

Mr. CORNYN. I thank the Chair.

RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:26 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

FLAG DESECRATION AMENDMENT—Continued

The PRESIDING OFFICER. The Senator from Maine—Vermont.

Mr. LEAHY. Mr. President, both are beautiful States. Maine is the largest land area, the largest State in New England. Most people are surprised to know that Vermont is the second largest. We beat out New Hampshire by about 90 square miles—larger than Massachusetts, larger than Connecticut, larger than Rhode Island. Smallest in population, but we take a back seat to no one in our independence.

I am glad to see my friend, the Presiding Officer, the distinguished Senator, and distinguished former Governor.

I commend the senior Senator from Connecticut for his outstanding statement last night and the senior Senator from Illinois, our Assistant Democratic leader, for his cogent observations on this matter. The statement this morning by the Senator from Vermont, a veteran, a man of principle and courage, made me proud to serve with him in representing the people of our great State. I thank the Senator from Wisconsin, the ranking Democrat on the Constitution Subcommittee for his statement, and the Senator from Delaware, another veteran, for his well-chosen words, as well.

This morning we awoke to read the latest example of this administration's incompetence. Because of bureaucratic bungling, widows of those who have served this Nation and sacrificed for all of us have been denied the survivors' benefits to which they should be entitled. A leader of the Gold Star Wives of America, a group of 10,000 military widows, was quoted as saying:

It is shameful that the government and Congress do not deliver the survivor benefits equally to all our widows with the same compassion and precision the military presents the folded flag at the grave.

Eddie Smith is right and we should be ashamed.

This news follows other recent public reports that posttraumatic stress disorders among our veterans are on the rise. Instead of seeking to turn the flag into a partisan political weapon and the Constitution into a billboard for political slogans, for partisan gain, we should be working to fulfill the pressing needs of our veterans and their families. I wish the Senate would use its time to discuss and solve the real

problems that real Americans are facing right now, instead of trying to stir public passions for political ends.

The Republican leadership so rushed this amendment to the floor that there was not a single Senate hearing on it in this Congress. It was marked up in a side room off the Senate Chamber rather than in the regular public hearing room for the Judiciary Committee with very little debate, and it was reported without a committee report. This is the second time in a month that this Senate is rushing to debate a constitutional amendment without following the procedures that ensure thoughtfulness in such an important debate on a proposal to change our fundamental charter and, in this instance, cut back on the Bill of Rights for the first time in our history.

It was noted today in one of the newspapers that the U.S. Senate—the conscience of the country—is expected to spend 4 days debating this amendment—for each incident of flag burning that purportedly occurred this year in a Nation of 300 million people. I respectfully suggest that in the less than 10 weeks left to us in session this year, the Senate's resources would be better spent working to improve veterans' health care services, survivors' benefits and protecting veterans' and Americans' privacy. We have just witnessed the largest theft of private information from the Government ever, the loss of information on more than 26.5 million American veterans, including more than 2 million who are in active service, nearly 80 percent of our active-duty force and a large percentage of our National Guard and the Reserve. Why? Because this administration was so incompetent they did not think to lock the door.

This same administration says we need a constitutional amendment to ban flag burning in order to protect our veterans. We are not going to do anything to protect their credit records; we are not going to do anything to protect their privacy. We will leave the door open on that. But we have to watch out for the flag.

Let me quote what a spokeswoman for the American Legion said recently:

Our armed forces personnel have enough on their plates with fighting the global war on terror, let alone having to worry about identity theft while deployed overseas. A spokesman for the VFW said: This confirms the VFW's worst fear from day one—that the loss of data encompasses every single person who did wear the uniform and does wear the uniform today.

What does the Bush-Cheney administration say? If you are over there fighting in Ramallah and your identity has been stolen, don't worry. We have an 800-number you can call and maybe buy some insurance or something to protect your credit. Well, call once you are not getting shot at.

Because of the Bush-Cheney administration's recklessness, our veterans and our active-duty servicemembers are now worried whether their personal information is being sold on the black

market or available to foreign intelligence services or terrorists. That adds up to a heckuva bad job for America's veterans and our men and women in uniform.

Compounding the incompetence was the misguided impulse of the administration to keep everything secret for as long as they could. Three weeks after the theft, it was finally disclosed. Three weeks after that, the administration finally announced that it would do what it should have done from day 1 by making credit reporting available to those affected. And the administration is still fighting paying for its mistakes. It is resisting the efforts by Senators BYRD and MURRAY to provide the money needed to pay for credit monitoring and proposing to take the money from veterans health care or other programs. That is wrong.

Such incompetence at the Bush-Cheney Department of Veterans Affairs is worse than anything I have seen in the six Presidential administrations I have served with. At some point, this administration better stop appointing and hiring cronies, and at some point it might really take responsibility. Then we could have some real accountability for their incompetence. The American people suffer, the veterans are at risk, but those in responsibility get medals and promotions and the Republican Congress never gets to the bottom of what happened to make sure it will not happen again.

Rather than work on our privacy and identity theft legislation, rather than proceed on a bill protecting veterans, such as Senator AKAKA's or Senator KERRY's, we are being directed to another divisive debate on a proposed constitutional amendment. The White House calls the tune, and this Republican-led Congress is quick to dance to it. This is a White House that does not even list "veterans" as an issue on its Web site.

The Nation's veterans—who have been willing to make the ultimate sacrifice for their country—deserve better. In his second inaugural, while the Nation was fighting the Civil War, President Lincoln concluded with words that became the motto of the Veterans Administration and remains on metal plaques around the Vermont Avenue doors of the VA office here in Washington:

To care for him who shall have borne the battle and for his widow, and his orphan.

In this fundamental mission, this administration has lost its way.

What the Bush administration's budget says is that honoring veterans is not a priority, especially when it comes to medical care. The President's budget requests consistently fall short of the levels needed to provide necessary services and care. Secretary Nicholson had to admit a billion dollar shortfall last year after first issuing inaccurate and unfounded denials of his mismanagement. Secretary Principi before him had testified that the Veterans Department asked the White