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## Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable ELIZABETH DOLE, a Senator from the State of North Carolina.

### PRAYER

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

Let us pray.

Spirit of God, from generation to generation, people of faith speak of Your greatness. You sit enthroned in majesty. Your glory covers all the Earth. Thank You for the strength You give to all who love You and for the blessings You bestow upon America.

Today, we join with our Jewish Senators and staff in celebrating Rosh Hashanah, "the head of the year." As we joyously recall the creation of the world, we ask that You would stir us to repentance and bring us into a closer relationship with You.

Bless all of our Senators and their staffs. May their words and deeds honor You. Guide them in righteous paths that will keep our Nation strong. Equip them to conduct the work of freedom with justice and humility. Give them the contentment that comes from knowing and serving You. We pray in Your majestic Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable ELIZABETH DOLE led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 15, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ELIZABETH DOLE, a Senator from the State of North Carolina, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Mrs. DOLE thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

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

### SCHEDULE

Mr. FRIST. Madam President, I will be brief this morning because we will get started immediately with our business for the day. Chairman STEVENS is having an Appropriations Committee markup, and we want to accommodate that important work today. We have made real progress on the appropriations bills thus far, and we will continue to do so both in committee as well as here on the Senate floor.

In a moment, we will begin the Military Construction appropriations bill under the agreement that we reached last night. We expect that bill to take an hour or less this morning. I will be discussing with the Democratic leadership a time for the vote on passage of that measure, and I will be able to make that announcement shortly.

We will also be discussing other agreements relative to the appropriations measures, and we hope to reach consent on several of those items today.

### ORDER OF PROCEDURE

Mr. FRIST. Madam President, I now ask unanimous consent that following

the disposition of the Military Construction appropriations bill today, the Senate proceed to a period of morning business, with the first 30 minutes under the control of the majority and the second 30 minutes under the control of the minority.

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

### ROSH HASHANAH

Mr. FRIST. Madam President, as the Chaplain just mentioned, and as we all know, the Jewish new year, Rosh Hashanah, is one of the holiest days of the year in the Jewish faith. For the Jewish people, Rosh Hashanah marks the anniversary of the creation of the world. It is a day for contemplation and prayer—and, indeed, we just opened our proceedings today with prayer—to look forward to the year ahead and to reflect on past deeds and to ask for God's forgiveness.

So as so many prepare to celebrate their holy day, I think we should all take that opportunity to reflect on what this holiday represents to all of us, something we do every day and in a global sense, as we look at humanity broadly.

### APPROPRIATIONS AND INTELLIGENCE REFORM

Mr. FRIST. Madam President, I thank, again, the chairman and ranking member—Senator THAD COCHRAN—for doing a tremendous job over the last week on the Homeland Security appropriations bill. It was a tremendous accomplishment. As we set out our business before the Senate last week, before we adjourn, we will focus on the issues that are important to America—the safety and security of the American people. We are going to continue that shortly with the Military Construction appropriations bill.

We were able to take up and complete Homeland Security. Right now as

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



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we meet, we are looking at intelligence reform in this body through both the task force and through the Governmental Affairs Committee as intelligence reform applies to the executive branch. The leadership task force that is chaired by Senator McCONNELL and Senator REID is meeting now and will be making some announcements later today. And the Governmental Affairs Committee, I know there is a press conference later today to update people with regard to the reform that is underway. Not this week but the week after, the Senate we will be devoted to that reform.

Let me close by thanking everyone for their hard work in completing the Homeland Security bill late last night. The specifics of the schedule for the next several days I will have more to say about later this morning.

I yield the floor.

#### RESERVATION OF LEADER TIME

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

#### MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2005

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to consideration of S. 2674, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2674) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes.

#### AMENDMENTS NOS. 3660 AND 3661

The ACTING PRESIDENT pro tempore. Under the previous order, the managers' amendments are agreed to.

The amendments (Nos. 3660 and 3661) were agreed to, as follows:

#### AMENDMENT NO. 3660

(Purpose: To direct the Defense Department to assess the impacts on the military family housing program if the family housing privatization limitation is not eliminated)

At the appropriate place, insert the following:

SEC. . (a) ASSESSMENT OF BUDGET AUTHORITY LIMITATION ON MILITARY HOUSING PRIVATIZATION INITIATIVE.—(1) The Secretary of Defense shall assess the impacts on the military family housing program of having the total value of contracts and investments undertaken under the Military Housing Privatization Initiative reach the limitation on budget authority for the initiative specified in section 2883(g) of Title 10, United States Code.

(2) The assessment shall include: an estimate of the appropriations and period of time necessary to provide the level and quality of housing contemplated under the Military Housing Privatization Initiative in the event that limitation in 10 USC 2883(g) is not eliminated and the potential impact on military families if the limitation is not eliminated.

(b) The Secretary of Defense shall, no later than December 31, 2004, provide to the congressional defense communities a report of the assessment required by subparagraph (a).

(c) MILITARY HOUSING PRIVATIZATION INITIATIVE DEFINED.—In this section, the term "military housing privatization initiative" means the programs and activities undertaken under the alternative authority for the acquisition and improvement of military housing under subchapter IV of chapter 169 of title 10, United States Code.

#### AMENDMENT NO. 3661

(Purpose: To make available additional funds for the Commission on Review of Overseas Military Facility Structure of the United States)

At the appropriate place, insert the following:

SEC. 131. Of the amount appropriated by this Act, \$1,500,000 shall be available to the Commission on Review of Overseas Military Family Structure of the United States.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour of debate equally divided.

The Senator from Texas.

Mrs. HUTCHISON. Madam President, I yield such time as he needs to the distinguished chairman of the Homeland Security Appropriations Committee, who did such a wonderful job this week passing our Homeland Security appropriations bill that is going to fund homeland security for all of our country, after which I would like to reclaim the floor for the Military Construction Subcommittee report.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. COCHRAN. Madam President, I thank the distinguished Senator from Texas for yielding briefly to me.

I take this opportunity to thank the staff members who worked so hard on the appropriations subcommittee for homeland defense for helping ensure the passage of the bill and handling the bill in such a professionally competent way. They all reflected credit on the Senate by their professional way of handling their duties. It was because of their hard work that we successfully completed action on the bill last night. I commend them all.

On our side of the aisle, Rebecca Davies is the chief clerk of that subcommittee. She is assisted ably by Carol Cribbs, Les Spivey, James Hayes, Kimberly Nelson, and Avery Forbes. The staff members who served on the minority side were equally professional and helpful in carrying out their duties.

I commend Senator BYRD for his cooperation with our efforts to complete action on the bill. I especially thank Senator REID, the assistant leader, who was actively involved on the floor helping to ensure the orderly flow of amendments. I am very grateful for his assistance as well.

My good friend Senator TED STEVENS of Alaska was here when he was needed during the handling of that bill, and without his guidance and good judgment on several occasions, we would not have successfully completed action on the bill last evening.

But for all Senators who cooperated with us on time agreements and the like, I express my deepest appreciation and thank them.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I am very pleased to bring forward for the Senate's consideration the fiscal year 2005 Military Construction appropriations bill. I am also pleased to be joined by the ranking member of the Military Construction Subcommittee, Senator FEINSTEIN from California. We have worked very closely on this bill. That has been our tradition. We have never had a problem with our Military Construction bill. Frankly, we have done some very important work and begun to help the Department of Defense shape the military for the future.

Our bill provides, including \$5.3 billion for military construction, \$4.2 billion for military family housing; \$166 million for NATO infrastructure, and \$246 million for base realignment and closure costs.

Although the military construction needs continue to exceed resources available, I am very pleased that the bill provides a significant increase over last year's funding. I believe the bill we have on the floor today attends both to the President's most pressing priorities and to the concerns of Senators.

Since September 11, 2001, we have made great demands on our military personnel as they have waged the global war on terror. The sacrifices have been widely shared, but the demands have been particularly acute for our Reserve components who have faced deployments on a scale and for durations unprecedented in the post-World-War II era. Facilities support for the Guard and Reserve have traditionally failed to keep pace with need.

I am pleased that this year the administration increased the request for Reserve component funding by 68 percent. Even this higher figure, however, is not adequate and the bill adds an additional \$194 million or 31 percent more for critically needed projects in the Guard and Reserve. We believe this bill does a very good job of providing the resources needed to accomplish our military mission. But nothing is so critical to the mission as the people who carry it out, particularly in a time in which so much is being asked of them. For that reason, we have paid particular attention to projects that enhance the quality of life of our military members and their families.

The bill provides over \$1 billion for construction of new modern barracks, \$188 million for design and construction of new hospital and medical facilities, and \$11 million for child development centers to serve our military families. It also provides a 9-percent increase over last year for family housing construction operations and maintenance.

Because we are concerned about the quality of life of our military families, I want to comment briefly on a provision that is addressed in our bill and is very important to meeting the needs in the future for military housing. In 1996,