in particular our military personnel policies. It is with this experience and appreciation that I rise to share with my colleagues my deep concerns regarding the Nation's military end strength.

In February 1991, this Nation joined with our allies and went to war in the Persian Gulf. American service members were sent to the Middle East to help restore liberty and freedom to the citizens of Kuwait. The defense authorization bill for fiscal year 1991, provided the Army an end-strength of 702,170, the Navy 570,500, the Marine Corps 193,735, and the Air Force 510,000. When we went to war in 1991, the Army had 12 divisions, the Navy had 529 ships and the Air Force had 165 air wings.

The fall of the Berlin Wall, the end of the Cold War, and the successful prosecution of the first Persian Gulf War all led to the demand and belief that our country should and needed to reduce its military end-strength. The pressure for a ''peace dividend'' became the popular call.

By 1996, we had reduced Army end strength to 495,000, a reduction of over 207,000. The Navy was cut to 428,340, the Marine Corps downsized to 174,000, and the Air Force lost 129,000 for an end-strength of 388,200. The ''peace dividend'' was fast becoming a reality—in 5 years the military end-strength had been reduced by more than a half million.

However, the world has remained far from peaceful. The end of the Cold War has brought its own challenges—nearly 100,000 American forces have been called to serve in Bosnia and Kosovo, and thousands of National Guardsmen and Reserves are still being called to serve today. The United States has also sent our men and women in uniform to other operations around the world, including humanitarian assistance missions to Somalia and Haiti, drug interdiction operations in South America, and training government troops opposed to insurgents in the Philippines. Unfortunately, as the number of military operations has increased, there has also continued to be a slow and steady decrease in the size of our military.

But starting in 1995, the harsh reality of the worldwide operational burden on our forces led to calls for more forces. In 1995, Army Lieutenant General Ted Stroup, then Deputy Chief of Staff for Personnel, testified that the Army's active end strength should be 520,000, not the 495,000 that was requested in the 1996 budget request. Army Chief of Staff, General Eric Shinseki, reiterated that position during a hearing before the Armed Services Committee in July 2001. He told us that the Army needs a force of 520,000 people.

However, instead of proposing to increase military end-strength, the Bush administration has sought to gain greater efficiencies in the current force. Secretary of Defense Donald Rumsfeld directed the services to find ways to convert military positions that were not on the tip of the spear to civilian positions or private contractor jobs. The services also have been conducting reviews of their own to find ways to convert non-combat units to units with missions more relevant to actually fighting wars in order to relieve the burden on the front line forces now deployed around the world.

While I agree that we need to support more efficient use of the force, the administration's solution to our operational dilemma is wrong, shortsighted and self-defeating. Failing to increase our end strength will only increase the pressure on our current force. There is simply no substitute for having enough people to do

the job—''boots on the ground'' in military parlance and all the organizational efficiency in the world is no substitute.

It is said that history often repeats itself. Our Nation has historically reduced the number of men and women in uniform following major conflicts, such as World War I, World War II, Vietnam, Korea, and the Cold War. As a result of this historical phenomenon, we had a relatively small force by historical standards when we were violently attacked by terrorists on September 11, 2001. In the days since then, hundreds of thousands of National Guard and Reservists have been called to active duty to provide security at our Nation's airports, bridges, nuclear power plants, and other important facilities. Thousands of men and women in uniform were sent to Afghanistan to remove terrorists and their supporters in Operation Enduring Freedom. And, in March of this year, Armed Forces personnel were sent to invade Iraq and remove a cruel and ruthless dictator from power, and are likely to be in Iraq for years to come. The message from these events is clear—because there are not enough troops to meet our worldwide military obligations, troops in Iraq and Afghanistan, and even those guarding against terrorism inside the United States, face longer call ups, deployments and hardships than would be required if we had a larger force. We simply need more people in our military to do the job right!

On September 23, 1999, then presidential candidate Bush stated, ''Frustration is up, as families are separated and strained. Morale is down. Recruitment is more difficult. And many of our best people in the military are headed for civilian life.'' Just four short years later, I say the same words to the President. Frustration is up, and families have been separated and strained more today than at any other time in recent history. Morale is declining. Although military recruiting is now satisfactory, many military leaders have expressed their fear that retention and recruiting will decline as troops rotate back home.

The time has come for Congress to ensure that our Nation has the military manpower that it needs to successfully execute the missions we ask our brave service men and women to perform. We need to increase our military end-strength, particularly in the Army, now. We need to ensure that the all volunteer force will continue to work as well as it has for the last 30 years. And that will only happen if we have enough people in uniform.

RECOGNIZING BOB WENZEL

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. PORTMAN. Mr. Speaker, I rise to recognize an exemplary public servant, Bob Wenzel. Bob recently concluded 40 years of government service, 38 of which were spent with the Internal Revenue Service. I am privileged to say that I know Bob, and I commend him for dedicating his professional career to the betterment of our country.

A son of German immigrants, Bob's patriotism to our Nation began as a young child, when he would daily raise and lower the family's American flag. In his words, ''[w]hat it instilled in me was what this country represents.''

Bob's interest in taxes was initially developed through his responsibility for calculating the family's taxes. This chore, coupled with a desire to contribute to his country, led him to join the IRS in 1963, turning down significantly more lucrative private sector positions. Bob has made serving his country a guiding principle for his entire working life, and has made his life choices based on what he could contribute. He rose up through the ranks, from a revenue officer in Chicago, to director of the IRS Service Center in Ogden, Utah, eventually rising to Deputy Commissioner and even Acting Commissioner. Bob's commitment to customer service won a presidential award for his quality improvements in Utah.

Bob's demonstrated leadership in customer service led former IRS Commissioner Charles Rossotti to name him as Deputy Commissioner during a time of great transition following passage of the IRS Restructuring and Reform Act of 1998. Upon confirmation of Mark Everson as Commissioner earlier this year, Bob was again named Deputy Commissioner, where his efforts continue to result in a more favorable public perception of the IRS.

Bob leaves the IRS with the universal respect of his peers, including former Commissioners, front-line managers, and the union. His contributions will long be remembered at the IRS. Mr. Speaker, on behalf of my colleagues, we pay tribute to Bob's service and wish him and his family good health and good fortune in his well-deserved retirement.

RECOGNIZING MICHAEL RICHARDS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Michael Richards, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 412, and in earning the most prestigious award of Eagle Scout.

Michael has been very active with his troop, participating in many scout activities. Over the 9 years Michael has been involved with scouting, he has held numerous leadership positions, serving as Troop-Patrol Leader, Assistant Patrol Leader, librarian, and Troop Guide. Michael is also a Brave in the Tribe of Mic-O-Say and was inducted into the Order of the Arrow where he is a Brotherhood member.

For his Eagle Scout project, Michael built picnic tables and hitching posts for two rest areas on the horse and hiking trail around Smithville Lake. His project will be enjoyed by many visitors and horseback riders.

Mr. Speaker, I proudly ask you to join me in commending Michael Richards for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mrs. MUSGRAVE. Mr. Speaker, on Wednesday, October 15, if the voting machine was working properly, it would have recorded my vote in favor of H.R. 1828, the Syria Accountability Act. The Syria Accountability Act is extremely worthwhile legislation and I was proud to cosponsor it on May 22, 2003.

TIME FOR SOLUTIONS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. BEREUTER. Mr. Speaker, this Member commends to his colleagues the October 4, 2003, editorial from the Norfolk Daily News, which is entitled ''More of a problem than a solution.'' Although this Member certainly is pleased that the United Nations (U.N.) Security Council unanimously approved a resolution which establishes a U.S.-led multinational force in Iraq, he continues to hold many of the concerns outlined in the editorial with regard to the failure of the U.N. to adapt to current realities.

Recently, this Member became a co-sponsor of the National Commission on the Modernization of the United Nations Act of 2003 (H.R. 3079). Through this measure, which was introduced by the distinguished gentleman from Florida (Mr. CRENSHAW), Congress would create an independent commission to explore how the U.S. could encourage structural changes in the U.N. Indeed, for the U.N. to remain relevant, the institution must be open and willing to reassess its structure, and the United States should lead the campaign for changes.

[From the Norfolk Daily News, Oct. 4, 2003.]

MORE OF A PROBLEM THAN A SOLUTION

President Bush has asked the United Nations for help in rebuilding Iraq. But instead of responding with a loud ''yes'' and saying they will finally do the right thing for people in need, many members harrumphed and growled and once more demonstrated that the world organization may be on the road to irrelevance.

Kofi Annan, the U.N. secretary general, reminded anyone who would listen how the world body had ''imperfectly'' kept the planet peaceful for 58 years and that the current U.S. policy of pre-emptive action puts all of that at risk.

Someone should bring it to his attention that the imperfections have included round after round of genocide and incessant war in Africa.

A policy of pre-emption in the absence of clear, immediate danger is, in fact, a policy that could be pronounced unwise at one point in human history. That point was prior to the advert of weapons of mass destruction and multiple acts of catastrophic terrorism.

The Bush administration was awakened by the Sept. 11 terrorism to new realities that make some previous policies as outdated as would be the manufacturing of carriages instead of cars in Detroit. It is naive to suppose, as Mr. Annan does, that the U.S. example may lead other nations to protect themselves through aggressive action they would not otherwise have employed.

The United Nations demonstrated that it is more problem than solution when it failed to follow through on the last in a series of resolutions that Iraq must account for weapons of mass destruction, and it will not somehow absolve itself of irresponsibility through negligence and antagonistic rhetoric now.

If the United Nations does not come through, the United States must ponder whether it can instigate a positive restructuring or become increasingly less supportive of the organization.

NATIONAL BREAST CANCER AWARENESS MONTH

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to remind my colleagues that October is National Breast Cancer Awareness Month and today, October 17, 2003, is especially important as National Mammography Day. Today we celebrate the significant contributions that early detection through mammography has made in reducing deaths from breast cancer.

And tomorrow, on October 18th, thousands of people in my district in Dallas, TX, will turn out for the Race for the Cure 5K event sponsored by the Susan G. Komen Breast Cancer Foundation, headquartered in Dallas. This year marks the 20th anniversary of the celebrated Komen Race for the Cure Series. The first Race for the Cure was held in 1983 in Dallas with 800 participants. At a time when breast cancer remained a taboo topic for many people, this life-affirming event was a public way to discuss breast cancer issues positively and meaningfully. Breast cancer survivors were celebrated, and those who had lost their battle with the disease were honored by their friends and family. In addition, participants were able to do something healthy and proactive to support the cause. The event was a tremendous success and quickly gained momentum and visibility. Today, the Komen Foundation hosts Race for the Cure events in 112 U.S. cities and in two foreign countries with nearly 1.5 million participants each year, making it the largest series of 5K events in the world. Each participant receives the life-saving message of early detection. Perhaps most importantly, the Komen Race for the Cure has raised hundreds of millions of dollars for critical breast cancer research, education, screening and treatment programs.

This year, more than 200,000 women will be diagnosed with breast cancer and nearly 40,000 women will die from this disease. Every 3 minutes a woman is diagnosed with breast cancer, and every 13 minutes a woman dies from this disease. Breast cancer is the leading cause of death among women ages 40–59. Men also succumb to this disease, particularly in the elderly African American male population.

All of us here today will be touched by breast cancer in some way during our lifetimes. There is no simple way to prevent breast cancer, but there are ways to detect it early, at a time when patients have more treatment options and a greater chance of survival. The most effective method used today in detecting breast cancer early is mammography screening.

Today, to celebrate ''National Mammography Day,'' the Komen Foundation is launching a campaign to urge Congress to renew the National Breast and Cervical Cancer Early Detection Program (NBCCEDP). Unfortunately, the authorization for this highly successful program expired on September 30, 2003. Congress must move immediately to reauthorize the NBCCEDP program at a higher funding level of $250 million for FY2005.

By reauthorizing the program and providing at least $250 million for the program, Congress will help provide low-cost mammograms and follow-up care to thousands of women who otherwise could not afford these potentially life-saving services. The NBCCEDP is essential to help eradicate breast cancer as a life-threatening disease. Since the program's inception 13 years ago: approximately 2 million women have been screened, mammography use has increased by approximately 20 percent among women over 50 years of age, and nearly 13,000 cases of breast cancer have been detected.

The tragic fact is that the current NBCCEDP funding level allows it to cover only about 18 percent to 20 percent of the eligible population—which means that four out of five eligible women are not being served. Additional funding is needed to ensure that no eligible woman is denied quality screening and care. Raising the funding to $250 million next year would enable the NBCCEDP to provide approximately 122,000 additional screenings to women in need next year.

During my tenure in Congress and the Texas State Legislature, I have always strived to ensure that America has the resources needed to combat the terrible diseases that plague our communities. I absolutely share your support for an increase in funding for stronger medical research. As a former nurse, that's why I support the National Institutes of Health (NIH). NIH is an investment that saves lives, and helps Americans to live longer and to live better.

That is why I am so proud to be a cosponsor of the Breast Cancer Patient Protection Act of 2003 (H.R. 1886), the Mammogram Availability Act of 2003 (H.R. 736), and the Better Screening Test for Women Act (H.R. 1241). H.R. 1886 improves treatment for breast cancer patients. H.R. 736 requires that health insurance companies provide coverage for annual screening mammography for women 40 years of age or older. H.R. 1241 authorizes additional appropriations to the National Institutes of Health for research on early detection of breast cancer.

To help recognize National Mammography Day, and make it much more than just a commemorative day, I urge my colleagues to join me in calling for the immediate reauthorization of the National Breast and Cervical Cancer Early Detection Program at $250 million and more for the coming years. We owe nothing less to our grandmothers, mothers, daughters, sisters and the men in our lives in the race to find a cure for breast cancer.

RECOGNITION OF CHELTENHAM TOWNSHIP TWINNING CELEBRATION AND CHARTER SIGNING CEREMONY

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. FATTAH. Mr. Speaker, I rise today to recognize the Cheltenham Township Twinning Celebration and the Charter Signing Ceremony at the annual Harvest Festival on Saturday, October 11, 2003.

Located on the northwest border of Philadelphia in the heart of the Northern Greater Philadelphia Region, Cheltenham Township is a mixture of distinctive neighborhoods, tree-lined streets, abundant parks, convenient shopping districts, and apartment complexes. Cheltenham's multiethnic community dates back to Quaker emigrants who settled in the area around 1690. Two of these new settlers came from Cheltenham, England, and thus the name was established.

Historically famous for the spa waters that drew King George III for a visit in the late 1700s, Cheltenham, England, is a mostly urban town located on the edge of Cotswold Hills retains much of its stylish Regency architecture. Having established a long-standing friendship, the Lord Mayor and Mayoress of Cheltenham, England, along with other councilors and dignitaries, will visit Cheltenham Township to formalize their friendship in an official ''twin city'' relationship in an effort to expand opportunities for residents in each community to get to know one another. I would like to insert the following language of the Twinning Charter into the record:

CHELTENHAM TWINNING CHARTER

Cheltenham Township, Pennsylvania, USA, and Cheltenham, Gloucestershire, UK, having already established a long-standing tradition of friendship and goodwill through visits and exchanges for more than 50 years, do hereby formally resolve:

To continue to foster and develop mutual understanding and respect between the people of Cheltenham Township, Pennsylvania, USA, and the people of Cheltenham, Gloucestershire, UK; and

To encourage and assist youth and adult organizations, clubs, companies, groups and all classes of people in Cheltenham Township, Pennsylvania, USA, and Cheltenham, Gloucestershire, UK, to communicate and exchange visits with each other, thereby developing human and cultural relations and maintaining a firm foundation for future understanding, respect and friendship for all time.

Now, therefore, we do solemnly declare in the names of our citizens this Twinning Charter between Cheltenham Township, Pennsylvania, USA, and Cheltenham, Gloucestershire, UK.

Done on October 11, 2003, in Cheltenham Township, Pennsylvania, USA.

Mr. Speaker, I commend both Cheltenham Township of Pennsylvania and Cheltenham of Gloucestershire, UK, in their efforts to foster goodwill between its people. Their relationship will undoubtedly grow as its citizens build upon their common bond.

REMARKS OF ROBERT REDFORD

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. DICKS. Mr. Speaker, I was honored last month to attend the annual Nancy Hanks Lecture at the Kennedy Center, an annual tribute to the memory of the woman who served as the Chair of the National Endowment for the Arts from 1969 to 1977. Each year a prominent American is asked to deliver personal remarks about the importance of the arts in public policy, and it was a great pleasure this year to hear from the accomplished actor, Robert Redford, who delivered a poignant, funny and meaningful address about the importance of supporting creativity and artistic development in our Nation. I am very pleased to bring his remarks to the attention of my colleagues in the House of Representatives.

REMARKS OF ROBERT REDFORD

I've been coming to Washington, D.C. for the past 30 years, either filming here, as was the case in All the President's Men, or for lobbying efforts on behalf of issues relating to the environment, energy, human rights and art. In the beginning, it was a heady experience to be in the halls of power surrounded by history and event, feeling what it is like to be an integral part of a democracy—particularly if you were fortunate enough to move someone on an important issue.

In time, you experience changes in political climates, different attitudes and priorities. The strength of the system that controls decisions and compromises became clear over time, and expectations of success had to be tendered with failure relating to these realities. But still, you feel fortunate to have access to the ears that made decisions.

Even though you knew that celebrity was maybe a door opener, it nonetheless cuts both ways in politics. Like the time I was on the Presidential campaign trail and speaking to thousands of kids on a college campus about the importance of their vote and environmental issues. In the roar of their connection with what I was saying, I thought for a moment ''I'm really getting through here!'' Then I walked off stage and immediately a reporter stuck a microphone in my face and said, ''Who do you think is better looking, you or Dan Quayle?

So, just when you might be feeling your oats, reality has a way of sneaking up and putting it all in perspective. But as a citizen and an artist, I try to remember that it is a right and a responsibility to be able to partake in the process of democracy.

I'm here today because of my belief that art is a great translator of that which is both familiar and unfamiliar and that it is through art that we can come to know ourselves and others. To me, the vitality and insight which art brings to civil society is more important now than ever.

I grew up in a time when democracy was taken for granted since it was drummed into our minds as a fundamental definition of America and why it was great. I was shaped by WW II and a time when we were all united in its purpose—unlike conflicts of today. Because times were tough, and my family financial resources slim, we didn't have fancy toys or luxuries and had to be creative in inventing worlds of our own. My imagination was my most valuable commodity and thankfully it became a life force for me at a very young age. I saw the world around me not only as it was. I saw the world around me as it could be. Art and the imagination that gave it life became my closest companions.

Before anyone was much interested in what I had to say, they were interested in what I created. As a kid, I remember sketching everything in sight. My parents and their friends played cards and I began drawing them as a group, individual faces and the like. Then I moved under the table and began sketching their feet at which point I think everyone started to worry. Even though they thought I was a bit weird, I got attention and encouragement for my ''art'' at a young age.

While I was a poor student academically, I shined in sports and in art and my third grade teacher was next to recognize that art was a legitimate means of expression for me as I struggled with more traditional approaches.

I remember she had me come to the front of the room and draw a story on this big pad of newsprint on an easel. I think we were studying English and she used it as a basis to make a point. The whole class seemed to get it and all learned a little about sentence structure and storytelling in ways that engaged and made sense. I didn't know what ''it'' was that they got, but it sure felt good.

My teacher's encouragement of my artistic tendencies continued, making me realize art. was something legitimate to pursue and that it was integral to how I was finding my way in this world and making sense of things. If not for this, I may have taken a path that wasn't as fulfilling and productive. That's the main reason I'm here, to pay tribute to the work that so many of you do every day, to keep art alive in schools and in communities all across the country.

Being in this hall tonight prompted me to remember some of the writings of President John F. Kennedy. I became reacquainted with a speech he gave in 1963 at Amherst College where he paid tribute to the American poet Robert Frost, and reflected on the value of the arts to a society. It was less than a month before his assassination. ''I look forward to an America which will reward achievement in the arts as we reward achievement in business or statecraft. I look forward to an America, which will steadily raise the standards of artistic accomplishment and will steadily enlarge cultural opportunities for all of our citizens.''—John F. Kennedy.

To me, art, in all its forms, is the purest reflection of the most diverse aspects of us as individuals, as communities, as nations and as cultures. It's art that feeds and nurtures the soul of a society; provokes thought; inspires critical thinking; and fosters understanding of things foreign to our own immediate world. In the end, art plays a primary role in encouraging healthy tolerance of diversity in any culture. In times like these—in this very hour—more of this kind of encouragement would serve us well. Joseph Campbell felt that a society without mythology was doomed. I feel the same way about the role that art can play in a society's sustainable future. On the surface, it may not have the weight of the SEC, the Dept. of Defense, or Social Security and other programs that may be easier to quantify. But it is still a part of the whole. More importantly, it exemplifies one of our great, maybe our greatest critical luxuries—freedom of expression.

Throughout the 80s and into the 90s, battles over free expression were furious and frequent. On the one side, the perception that art was undermining the moral fabric of our society began to stick and took on a life of its own and it became the order of the day. When the moralistic posturing gave way to the rationale to cut funding, for a time it was the political value of attacking the arts that increased significantly in stature. By falsely positioning the debate as one of morals and money, these forces hoped to use fear to obscure the real truth—0the value of art to every community—and fear is a very dangerous platform to work off of.

I wondered then, why aren't they going after tabloid media or corporate greed with such a vengeance? Why isn't there the same fervor about the dismal state of literacy in our schools, the AIDS epidemic, or homeless men, women and children? Why is the zeal not pointed at the virtual flood of guns and drugs into our nation's streets, or pollution into our air and water and the resulting public health implications? When has a painting ever instigated the destruction of a culture? Is a song or a play, a painting or a photograph that much of a threat to our nation's well being? That notion seems particularly absurd in light of the larger threats we are currently facing.

Luckily the collective voice against this trend won out, and of course, the political winds changed substantially. And, while the cultural wars may have subsided, they still rear their ugly head too frequently. But there's more than one way to strangle the arts and today, funding cuts being discussed all across this country at all levels of government could paint a truly devastating picture when all is said and done.

As most of you know all too well, when the economy is in as bad a shape as it is now, art becomes the ''throw-away.'' Art and art education becomes the funding cut they feel won't have a tangible effect. In other words, it's the cut from which they think nobody will suffer and they think nobody will notice its absence. Well that's not true. It may take a while to get it, but society at large will suffer and I believe, society at large will ultimately notice.

Government support for the arts is not the frivolous give-away that some would have you believe. It's a good investment and it is sound economic development. Art and public policy is good business. Let's look at the financial stake government has in the arts. The non-profit arts world is roughly a $134 billion a year industry, employing millions. It generates nearly $81 billion in spending by those who partake in its cultural offerings and is responsible for some $24 billion in taxes going back to federal, state and local governments annually

And, this doesn't take into consideration the impact the non-profit sector has as the training ground for writers, musicians, actors, dancers, painters, photographers, filmmakers and the like. It doesn't take into consideration the ultimate effect these people and their work have on a thriving multi-billion dollar private sector.

So, supporting the arts is good business and the numbers bear this out. It's also good public policy. A study by the Justice Dept., Americans for the Arts and the NEA demonstrated that arts programs helped at-risk-youth stay out of trouble, perform better in school and improve how they felt about themselves and their future. How do you put a price on that?

Yet, President Bush recommended virtually no increase for arts grants administered by the NEA. President Bush also recommended terminating funding of the Arts in Education program, which is administered through the Dept. of Education. State legislatures all across the country are making substantial cuts. Several states proposed wiping out their entire state budget for the arts.

Are these federal and state governments missing something in turning their backs on the arts? You bet they are. We need people in

office who will have a vision for our country that goes beyond the next election. We need people in office who understand that encouraging creative pursuit could be critical to any number of sectors, from the next great technological idea to the next historic medical discovery. How do you put a price on that?

Creativity is made all the more special because it is a great intangible. It can come from the most unlikely places and from those that might not fit the ''traditional'' model of the artist. Creativity is inherent in all great endeavors whether traditionally artistic or not. It is creativity that must continue to be nurtured if we hope to reap the benefits of the many great minds we don't yet know. How do you put a price on that?

Yes there are pressing needs all around us. But completely ceasing to fund the arts is sadly shortsighted in any economy. Governments have to find a way to remain in the mix of resources for the arts and the private sector—corporations, foundations and individuals—they all need to find ways to help fill the gap during these tough times such as we're in now.

And that includes my industry, which benefits greatly from a vital and thriving artistic force. When one thinks of Hollywood, art isn't necessarily the first thing to come to mind. Some would say it is often anti-art. No. It's first a business. But it is a business that cannot exist without creative talent in every facet of the making of its product. So, in the end, the challenge to create art still rests squarely on the artist not the industry. As in any medium, sometimes we succeed and sometimes we fail. But we succeed often enough to create films that inspire, expose, transform and provoke, amuse, entertain and even teach.

Just as all other arts did at the moment of their own conception, cinema transformed the world. For good or for bad, it is a universal communicator on a global platform. Film is an indigenous American art form even though it's always been a struggle to have it taken seriously as an art form. But we can't deny that business has significantly infiltrated the practice of art in general, and in particular film. The constant talk of grosses—dollars and cents as the benchmark of a film's worth—is very debilitating to the body of serious film discussion and appreciation. And after all, where would the business of film be without art as its seed.

While mine is a somewhat solid industry, it will be important in the years to come for it to embrace risks as readily as it does sure things. It must make sure that freedom of artistic expression is honored and nurtured across a broad spectrum. I believe strongly that keeping diversity alive in my industry will keep the industry alive.

For example, the Sundance Institute is a step toward making sure diverse voices and the creative energy they bring with them are given an opportunity to grow and evolve. Those who come to the Sundance labs to make films and those who come to the Festival, to show films really are a microcosm of the kind of diverse voices which our industry needs to continue to support and nurture if it wants to maintain itself. They are also the kind of voices that will join in characterizing us to the rest of the world in the years to come. It's all connected.

Even after two decades, Sundance continues to be a community work in progress, success and failure simultaneously evident, treating failure as a step toward growth, rather than the destruction of a vision. I look at the Sundance Film Festival and the innovative hustle demonstrated by scores of young filmmakers to bring their vision to the screen. They haven't curled up and died because they can't get government backing for their projects. Somehow they find a way. But I'm sure if I took a quick poll, I'd find that most of them found art, found their voice, in neighborhood, community and school arts programs. That's where they began the dance with the wonders of creativity.

By the way, I started the Sundance Institute with a grant from the NEA when many others were skeptical of the idea's potential and ultimate worth. I will always be grateful to the NEA for believing in us at the time. It was instrumental in getting us started. It wasn't just the seed funding, but the seal of approval that gave the idea impetus.

What most of you know that maybe others don't is that out there right now is some kid with a great song in their head we've yet to hear or a novel in their heart that has yet to be written. There's someone out there that hasn't picked up a paintbrush yet but has a masterpiece on the horizon. There's a kid out there who hasn't picked up a camera yet but could end up making a memorable film of their time.

What most of you know that others might not as clearly see, is that the nurturing of creativity comes into play in everything from world diplomacy to world economics, business endeavors to social endeavors and everything in between. It is creativity that gives all of it the nuance that often makes the difference. In all its forms, art plays a critical role in finding our way as people and as a culture.

As President Kennedy said that day in Amherst: ''I see little more importance to the future of our country and our civilization than full recognition of the place of the artist. If art is to nourish the roots of our culture, society must set the artist free to follow his vision wherever it takes him.''

We hear the word freedom bandied about a lot these days. It's a sacred concept. How fortunate we are to have it. How viscerally we need to feel the commitment to protect it. To be able to be part of a freedom of expression that allows us to tell stories of our choice in the uniqueness of our own voices as citizens and as artists is not to be taken lightly. To be able to freely voice dissent in our hearts or in our art is something to protect at all costs. But then, the glory of art is that it can, not only survive change, it can inspire change.

It is for all these reasons that it behooves governments to sustain an environment that enables, supports and nurtures the free and creative expression of its citizenry.

I have great hope for the future of art and thus civil society as I look out over this room, and imagine the collective power, the collective voice that will not cower in the face of budget slashing critics, and will not surrender its advocacy for art and free expression. My hope comes from not only those gathered here tonight, but from the efforts of grassroots, state and national organizations; young artists I meet at Sundance film labs; inner-city elementary school kids who are learning to play music and write poetry; the literary and theater programs in prisons; and traveling exhibitions to rural communities all across the country.

Thank you to the co-sponsors of this evening. To Americans for the Arts my gratitude for your tireless and effective advocacy on behalf of art and all that comes with that. You truly make a difference and we're all the better for it. And to the Film Foundation a recognition and respect for the important work you do to inspire young artists through education and for protecting and restoring some of the greatest films of all time and thus enabling the diverse perspective of it all to live on.

Lastly, it is an honor to pay tribute to the memory and the contribution of Nancy Hanks whom I knew and remember fondly. Nancy Hanks had a profoundly gifted perspective on cultural policy in the United States, that being access to the arts. Her legacy is the success of many of your programs; the creative mastery of many of the artists here tonight; and the commitment to freedom of expression that we collectively embrace. The life she lived really meant something.

So we go forth from here tonight to continue to try to enlighten those who dismiss the arts as unnecessary, irrelevant or dangerous. And we do so not only in the memory of Nancy Hanks, but in the name of the active and deserving imagination of every American child.

TRIBUTE TO DR. KENNETH CHAMBERS

HON. MELVIN L. WATT

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Mr. WATT. Mr. Speaker, I am proud to honor Dr. Kenneth Chambers, a friend and constituent who is retiring after 40 years of practicing medicine. Dr. Chambers will be honored on Saturday, October 18 at Friendship Missionary Baptist Church in Charlotte, North Carolina, in my congressional district.

Dr. Kenneth Chambers graduated from Meharry Medical College in 1959 and started a general practice in Wadesboro, NC. In 1966, he completed his residency in obstetrics and gynecology at Harlem Hospital in New York. He later moved to Charlotte, where his brother Julius Chambers was practicing law.

I had the privilege to get to know Kenneth Chambers through his brother, who is the person who convinced me to return to my hometown of Charlotte to practice law. Dr. Kenneth Chambers helped blaze the trail for black doctors in Charlotte and went on to serve in many leadership positions such as President of the Charlotte Medical Society, the Old North State Medical Society and he served on the North Carolina Medical Board from 1995–2001.

Dr. Chambers has impacted the lives of many people throughout his remarkable career. I am pleased to honor him and wish him, his wife, Grace, and his entire family all the best as he begins the next chapter of his life.

CONCURRENT RESOLUTION REGARDING THE FAILURE OF THE ISLAMIC REPUBLIC OF IRAN TO ADHERE TO ITS OBLIGATIONS UNDER A SAFEGUARDS AGREEMENT WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 17, 2003

Ms. HARMAN. Mr. Speaker, I rise to join my colleagues MARK KIRK, CURT WELDON and HOWARD BERMAN in introducing today a resolution expressing Congress's deepening concerns about Iran's nuclear program.

For many years, I have been persuaded by the available evidence that Iran was pursuing a nuclear weapons program, starting with

transfers of nuclear and missile technology and expertise from Russia. Indeed, it was my resolution in the 105th Congress (House Concurrent Resolution 121) that called on the President to demand that the Government of Russia take actions to stop governmental and nongovernmental entities in the Russian Federation from providing missile technology and technical advice to Iran in violation of the Missile Technology Control Regime.

Evidence continues to accumulate raising questions about Iran's intentions, notwithstanding that country's signing of the Treaty on the Non-proliferation of Nuclear Weapons. Recently, environmental sampling by the International Atomic Energy Agency (IAEA) at Iran's Natanz nuclear facility revealed the presence of two types of highly enriched uranium that can be used to develop nuclear weapons. And, earlier in the year, IAEA announced that Iran was constructing a facility to enrich uranium.

These developments prompted the Director General of the IAEA to express concern over the failure of the government of Iran to report material, facilities and activities at its nuclear facilities, including those that have the potential to enrich uranium and develop nuclear weapons. As a result, last month, the IAEA board of directors adopted a resolution calling on Iran to provide that organization, by October 31st, with a full declaration of all imported material and components relevant to the uranium enrichment program and to grant unrestricted access to IAEA inspectors.

Mr. Speaker, concerns about Iran's intentions are further underscored by Iran's successful test earlier this summer of the 800-mile range Shahab-3 missile and the persuasive evidence that is it seeking to produce a 1,200 mile Shahab-4 missile.

Coupled with Iran's known support for terrorist groups, it is clear to me and my colleagues that Iran poses a serious national security threat to the United States and its allies and other countries in the region. We can't idly wait for developments to unfold.

The concurrent resolution we introduce today clearly expresses Congress' view that the President must use all appropriate means to prevent Iran from acquiring nuclear weapons. It also calls on the members states of the United Nations, particularly Russia, to join together to dissuade Iran and, if necessary, to impose sanctions if Iran does not fulfill its obligations to the International Atomic Energy Agency by October 31.

Failure to act can only encourage Iran to pursue a dangerous and destabilizing course. Iran must cease all efforts to acquire nuclear capabilities until it is able to verify that it is not continuing to engage in a nuclear weapons program.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes:

Mr. BACA. Mr. Chairman, I rise today in support of our troops and in support of the Obey Amendment to the Iraq Supplemental Bill. I urge my colleagues to allow a vote on this amendment.

This Amendment is a better plan for the reconstruction of Iraq, a better plan for the safety of our troops, and a better plan for America.

This Administration has already received $63 billion to help pay for this war and now they want an additional $87 billion, which could even be more in the future.

We have a deficit that is rapidly rising in this nation, an unemployment rate that is nearly the greatest it has been in a decade, families struggling without healthcare and a president who has drastically cut education by $9.2 billion. The American people have to make a decision between losing their home and healthcare.

We have an administration that went into Iraq without a plan. They asked the nation to trust them and now our troops are overseas dying every day. And at greater rates then when we were at war.

Our soldiers are exhausted and we do not know when they will be coming home! From my district the 1st Battalion 185th Armored Regiment, California National Guard could be shipped to go to Iraq as early as November.

One year ago when this nation was debating whether we should go to war, I questioned whether our troops had the equipment they needed to protect themselves. And I am still asking this question. We are losing American lives every single day.

Our troops are tired. We need more manpower. This amendment increases the troops from 480,000 to 500,000. The safety of our soldiers must not be ignored!

I keep thinking about a young man in my district that we recently lost. His name was Jorge Gonzales and I thought about his parents Mario and Rosa from Rialto. Regardless of the details of the reconstruction plan, we must make sure our soldiers have the equipment they need to survive and make it home safe.

But I also cannot stress enough, that I support this amendment because it makes the administration accountable for the spending they are doing in Iraq. Under this amendment, the president must give a detailed report about how the funds in Iraq have already been spent and how they will be spent.

We must know who and why the administration is granting contracts to. We must know why they have decided to ignore the competitive bidding process and award contracts secretly.

I urge my colleagues to support the Obey Amendment, an amendment that creates accountability, protects our soldiers, and does not hurt the American economy or its people.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes:

Ms. WOOLSEY. Mr. Chairman, for the past 2 days Members of Congress have spoken about sacrifice and responsibility, and about supporting our troops. The way to support our troops, many say, is to vote ''yes'' on the supplemental spending bill that is currently before the House. One part of the supplemental that nobody is talking about is the administration's $900 million request for the importation of gasoline and other fuel products into Iraq.

The average wholesale price of gasoline in the Persian Gulf is just 71 cents a gallon. According to independent oil experts, transporting the gasoline the 400 miles from Kuwait to Iraq could reasonably cost an additional 10 to 25 cents per gallon. So a logical price per gallon for gasoline delivered to Iraq would be about a dollar. But figures from the Army Corps of Engineers show that Halliburton is charging the U.S. taxpayer between $1.62 and $1.70 per gallon for this gasoline that is purchased at much cheaper rates—an outrageous markup of over a dollar per gallon that would be considered illegal price-gouging if it occurred in the United States. So U.S. taxpayers are now faced with a $900,000 bill that pays for cheap gas that is marked up to ridiculously not-so-cheap prices.

It seems that Bechtel and Halliburton aren't as motivated by the notions of sacrifice and responsibility as many Members of this House. Perhaps this is because the Halliburton Company has never before imported gasoline. Or perhaps all those no-bid contracts have gone to their heads.

Let's not forget on March 8, 2003, Halliburton was given a secret, sole-source contract for improvements to Iraq's oil infrastructure. Halliburton did not have to compete with any other company for this contract. And why is Halliburton getting this sweetheart deal? I think it has something to do with the fact that the Vice President of the United States is the former CEO of this very same company. But his connections are not former connections—they still exist to this day. Despite what he says to the press about having severed all ties to Halliburton, DICK CHENEY received almost $400,000 in deferred salary from his former company in 2001 and 2002, and he still has 433,333 unexercised stock options. The facts speak for themselves: DICK CHENEY is not fully divested of his connections to Halliburton, and yet this same company receives U.S. Government contracts worth billions of dollars for which they are not required to place a single bid. This is unfair to the American people, and this is downright wrong.

This is not about supporting the troops. This is about supporting companies with ties to the Bush-Cheney administration by giving them get-rich-quick deals at the expense of U.S. taxpayers. The amendment that Congressman WAXMAN has introduced is a reasonable way to bring some sense and some oversight into a bill that is otherwise no more than a bailout for President Bush's failed policies. I urge my colleagues to vote for the Waxman amendment.

Daily Digest

HIGHLIGHTS

The Senate and The House both passed H.R. 3289, Making Emergency Supplemental Appropriations for Defense and for the Reconstruction of Iraq and Afghanistan for Fiscal Year 2004.

Senate

Chamber Action

Routine Proceedings, pages S12769–S12857

Measures Introduced: Six bills and two resolutions were introduced, as follows: S. 1752–1757, and S. Res. 246–247. **Page S12838**

Measures Reported:

S. 1753, to amend the Fair Credit Reporting Act in order to prevent identity theft, to improve the use of and consumer access to consumer reports, to enhance the accuracy of consumer reports, to limit the sharing of certain consumer information, to improve financial education and literacy. (S. Rept. No. 108–166)

S. 1210, to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries. (S. Rept. No. 108–167)

H.R. 1320, to amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users, with an amendment. (S. Rept. No. 108–168) **Pages S12837–38**

Measures Passed

Emergency Supplemental Appropriations, Iraq and Afghanistan: By 87 yeas to 12 nays (Vote No. 400), Senate passed S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, after taking action on the following amendments proposed thereto:

Pages S12769–S12821

Adopted:

By 96 yeas to 3 nays (Vote No. 390), Durbin Amendment No. 1837, to ensure that a Federal employee who takes leave without pay in order to perform certain service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Page S12770**

By a unanimous vote of 99 yeas (Vote No. 393), Boxer Modified Amendment No. 1843, to make retroactive the relief of hospitalized members of the uniformed services from the obligation to pay for food and subsistence while hospitalized. **Page S12772**

Dorgan/Wyden Amendment No. 1887, to reduce unnecessary spending for reconstruction in Iraq.

Pages S12791–92

Reid (for Chafee/Leahy) Further Modified Amendment No. 1807, to provide for emergency assistance to the people of Liberia, with offsets. **Page S12794**

Stevens (for Clinton) Modified Amendment No. 1850, to provide for an audit of funds appropriated under this Act by the General Accounting Office.

Page S12794

Stevens (for Harkin) Modified Amendment No. 1860, to provide up to $13,000,000 for conflict resolution, rule of law and democracy activities.

Page S12794

Boxer Modified Amendment No. 1845, to prioritize the equipping of aircraft enrolled in the Civil Reserve Air Fleet when counter-measures against the threat of shoulder-fired missiles are deployed. **Page S12795**

Stevens (for Domenici) Modified Amendment No. 1864, to require reports on the United States strategy for relief and reconstruction efforts in Iraq.

Pages S12796–97

Bond/Mikulski Amendment No. 1825, to provide additional VA Medical Care Funds for the Department of Veterans Affairs. **Pages S12797–99**

Rejected:

Daschle Amendment No. 1854, to achieve the most effective means of reconstructing Iraq and to reduce the future costs to the American taxpayer of

such reconstruction by ensuring broad-based international cooperation for this effort. (By 55 yeas to 44 nays (Vote No. 391), Senate tabled the amendment.)

Pages S12770–71

Reid (for Landrieu) Amendment No. 1859, to promote the establishment of an Iraq Reconstruction Finance Authority and the use of Iraqi oil revenues to pay for reconstruction in Iraq. (By 52 yeas to 47 nays (Vote No. 392), Senate tabled the amendment.)

Page S12771

Durbin Amendment No. 1879, to provide funds for the prevention, treatment, and control of, and research on HIV/AIDS. (By 56 yeas to 43 nays (Vote No. 394), Senate tabled the amendment.)

Pages S12772–73

Corzine Amendment No. 1882, to establish a National Commission on the Development and Use of Intelligence Related to Iraq. (By 67 yeas to 32 nays (Vote No. 395), Senate tabled the amendment.)

Pages S12773–79

Byrd/Durbin Amendment No.1819, to prohibit the use of Iraq Relief and Reconstruction Funds for low priority activities that should not be the responsibility of U.S. taxpayers, and shift $600 million from the Iraq Relief and Reconstruction Fund to Defense Operations and Maintenance, Army, for significantly improving efforts to secure and destroy conventional weapons, such as bombs, bomb materials, small arms, rocket propelled grenades, and shoulder-launched missiles, in Iraq. (By 51 yeas to 47 nays (Vote No. 396), Senate tabled the amendment.)

Page S12789

Byrd Amendment No. 1886, to prohibit the use of funds for the involuntary deployment overseas in support of Operation Iraqi Freedom of members of the National Guard and Reserves who have been involuntarily deployed for more than six months during the preceding six years. (By 82 yeas to 15 nays (Vote No. 397), Senate tabled the amendment.)

Pages S12789–91

Byrd Amendment No. 1888, to eliminate the flexibility given to the President to reallocate all of the $20.3 billion Iraq Relief and Reconstruction Funds, without approval by Congress. (By 49 yeas to 46 nays (Vote No. 398), Senate tabled the amendment.) **Pages S12792–93**

Brownback Modified Amendment No. 1885, to reduce the amount appropriated for reconstruction in Iraq by $600,000,000 and to increase the amount available to the Iraqi Civil Defense Corps by $50,000,000, the amount available for Afghanistan by $400,000,000, and the amount available for Liberia. (By 55 yeas to 43 nays (Vote No. 399), Senate tabled the amendment.) **Pages S12799–S12803**

During consideration of this measure today, the Senate also took the following action:

Byrd Amendment No. 1884 (to Amendment No. 1819), to reduce unnecessary spending in the Iraq Relief and Reconstruction Fund; increase reconstruction assistance to Afghanistan; protect our troops by increasing funding for the destruction of conventional weapons in Iraq; provide disaster relief in Liberia; and provide funding to repair Hurricane Isabel damage to military and Coast Guard facilities, fell when Byrd/Durbin Amendment No.1819 (listed above) was tabled. **Pages S12779–89**

Subsequently, passage of S. 1689 (listed above) was vitiated and the bill was then returned to the Senate calendar. **Page S12789**

Emergency Supplemental Appropriations, Iraq and Afghanistan: By unanimous-consent, Senate passed H.R. 3289, making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, after striking all after the enacting clause and inserting in lieu thereof the text of S. 1689, Senate companion measure, as amended.

Pages S12822–32

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair appointed the following conferees on the part of the Senate: Senators Stevens, Cochran, Specter, Domenici, Bond, McConnell, Burns, Shelby, Gregg, Bennett, Campbell, Craig, Hutchison, DeWine, Brownback, Byrd, Inouye, Hollings, Leahy, Harkin, Mikulski, Reid, Kohl, Murray, Dorgan, Feinstein, Durbin, Johnson, and Landrieu. **Page S12822**

Condemning Anti-Semitism: Senate agreed to S. Res. 247, calling on the President to condemn the anti-Semitic sentiments expressed by Dr. Mahathir Mohamad, the outgoing prime minister of Malaysia.

Page S12852

National Cemetery Administration: Senate passed H.R. 1516, to provide for the establishment by the Secretary of Veterans Affairs of additional cemeteries in the National Cemetery Administration, after agreeing to the committee amendments.

Page S12853

Jackie Robinson Congressional Gold Medal: Senate passed H.R. 1900, to award a congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation, and to express the sense of the Congress that there should be a national day in recognition of Jackie Robinson, clearing the measure for the President.

Page S12853

Jackie Robinson Congressional Gold Medal: Senate passed S. 300, to award a congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation,

and to express the sense of Congress that there should be a national day in recognition of Jackie Robinson. **Pages S12853–55**

Class Action Lawsuits: Senate began consideration of the motion to proceed to consideration of S. 1751, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants. **Page S12853**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 2 p.m., on Monday, October 20, 2003. **Page S12855**

Nomination—Agreement: A unanimous-consent agreement was reached providing that at 5:15 p.m., on Monday, October 20, 2003, Senate will consider and vote on the nomination of Margaret Catharine Rodgers, to be United States District Judge for the Northern District of Florida. **Page S12855**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency declared in Executive Order 12978 with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs. (PM–52) **Page S12837**

Nominations Confirmed: Senate confirmed the following nominations:

Julie L. Myers, of Kansas, to be an Assistant Secretary of Commerce.

Kristin J. Forbes, of Massachusetts, to be a Member of the Council of Economic Advisers.

Harvey S. Rosen, of New Jersey, to be a Member of the Council of Economic Advisers.

Peter Lichtenbaum, of Virginia, to be an Assistant Secretary of Commerce. **Page S12857**

Nominations Received: Senate received the following nomination: James B. Comey, of New York, to be Deputy Attorney General. **Page S12857**

Messages From the House: **Pages S12835–36**

Petitions and Memorials: **Pages S12836–37**

Additional Cosponsors: **Pages S12838–39**

Statements on Introduced Bills/Resolutions: **Pages S12839–50**

Additional Statements: **Pages S12834–35**

Amendments Submitted: **Pages S12850–52**

Privilege of the Floor: **Page S12852**

Record Votes: Eleven record votes were taken today. (Total–400) **Pages S12770, S12771, S12771, S12772, S12772–73, S12779, S12789, S12791, S12793, S12803, S12821**

Adjournment: Senate met at 9 a.m., and adjourned at 7:52 p.m., until 1:30 p.m., on Monday, October 20, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S12855.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 3330–3339; H. Con. Res. 305–306, and H. Res. 405–406 were introduced. **Pages H9686–87**

Additional Cosponsors: **Pages H9687–88**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Simmons to act as Speaker Pro Tempore for today. **Page H9619**

Chaplain: The prayer was offered today by Most Rev. Thomas Wenski, Coadjutor Bishop of Orlando, Florida. **Page H9619**

Emergency Supplemental Appropriations: The House passed H.R. 3289, making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004 by a yea-and-nay vote of 303 yeas to 125 nays, Roll No. 562. **Pages H9620–43, H9652–77**

The House rejected the Kilpatrick motion to recommit the bill to the Committee on Appropriations with instructions to report it back forthwith with an amendment to provide that 50% of the funds allocated for the Iraq Relief and Reconstruction Fund be in the form of loans, by a recorded vote of 191 ayes to 235 noes, Roll No. 561. **Pages H9674–76**

Agreed to:

DeFazio amendment that prohibits the use of funds for Iraq to participate in the Organization of Petroleum Exporting Countries; **Pages H9623–24**

Millender-McDonald amendment that transfers funds from the Defense-Wide Operations and Management account to the Family Advocacy Program; **Pages H9624–25**

Ramstad amendment that increases the Army's personnel funds for the purpose of extending the Rest and Recuperation program to include domestic travel; **Pages H9626–27**

Hoeffel amendment that requires the administration to report to Congress on efforts to internationalize the military operations and reconstruction of Iraq; **Pages H9630–31**

Velazquez amendment that prohibits funds from being used for any contract in contravention of section 8 (d)(6) of the Small Business Act; and **Pages H9636–37**

Sherman amendment that requires that normal competitive bidding procedures are followed in procurement under the funds appropriated for Iraq's oil infrastructure (by a recorded vote of 248 ayes to 179 noes, Roll No. 557). **Pages H9633–34, H9641–42**

Rejected:

Tauscher amendment that sought to increase funding for the Army's Operation and Maintenance account; **Pages H9631–33**

Deutsch amendment that sought to prohibit any of the funds for reconstruction in Iraq from being provided until September 30, 2004; **Pages H9637–38**

Kind amendment that sought to reduce funding for the Iraq Relief and Reconstruction Fund by 50% (by a recorded vote of 156 ayes to 267 noes with one voting "present", Roll No. 553); **Pages H9621–22, H9638–39**

Stupak amendment that sought to increase the basic rate of pay to all military services to provide a $1,500 bonus to each person serving in operations in Iraq or Afghanistan (by a recorded vote of 213 ayes to 213 noes, Roll No. 554); **Pages H9622–23, H9639–40**

Reyes amendment that sought to increase funding for programs and scholarships to increase language proficiency and workforce diversity in the intelligence community (by a recorded vote of 206 ayes to 221 noes, Roll No. 555); **Pages H9625–26, H9640**

Jackson-Lee of Texas amendment that sought to increase funding for Afghan women's programs (by a recorded vote of 156 ayes to 271 noes, Roll No. 556); and **Pages H9627–30, H9641**

Weiner amendment that sought to prohibit funds for assistance or reparations to Cuba, Libya, North Korea, Iran, Saudi Arabia, or Syria (by a recorded vote of 193 ayes to 233 noes, Roll No. 558). **Pages H9635–36, H9642–43**

Point of order sustained against:

Section 3005 of the bill concerning the Lateral Repatriation Program; and

Section 3006 of the bill concerning the issuance of Form I–20A by the San Antonio Office of Detention and Removal of the Bureau of Immigration and Customs Enforcement and the Border Patrol. **Page H9658**

H. Res. 401, a rule providing for further consideration of H.R. 3289, and that provides that no further motion or amendment shall be in order was agreed to by a recorded vote of 221 ayes to 201 noes, Roll No. 560, after agreeing to order the previous question by a recorded vote of 221 ayes to 199 noes with one voting "present", Roll No. 559. **Pages H9643–52**

Agreed on October 16 by unanimous consent to consider certain amendments before the consideration of other amendments for 10 minutes each, that such amendments shall not be subject to amendment, shall not be subject to a demand for division of the question in the House or the Committee on the Whole, and may amend a portion of the bill not yet read (except amendments proposing to transfer appropriations among objects in the bill must conform to clause 2(f) of rule 21).

H. Res. 396, the rule providing for consideration of the bill was agreed to by voice vote on October 16.

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, October 20 for morning hour debate. **Page H9679**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, October 22. **Page H9679**

Senate Message: Message received from the Senate today appears on page H9619.

Senate Referral: S. 618 was ordered held at the desk. **Page H9619**

Presidential Message: Read a message from the President concerning a notice of the Continuation of the National Emergency with Respect to Significant Narcotics Traffickers Centered in Columbia (H. Doc. 108–136). **Page H9680**

Adjournment: The House met at 9:00 a.m. and adjourned at 4:08 p.m.

Committee Meetings

SAFETY ACT IMPLEMENTATION

Committee on Government Reform: Held a hearing entitled "Implementing the SAFETY Act: Advancing New Technologies for Homeland Security." Testimony was heard from Parney Albright, Assistant Secretary, Plans, Programs and Budgets, Department of Homeland Security; and public witnesses.

CONGRESSIONAL PROGRAM AHEAD

Week of October 20 through October 25, 2003

Senate Chamber

On *Monday,* at 2 p.m., Senate will resume consideration of the motion to proceed to consideration of S. 1751, Class Action Lawsuits. At 5:15 p.m. Senate will consider and vote on the nomination of Margaret Catharine Rodgers, to be United States District Judge for the Northern District of Florida.

During the balance of the week, Senate may consider any other cleared legislative and executive business, including appropriation bills, conference reports and certain nominations, when available.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: October 21, to hold a closed briefing regarding ongoing military operations and areas of key concern around the world, 9:30 a.m., SR–222.

October 23, Full Committee, business meeting to consider pending military nominations, 9:30 a.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: October 22, to hold hearings to examine counterterror initiatives in the terror finance program and organization of terror groups for funding and future U.S. responses, 10 a.m., SD–538.

October 23, Full Committee, to resume hearings to examine proposals for improving the regulation of the Housing GSEs, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: October 22, to hold hearings to examine federal involvement in the regulation of the insurance industry, 9:30 a.m., SR–253.

October 22, Subcommittee on Oceans, Fisheries and Coast Guard, to hold an oversight hearing on fisheries, 9:30 a.m., SR–428A.

October 23, Full Committee, to hold hearings to examine Boeing, 9:30 a.m., SR–253.

October 23, Subcommittee on Surface Transportation and Merchant Marine, to hold hearings to examine railroad shipper issues and S. 919, to amend title 49, United States Code, to enhance competition among and between rail carriers in order to ensure efficient rail service and reasonable rail rates, 2:30 p.m., SR–253.

Committee on Environment and Public Works: October 23, business meeting to consider S. 994, to protect human health and the environment from the release of hazardous substances by acts of terrorism, 9:30 a.m., SD–406.

Committee on Finance: October 21, to hold hearings to examine tax shelters, and the role of the Federal Government relative to the buying and selling of tax shelters, 10 a.m., SD–G50.

October 23, Full Committee, to hold hearings to examine company owned life insurance, 2 p.m., SD–215.

Committee on Foreign Relations: October 21, to hold hearings to examine United Nations Convention on the Law of the Sea, with Annexes, done at Montego Bay, December 10, 1982 (the ''Convention''), and the Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, with Annex, adopted at New York, July 28, 1994 (the Agreement''), and signed by the United States, subject to ratification, on July 29, 1994 (Treaty Doc.103–39), 9:30 a.m., SH–216.

October 21, Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings to examine U.S. energy security relating to West Africa and Latin America, 2:30 p.m., SD–419.

October 22, Subcommittee on European Affairs, to hold hearings to examine Anti-Semitism in Europe, 2:30 p.m., SD–419.

October 23, Subcommittee on International Operations and Terrorism, to hold hearings to examine how to achieve the necessary security improvements in a global environment relating to the post–9/11 visa reforms and new technology, 9:30 a.m., SD–419.

Committee on Governmental Affairs: October 22, business meeting to consider pending calendar business, 10:30 a.m., SD–342.

Committee on Health, Education, Labor, and Pensions: October 23, to hold hearings to examine federal and state role in pharmacy compounding and reconstitution, 10 a.m., SD–430.

Committee on Indian Affairs: October 22, to hold hearings to examine the nomination of David Wayne Anderson, of Minnesota, to be an Assistant Secretary of the Interior; to be followed by a business meeting to consider pending calendar business, 10 a.m., SR–485.

Committee on the Judiciary: October 21, to hold hearings to examine criminal terrorism investigations and prosecutions relating to national security, 10 a.m., SD–226.

October 22, Full Committee, to hold hearings to examine the nomination of Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit, 10 a.m., SD–226.

Select Committee on Intelligence: October 22, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

October 23, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: October 20, to hold hearings to examine confronting family elder abuse, 1:30 p.m., SD–628.

House Chamber

To be announced.

House Committees

Committee on Agriculture, October 21, Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, hearing to review the United States National Arboretum, 9:30 a.m.,1300 Longworth.

Committee on Armed Services, October 21, hearing on Operation Iraqi Freedom: Outside Perspectives, 8 a.m., 2118 Rayburn.

October 21, Subcommittee on Readiness, hearing on Resetting and Reconstituting the Forces, 2 p.m., 2118 Rayburn.

October 21, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on C41 Interoperability: New Challenges in 21st Century Warfare, 11 a.m., 2212 Rayburn.

Committee on Financial Services, October 20, Subcommittee on Oversight and Investigations, hearing entitled ''Government and Industry Efforts to Protect Our Money During Blackouts, Hurricanes, and Other Disasters,'' 2 p.m., 2128 Rayburn.

Committee on Government Reform, October 23, hearing entitled ''Open for Business: Ensuring Employee and Customer Safety at the Former Brentwood Postal Facility,'' 1:30 p.m., 2154 Rayburn.

Committee on International Relations, October 21, hearing on U.S.-China Ties: Reassessing the Economic Relationship, 2 p.m., 2172 Rayburn.

October 21, Subcommittee on the Western Hemisphere, hearing on Challenges and Opportunities for U.S. Policy in the Western Hemisphere, 1:30 p.m., 2200 Rayburn.

Committee on the Judiciary, October 21, Subcommittee on Courts, the Internet, and Intellectual Property, hearing on H.R. 2723, Ninth Circuit Court of Appeals Judgeship and Reorganization Act of 2003, 2 p.m., 2141 Rayburn.

Committee on Resources, October 21, Subcommittee on Forests and Forest Health, hearing on the following bills: H.R. 2907, Northern Arizona National Forest Land Exchange Act of 2003; and H.R. 3247, Trail Responsibility and Accountability for the Improvement of Lands Act of 2003, 10 a.m., 1334 Longworth.

October 21, Subcommittee on National Parks, Recreation and Public Lands, to mark up the following bills: H.R. 265, Mount Rainier National Park Boundary Adjustment Act of 2003; H.R. 280, National Aviation Heritage Area Act; H.R. 532, Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act; H.R. 1014, Gateway Communities Cooperation Act; H.R. 1058, to provide for an exchange of certain private property in Colorado and certain Federal property in Utah; H.R. 1594, St. Croix National Heritage Area Study Act; H.R. 1618, Arabia Mountain National Heritage Area Act; H.R. 1629, Upper Missouri River Breaks Boundary Clarification Act; H.R. 1798, Upper Housatonic Valley National Heritage Area Act; H.R. 1862, Oil Region National Heritage Area Act; H.R. 1964, Highlands Stewardship Act; H.R. 2424, National Great Black Americans Commemoration Act of 2003; H.R. 2715, to provide for necessary improvements to facilities at Yosemite National Park; and S. 677, Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Boundary Revision Act of 2003, 2 p.m., 1334 Longworth.

Committee on Small Business, October 20, hearing on the Offshoring of High-Skilled Jobs, Part II, 2 p.m., 2360 Rayburn.

October 21, Subcommittee on Rural Enterprise, Agriculture and Technology, hearing entitled ''Challenges that Small Businesses Face Accessing Homeland Security Contracts,'' 10 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, October 21, Subcommittee on Health, hearing on the Department of Veterans Affairs physician and dentist compensation issues, 2 p.m., 334 Cannon.

Permanent Select Committee on Intelligence, October 21, executive, hearing on Middle East Issues, 2 p.m., H–405 Capitol.

Select Committee on Homeland Security. October 21, hearing entitled ''Funding for First Responders: Ensuring That Federal Funds Are Distributed Intelligently,'' 10:30 a.m., 2318 Rayburn.

Next Meeting of the SENATE

1:30 p.m., Monday, October 20

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 2 p.m.), Senate will resume consideration of S. 1751, Class Action Lawsuits. Also, at 5:15 p.m., Senate will consider and vote on the nomination of Margaret Catharine Rodgers, to be United States District Judge for the Northern District of Florida.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, October 20

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue.

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