

ended up in the pockets of high-priced contractors and consultants, and to pay for insurance and security and other overhead costs.

There are serious consequences resulting from this administration's handling of the chaos in Iraq. One, which all Senators are increasingly hearing about from our constituents, is the possibility of a return to the draft. If Iraq continues on its downward spiral, there is growing concern that it may be necessary at some point to reinstate military conscription. I oppose returning to a military draft, I do not believe it is necessary, and I believe it would lessen our military effectiveness.

Yet the President needs to acknowledge to the American people that our entire military forces, including the active Army, the Reserves, and the National Guard, are stretched very thin right now because of the choices the President has made. The military is finding it difficult to get new recruits and has resorted to a backdoor draft, forcing personnel to remain in the service through so-called stop-loss orders.

The Pentagon at some point might decide that the only way to find new recruits—unless we pursue more sensible policies—would be through a draft. I sincerely hope not. This is only one of the many examples of the life-and-death choices that the Nation faces in prudently allocating our resources to combat terrorism.

A lot has been said about President Bush's consistency. His campaign advertisements boast that he is a strong leader because he 'says what he means and he does what he says.'

What good is consistency when it means sending 140,000 Americans into a guerrilla war in a foreign land fueled by religious and ethnic hatred, without justification?

What good is consistency when it means spending upwards of \$200 billion on a policy that has not made us any safer, and that has turned Iraq into a haven for terrorists eager to kill Americans who they see as foreign invaders out to destroy Islam itself?

What good is consistency when it squanders the good will that we need to effectively fight terrorism, to build a real coalition so the United States is not paying 90 percent of the cost and suffering 90 percent of the casualties?

What good is consistency, when all it really amounts to is hollow rhetoric that bears no relationship to the facts?

The President and Vice-President have been consistent alright—consistently wrong. There is no value in that.

The President and Vice President constantly assert that we need to 'stay the course.' My answer to that is that if you are captain of the ship and you are heading for an iceberg, you change course. You want to get to the same destination, but you do not want to plow into the iceberg to get there.

It is this President's rigid adherence to a misguided ideology that has gotten us into deep, deep trouble in Iraq.

The American people deserve better. They deserve competence and they deserve honesty. They deserve leaders who know the difference between a political decision, and the right decision.

AEROSPACE MANUFACTURING

Mr. SMITH. Mr. President, I rise today to speak about a troubling dispute between two great partners in trade. Boeing Commercial Airplanes, a pioneer and mainstay in American aerospace manufacturing since 1917, is being injured by subsidies that European governments are providing to its main competitor, Airbus.

More than 30 years ago, Airbus was created by the governments of Germany, France, the United Kingdom, and Spain with the goal of building a competitive airplane manufacturer for the European Continent. To help encourage growth by their new company, these governments began giving Airbus large amounts of money with very liberal terms. These subsidies included infrastructure loans, loss coverage, debt forgiveness, money for research and development, equity infusion, and launch aid.

These subsidies have allowed Airbus to develop and market a full range of aircraft without incurring full commercial risk. The launch aid assistance alone, which is essentially no-fault borrowing, has amounted to over \$15 billion and allowed Airbus to undercut the marketplace with lower prices. In fact, if Airbus had borrowed this money at standard commercial rates, it is estimated that they would have to incur an additional \$35 billion on their books today.

While subsidies of this sort might be acceptable for a company in its infancy, Airbus has long since grown into a robust and mature competitor. Airbus today competes in every single airplane market over 100 seats and is now jointly owned by the European Aeronautic Defense and Space—EADS—Company and BAE Systems, the world's second- and fourth-largest aerospace companies respectively. Combined, these two defense companies are actually larger than Boeing. In fact, last year, for the first time, Airbus surpassed Boeing in annual aircraft deliveries. Yet, they continue to receive large government subsidies.

As much as these subsidies have helped Airbus, they have harmed Boeing. Boeing's global market share, based on deliveries, fell from nearly 67 percent in 1999 to 48 percent in 2003. In the past 5 years, Boeing Commercial Airplanes has reduced employment from 115,880 to 54,880—that is 61,000 workers who have lost some of the highest quality and highest paying manufacturing jobs in the Nation. The aerospace industry is one of the most competitive sectors of our economy, and it is the single largest positive contributor to the U.S. manufacturing trade balance.

The facts are simple. Airbus is a mature company with a full family of

airplanes that can no longer justify these subsidies, and the obvious damage to Boeing must be addressed and resolved.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

Mr. DURBIN. Mr. President, the 9/11 Commission recognized that one of the biggest challenges we face in fighting the war on terrorism is protecting civil liberties. The Commission said, "While protecting our homeland, Americans should be mindful of threats to vital personal and civil liberties. This balancing is no easy task, but we must constantly strive to keep it right."

To help keep this balance right, the Commission wisely recommended the creation of a board to ensure that the Government does not violate privacy or civil liberties. Following this recommendation, the National Intelligence Reform Act of 2004 establishes the Privacy and Civil Liberties Oversight Board. I want to commend Senator COLLINS and Senator LIEBERMAN for recognizing the importance of this issue.

The 9/11 Commission has endorsed the Collins-Lieberman Board. Commissioners Slade Gorton and Richard Ben-Veniste told the House Government Reform Committee: "A Board of the kind we recommend can be found in the Collins-Lieberman bill in the Senate."

Some have claimed that establishing this board will tilt the balance between security and liberty too far in favor of liberty. I disagree. As the 9/11 Commission said, "The choice between security and liberty is a false choice." We can be both safe and free.

Throughout American history, in times of war, we have sacrificed liberty in the name of security. Now, we are being tested again. The creation of the Privacy and Civil Liberties Oversight Board sends a clear message: This time will be different. We will protect the lives of the American people, but we will also protect their liberty.

The board created by the Collins-Lieberman resolution is a vast improvement over the President's Board on Safeguarding Americans' Civil Liberties, which the President recently created by Executive order.

The President's board is chaired by the Deputy Attorney General and its members will all be high-ranking Government officials, the vast majority of them political appointees.

This board will not be independent because its members are precisely those officials who need independent civil liberties advice. This is like letting a baseball player call his own balls and strikes.

I asked Commission Chair Tom Kean about this. He said that, in the Commission's view, the civil liberties board should have independent members from outside the Government who can provide a "disinterested perspective."

The Collins-Lieberman Board will provide that "disinterested perspective." The board will be appointed by

the President from outside the Government and by the Senate.

The board will have the authority to obtain the information they need to determine whether the Government is violating civil liberties. If someone outside the Government refuses to provide this information, the board would have the power to issue a subpoena to obtain it.

This is common sense. An investigative body must have the power to get the information it needs to conduct an investigation.

It is also common. Countless Federal commissions and boards have subpoena authority. I will name just a few: The National Labor Relations Board, the Equal Employment Opportunity Commission, the Federal Trade Commission, and the Federal Energy Regulatory Commission. The Privacy and Civil Liberties Oversight Board, which has such an important role, should have the same power that so many other Government boards and commissions have.

The Privacy and Civil Liberties Oversight Board will be required to share information about its work with the public. This is a good thing. There should be transparency in Government. The American people have a right to know what their Government is doing.

As Commissioners Gorton and Ben-Veniste told the House Government Reform Committee, "Such a Board should be transparent, making regular reports to Congress and the American public."

Of course, at the same time, we have to protect national security. This bill does that. It requires that information will only be shared with the public, and I quote, "in a manner consistent with the protection of classified information and applicable law."

I want to thank Senator COLLINS and Senator LIEBERMAN for working with me on the structure of the Privacy and Civil Liberties Oversight Board. I offered several amendments to strengthen the Board. Senator COLLINS and Senator LIEBERMAN accepted these amendments, and I thank them for that.

As a result of these amendments: the chairman of the board and the board's executive director will now be full-time. It would very difficult for a part-time Board to function effectively.

Terms for board members will be fixed at 6 years so the President will not be able to fire board members who provide advice the White House doesn't like.

Board members will be required to have expertise in civil liberties and privacy issues.

No more than three of the five board members will be from the same political party, which will ensure the board is bipartisan and independent.

The board will be able to meet upon the call the majority of the board and a majority of the board will constitute a quorum. This will protect the board from being dominated by a chair who is too close to the President.

Board members will be required to testify before Congress if called to do so. This will prevent any administration from trying to shield the disclosure of information by claiming executive privilege for the board.

The board will be required to file semiannual unclassified reports with the appropriate Congressional committees. Therefore, Congress will be fully informed on the board's important work.

In reviewing a government power, the board will be required to consider whether the need for such power is balanced with the need to protect privacy and civil liberties; whether there is adequate supervision of the use by the executive branch of the power to ensure protection of privacy and civil liberties; and whether there are adequate guidelines and oversight to properly confine its use.

This standard of review will provide the board to follow guidelines recommended by the 9/11 Commission as it reviews government power. As the 9/11 Commission said, the board should "ensure that liberty concerns are appropriately considered," and "the burden of proof for retaining a particular governmental power should be on the executive."

These changes will make a strong board even stronger. The Privacy and Civil Liberties Oversight Board will ensure that, as we fight the war on terrorism, we will respect the precious liberties that are the foundation of our society.

COMMENDING DR. JIM MARKS

Mr. BROWNBACK. Mr. President, I would like to make a few remarks commending Dr. Jim Marks, who will be leaving the Department of Health and Human Services in December.

Dr. Marks has directed the National Center for Chronic Disease Prevention and Health Promotion within the Centers for Disease Control and Prevention since 1995. During Dr. Marks' tenure, the CDC has had a significant impact on the lives of all Americans through programs to prevent and promote cancer's earliest detection. Under Dr. Marks' direction and with the support of Congress, the Division of Cancer Prevention and Control has grown from approximately \$123 million to over \$313 million. This growth has afforded CDC the ability to provide national leadership in the cancer prevention and control. Dr. Marks was instrumental in leading efforts to partner with States, territories, tribal organizations as well as national, State and local partners to monitor cancer trends; conduct research and evaluate cancer prevention and control activities; apply scientific advances and develop strong cancer control programs; and to educate public health professionals and the public about cancer prevention and control.

Some specific accomplishments during Dr. Marks' tenure include: the total number of woman ever served by

the National Breast and Cervical Cancer Early Detection Program NBCCEDP, reached 1.9 million in 2003. Under Dr. Marks' guidance, the NBCCEDP has helped uninsured and underinsured women gain access to lifesaving screening and diagnostic testing programs for the early detection of breast and cervical cancer. To date, the program has: provided over 4.6 million screening examinations; diagnosed 17,009 breast cancers; 61,474 precancerous cervical lesions; and 1,157 cervical cancers.

Expansion of the National Program of Cancer Registries (NPCR) to cover 96 percent of the Nation's population. The cancer information gathered by the NPCR serve a key role in determining cancer patterns among various populations; monitoring cancer trends over time; guiding State planning and evaluation of cancer control programs; assisting States in setting priorities for the allocation of resources; and, advancing clinical, epidemiologic, and health services research. The data gathered through the NPCR coupled with information from the National Cancer Institute and the North American Association of Central Cancer Registries was combined to produce official Federal statistics on cancer incidence in the report entitled, U.S. Cancer Statistics: 2000 Incidence.

Development and expansion of the National Comprehensive Cancer Control Program to 61 programs in States, territories and tribes. CDC support permits the respective health agencies to establish broad-based Comprehensive Cancer Control, CCC, coalitions, assess the burden of cancer, determine priorities for cancer prevention and control, and develop and implement CCC plans.

Development of A National Action Plan or Cancer Survivorship: Advancing Public Health Strategies, 2003 in collaboration with the Lance Armstrong Foundation and national experts in cancer survivorship and public health. The action plan charts a course for how the public health community can more effectively and comprehensively address cancer survivorship and focus on improving the quality of life for survivors.

Dr. Marks' leadership and direction in CDC's cancer control and prevention efforts helped Americans lead more productive and healthier lives.

TAIWAN'S NATIONAL DAY

Mr. SMITH. Mr. President, I rise today to pay tribute to the President and the people of Taiwan on the occasion of Taiwan's National Day on October 10.

Despite the lack of formal diplomatic relations between the United States and Taiwan over the last 25 years, the relationship between the two countries has continued to flourish in terms of economics, politics, security, culture and education, science and technology, and human rights. Most important, we share with Taiwan the core values of