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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

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

Let us pray:

Eternal God, Lord of creation, everything around us points to You. We thank You that even nature reminds us of Your goodness and compels us to stand in awe of Your majesty. We thank You for pleasant reminders that this Senate is a family, and that we have many things to unite us. Teach us to trust You to use us as Your instruments in this challenging world. As Senators labor today, may their faithfulness, commitment, and integrity blend with the music of the spheres to serve Your perfect will. Give them insight and wisdom that they may discern the difference between the temporary and the eternal. We pray this in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID, a Senator from the State of Nevada, 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 the Senate will resume debate on S. 925, the State Department authorization bill. During yesterday's session, we were able to dispose of a number of amendments to the measure, and we will continue working aggressively through amendments this morning.

I encourage any Member who does have an amendment to the bill to contact the chairman or the ranking member as soon as possible so we can organize an orderly schedule for the consideration of the amendments. I do ask my colleagues that they bring forward amendments that are relevant to the underlying legislation. Unfortunately, over the course of yesterday afternoon and yesterday evening, a number of nonrelevant issues were mentioned and talked about as possible amendments. It is important that we complete action on this very important bill—really these three very important bills together—after which we will go to the appropriations process.

In order to accomplish that, we need to focus on the bill itself. I ask and make that plea to my colleagues that we stay, through an orderly process, on the bill with relevant amendments.

I am aware of every Senator's right to amend and to bring anything to the floor they would like but out of consideration for an orderly, thoughtful schedule that allows us to continue with the authorization process underway and then proceed to the very important appropriations process, we do need people to be as cooperative as possible with the chairman and ranking member.

We will have rollcall votes throughout the day. Senators will be notified when that first vote is scheduled. It is expected that we will consider and complete action, as I mentioned earlier, on appropriations bills this week. We will initially go to, after completion of the bill that is on the floor, the legislative branch appropriations to be followed by the military construction appropriations bill.

As I said clearly earlier in the week, we will be voting on Friday. So I do want our colleagues to expect rollcall votes tomorrow. Depending on how things go over the course of the morning and the afternoon and this evening, we will have a much better idea as to whether we will be voting late in the day on Friday or earlier in the day.

Again, I have tried to make it very clear through an orderly process that we can get through the schedule that is set out, which includes these appropriations bills.

There is a lot of work to do this week, and Members should prepare for a busy session today and tomorrow.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDENT pro tempore. The acting Democratic leader is recognized.

EVENING AT NATIONAL GALLERY OF ART

Mr. REID. Mr. President, while the majority leader is on the floor, I have something that is not directly on point but I wish to say for the entire Senate. I congratulate the majority leader and the Democratic leader. It is so rare that we, as a Senate, are able to get together at a social event. Last night, we were able to have an event where we went to an exhibit at the National Gallery of Art to see paintings by a great western artist, Remington.

I applaud and congratulate the two leaders for bringing this together because so much of what we do is adversarial in nature. It was a tremendous evening last night to be able to have our spouses and to sit down to dinner and listen to some short, but good, speeches and look at great exhibits that were painted almost 100 years ago by this great artist.

I speak for the whole Senate and extend my congratulations to the two leaders for arranging that event last night.

FOREIGN RELATIONS AUTHORIZATION

Mr. President, through you to the majority leader, we have an amendment about which I have talked with the two managers of the bill that is going to be offered this morning dealing with Mexico. We will do that as

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

soon as there are amendments cleared. We have an amendment by Senator MURRAY. We have already hotlined our Members as to what amendments they have.

As I indicated, either I or the Democratic leader will be in touch with the majority leader this morning to go over generally the list of these amendments so he has an idea of what we have at this time. That certainly would not prevent people offering them at a later time. But I think we have a pretty good list of all the amendments that are going to be offered. At that time, the majority leader can make a decision as to how we proceed.

We believe this is an important bill, and we think it should be completed. We think it should be completed as soon as possible, and as the leader indicated, every Senator has a right to offer amendments on any subject they want, and a few of them are going to do that. We hope that will be kept to a minimum so we can move to the amendments that are germane and relevant to this matter, not because it is required by Senate rules but because we want to try to move this bill along.

I have a couple of housekeeping issues. We have a briefing at 4 o'clock today by Secretary Rumsfeld. I am sure a lot of the Senators need to go to it, including the two managers of this bill. I ask that the leader consider, as the day progresses, maybe putting us in recess during that period of time—whatever decision you make in that regard.

We have spoken at length with the two managers. They have a pretty good idea of where we are coming from on this side.

The PRESIDENT pro tempore. The majority leader.

Mr. FRIST. Mr. President, we will have to make some big decisions this morning in terms of planning for the day, and we will be in touch, both on the floor and off the floor, out of respect for completion of this bill as soon as possible. I appreciate it.

Mr. REID. Mr. President, I was just told Secretary Rumsfeld's meeting has been rescheduled for a later time. It is not going to be this afternoon.

RESERVATION OF LEADER TIME

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

AFRICA AND MILLENNIUM CHALLENGE ACCOUNT

Mr. FRIST. Mr. President, before starting the bill, I will take 2 minutes on leader time to comment on an issue that is important to me personally but that I think is important to our concerns for people around the world, and that is the President's trip right now to Africa.

On Tuesday of this week, on Goree Island, President Bush spoke about the extraordinary contributions of Africa's sons and daughters to America's culture and ideals. The moral vision of such leaders as Frederick Douglas—many of us have had the opportunity to visit his wonderful home that sits on a hill in Washington just a few miles from where we stand now—Booker T. Washington, W.E.B. DuBois, Sojourner Truth, Martin Luther King, Rosa Parks, and the list goes on, have penetrated deep into America's consciousness and illuminated America's core principles. Africans who were brought to America in chains, and their descendants who subsequently suffered cruelty and injustice, helped set America free. It is a story that must be told and be told to future generations so that we will always work toward realizing our Nation's great purpose—in a word: Freedom.

America and Africa are working together to expand freedom across the globe. The President is celebrating much of that in his current trip. In late August, I will be taking a delegation of Senators back to Africa once again.

On the Senate floor today, and yesterday, is very important and significant legislation, the Millennium Challenge Account, which promises to invest in the continent's abundant political and economic opportunities. We all celebrate the $15 billion commitment in global HIV/AIDS relief by the President, which the Senate confirmed under the leadership of Chairman LUGAR last month. We know that will help turn the tide against HIV/AIDS and, I should add, malaria and tuberculosis.

The African Growth and Opportunity Act, which we addressed 3 years ago now, is alleviating poverty in Africa. Those of us who travel regularly hear again and again that it is having an impact that stimulates and spurs on that African entrepreneurship.

So I take this moment to commend President Bush for his bold and substantive leadership in helping Africa's leaders meet their nation's challenges and to realize the nation's opportunities, and also to recognize the leadership of Chairman LUGAR on each of these other issues that I mentioned: The Millennium Challenge Account, the global fight against HIV/AIDS, the African Growth and Opportunity Act. These efforts, and many others—bipartisan, both sides of the aisle—will help set Africa on a course to maximum freedom and opportunity for all of its people and strengthen those historic ties that bind our two great lands.

I yield the floor.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 2004

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 925, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 925) to authorize appropriations for the Department of State and international broadcasting activities, for fiscal year 2004 and for the Peace Corps for fiscal years 2004 through 2007, and for other purposes.

Pending:

Lugar amendment No. 1136, in the nature of a substitute.

Lautenberg amendment No. 1135 (to amendment No. 1136), to provide justice for marine victims of terror.

Amendments Nos. 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, and 1163, en bloc to amendment No. 1136

The PRESIDENT pro tempore. The Senator from Indiana.

Mr. LUGAR. Mr. President, I send to the desk a packet of agreed-upon amendments. I will enumerate those amendments and after enumerating them ask that they be adopted en bloc to Amendment No. 1136.

The PRESIDENT pro tempore. Will the Senator ask to set aside the pending amendments?

Mr. LUGAR. I so ask that the pending amendments be set aside.

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

Mr. LUGAR. Mr. President, the package of amendments that I have sent to the desk has received consideration by the staffs of myself and Senator BIDEN throughout last evening. They include an amendment by Mr. BIDEN expressing the sense of Congress relating to violence against women; secondly, an amendment by Mr. BREAUX to authorize transportation for the Chief of Protocol; third, an amendment by Mr. COLEMAN to authorize a comprehensive program of support for victims of torture and for other purposes; fourth, an amendment by Mr. DASCHLE to require an annual report on Saudi Arabia's cooperation in the war on terrorism; fifth, an amendment by Senator FEINSTEIN to require a report on states that have not cooperated in small arms programs; sixth, an amendment by Mr. BIDEN to require the reporting of certain information relating to proposed exports and transfers of firearms; seventh, an amendment by Mr. LEAHY to provide a report on a strategy to deal with the international coffee crisis; eighth, a chairman's amendment to strike section 2512 relating to amendments to the Arms Control and Disarmament Act; ninth, a chairman's amendment to provide an exception to requirements with respect to bilateral agreements for exemption from certain licensing requirements; tenth, a chairman's amendment to improve provisions on global pathogen surveillance; eleventh, a chairman's amendment to strike section 205 relating to the State Department authorization bill; twelfth, a chairman's amendment to clarify Foreign Service grievance board procedures; thirteenth, a chairman's amendment to modify reporting requirements on U.S. personnel involved in the antinarcotics campaign in Colombia; and finally, fourteenth, a chairman's amendment to strike section 2239 relating to the sense of Congress relating to

exports of defense items to the United Kingdom.

The PRESIDENT pro tempore. Is there objection to considering those amendments en bloc?

Without objection, it is so ordered.

The amendments were agreed to, en bloc, as follows:

AMENDMENT NO. 1150

(Purpose: To express the sense of Congress relating to violence against women)

On page 94, between lines 17 and 18, insert the following new section:

SEC. 815. SENSE OF CONGRESS RELATING TO VIOLENCE AGAINST WOMEN.

(a) FINDINGS.—Congress makes the following findings:

(1) Article 4 of the Declaration on the Elimination of Violence Against Women adopted by the United Nations General Assembly in Resolution 48/104 on December 20, 1993, proclaims that ''States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination.''.

(2) Paragraph 124 of chapter IV of the Platform for Action, which was adopted along with the Beijing Declaration by the Fourth World Conference on Women on September 15, 1995, states that actions to be taken by governments include condemning violence against women and refraining from invoking any custom, tradition, or religious consideration as a means to avoid the obligations of such governments with respect to the elimination of violence against women as such obligations are referred to in the Declaration on the Elimination of Violence against Women.

(3) The United States has supported the Declaration on the Elimination of Violence Against Women and the Beijing Declaration and Platform for Action.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should continue to condemn violence against women and should urge states to refrain from invoking any custom, tradition, or practices in the name of religion or culture as a means to avoid obligations regarding the elimination of violence against women as referred to in Article 4 of the Declaration on the Elimination of Violence against Women.

AMENDMENT NO. 1151

(Purpose: To authorize the Chief of Protocol to use a passenger carrier for transportation between the Chief of Protocol's residence and place of employment)

On page 94, between lines 17 and 18, insert the following new section:

SEC. 815. AUTHORIZATION FOR PASSENGER CARRIER USE BY THE CHIEF OF PROTOCOL.

Section 1344(b)(4) of title 31, United States Code, is amended by inserting ''the Chief of Protocol of the United States,'' after ''abroad,''.

AMENDMENT NO. 1152

(Purpose: To authorize a comprehensive program of support for victims of torture, and for other purposes)

At the end of subtitle A of title XXI, add the following new section:

SEC. 2113. REAUTHORIZATION OF RELIEF FOR TORTURE VICTIMS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR FOREIGN TREATMENT CENTERS FOR VICTIMS OF TORTURE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 4(b)(1) of the Torture Victims Relief Act of 1998 (22 U.S.C. 2152 note) is amended to read as follows:

''(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for fiscal year 2004 pursuant to chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) there is authorized to be appropriated to the President to carry out section 130 of such Act $11,000,000 for fiscal year 2004.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect October 1, 2003.

(b) AUTHORIZATION OF APPROPRIATIONS FOR THE UNITED STATES CONTRIBUTION TO THE UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.—Of the amounts authorized to be appropriated for fiscal year 2004 pursuant to chapter 3 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2221 et seq.), there is authorized to be appropriated to the President for a voluntary contribution to the United Nations Voluntary Fund for Victims of Torture $6,000,000 for fiscal year 2004.

(c) AUTHORIZATION OF APPROPRIATIONS FOR DOMESTIC TREATMENT CENTERS FOR VICTIMS OF TORTURE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 5(b)(1) of the Torture Victims Relief Act of 1998 (22 U.S.C. 2152 note) is amended to read as follows:

''(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for the Department of Health and Human Services for fiscal year 2004, there is authorized to be appropriated to carry out subsection (a) $20,000,000 for fiscal year 2004.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect October 1, 2003.

AMENDMENT NO. 1153

(Purpose: To require an annual report on Saudi Arabia's cooperation in the war on terrorism)

At the end of title VIII, insert the following new section:

SEC. 815. ANNUAL REPORT ON SAUDI ARABIA'S COOPERATION IN THE WAR ON TERRORISM.

(a) REQUIREMENT FOR REPORT.—Not later than May 1, 2004, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the cooperation of the Government of Saudi Arabia in the war on terrorism.

(b) CONTENT.—Each report shall include—

(1) a description of the efforts of the Government of Saudi Arabia to combat terrorism and to counter efforts to foment intolerance in Saudi Arabia;

(2) an assessment of the cooperation of the Government of Saudi Arabia with United States antiterrorism efforts, including—

(A) efforts of law enforcement in Saudi Arabia to disrupt suspected terrorist networks and apprehend suspected terrorists; and

(B) diplomatic and law enforcement efforts of Saudi Arabia to stop the financing of terrorists and terrorist organizations; and

(3) an assessment of the efforts of the Government of Saudi Arabia to investigate terrorist attacks against citizens of the United States, including—

(A) a description of the status of efforts to investigate such attacks; and

(B) a list of individuals convicted in Saudi Arabia of committing such attacks.

AMENDMENT NO. 1154

(Purpose: To require a report on states that have not cooperated in small arms programs)

On page 94, between lines 17 and 18, insert the following new section:

SEC. 815. ANNUAL REPORT ON SMALL ARMS PROGRAMS.

Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report—

(1) describing the activities undertaken, and the progress made, by the Department or other agencies and entities of the United States Government in prompting other states to cooperate in programs on the stockpile management, security, and destruction of small arms and light weapons;

(2) listing each state that refuses to cooperate in programs on the stockpile management, security, and destruction of small arms and light weapons, and describing to what degree the failure to cooperate affects the national security of such state, its neighbors, and the United States; and

(3) recommending incentives and penalties that may be used by the United States Government to prompt states to comply with programs on the stockpile management, security, and destruction of small arms and light weapons.

AMENDMENT NO. 1155

(Purpose: To require the reporting of certain information relating to proposed exports and transfers of firearms)

At the end of subtitle B of title XXII, add the following:

SEC. 2241. TRANSFERS OF SMALL ARMS AND LIGHT WEAPONS.

(a) EXPORTS UNDER THE ARMS EXPORT CONTROL ACT.—

(1) LETTERS OF OFFER.—Section 36(b)(1) of the Arms Export Control Act (22 U.S.C. 2776(b)(1)) is amended by inserting after ''such certification).'' in the fourth sentence the following: ''Each numbered certification regarding the proposed export of firearms listed in category I of the United States Munitions List shall include, with regard to the proposed export, a summary of the views of the office in the Department of State that has responsibility for programs relating to the collection and destruction of excess small arms and light weapons, together with a summary of any provision of the letter of offer or any related arrangement for the recipient State to dispose of firearms that would become excess as a result of the proposed export.''.

(2) LICENSES.—Section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) is amended by inserting after the second sentence the following: ''Each numbered certification regarding the proposed export of firearms listed in category I of the United States Munitions List shall include, with regard to the proposed export, a summary of the views of the office in the Department of State that has responsibility for programs relating to the collection and destruction of excess small arms and light weapons, together with a summary of any provision of the license or any related arrangement for the recipient State to dispose of firearms that would become excess as a result of the proposed export.''.

(b) TRANSFERS UNDER THE FOREIGN ASSISTANCE ACT OF 1961.—Subsection 516(f)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (C);

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following new subparagraph:

''(D) for any proposed transfer of firearms listed in category I of the United States Munitions List that would require a license for international export under section 36 of the Arms Export Control Act (22 U.S.C. 2776)—

''(i) with regard to the proposed transfer, the views of the office in the Department of State that has responsibility for programs relating to the collection and destruction of excess small arms and light weapons; and

''(ii) a summary of any provision under the transfer or any related arrangement for the

recipient State to dispose of firearms that would become excess as a result of the proposed transfer; and''.

AMENDMENT NO. 1156

(Purpose: To provide a report on a strategy to deal with the international coffee crisis)

At the appropriate place insert:

SEC. . REPORT.

Not later than 120 days after enactment, the Secretary, in consultation with the Administrator of the United States Agency for International Development and the Secretary of the Treasury, shall submit a report to the appropriate congressional committees describing the progress the United States is making towards meeting the objectives set forth in paragraph 1 of S. Res. 368 (107th Congress) and paragraph 1 of H. Res. 604 (107th Congress), including adopting a global strategy to deal with the international coffee crisis and measures to support and complement multilateral efforts to respond to the international coffee crisis.

AMENDMENT NO. 1157

(Purpose: To strike section 2512, relating to amendments to the Arms Control and Disarmament Act)

Strike section 2512.

AMENDMENT NO. 1158

(Purpose: To provide an exception to requirements with respect to bilateral agreements for exemptions from certain licensing requirements)

On page 182, line 16, insert ''**AND THE UNITED KINGDOM**'' after ''**AUSTRALIA**''.

On page 182, beginning on line 22, strike ''The requirements'' through ''into force.'' on page 183, line 4, and insert the following:

''(A) AUSTRALIA.—Subject to the provisions of section 2233(c) of the Foreign Affairs Act, Fiscal Year 2004, the requirements for a bilateral agreement described in paragraph (2)(A) of this subsection shall not apply to such a bilateral agreement between the United States Government and the Government of Australia with respect to transfers or changes in end use within Australia of defense items that will remain subject to the licensing requirements of this Act after the agreement enters into force.

''(B) UNITED KINGDOM.—Subject to the provisions of section 2233(c) of the Foreign Affairs Act, Fiscal Year 2004, the requirements for a bilateral agreement described in paragraphs (1)(A)(ii), (2)(A)(i) and (2)(A)(ii) of this subsection shall not apply to the bilateral agreement between the United States Government and the Government of the United Kingdom for an exemption from the licensing requirements of this Act, or any other form of agreement between the United States Government and the Government of the United Kingdom to gain an exemption from the licensing requirements of this Act.''.

On page 183, between lines 9 and 10, insert the following:

(c) CERTIFICATION ON NONCONFORMING AGREEMENTS.—Not later than 14 days before the activation of an exemption from the licensing requirements of the Arms Export Control Act pursuant to any bilateral agreement made with the United Kingdom or Australia for that purpose that does not conform to the requirements applicable to such an agreement under section 38(j) of the Arms Export Control Act (22 U.S.C. 2778)(j), the President shall certify to the appropriate congressional committees that—

(1) the nonconforming agreement is in the national interest of the United States;

(2) the nonconforming agreement does not in any way adversely affect the ability of the licensing regime under the Arms Export Control Act to provide consistent and adequate controls for items not exempt under such agreement from the licensing regime;

(3) the nonconforming agreement will not in any way adversely affect—

(A) the abilities of the Secretary to ensure, pursuant to section 2 of the Arms Export Control Act (22 U.S.C. 2752), effective controls over the sales, finances, leases, cooperative projects, and exports that are regulated under such Act; or

(B) any of the duties or requirements of the Secretary under such Act; and

(4) the nonconforming agreement will serve as an effective nonproliferation and export control tool.

(d) REPORT ON ISSUES RAISED IN CONSULTATIONS PURSUANT TO BILATERAL AGREEMENTS WITH AUSTRALIA AND UNITED KINGDOM.—Not later than one year after the date of the enactment of this Act and annually thereafter, the President shall submit to the appropriate congressional committees a report on any issues raised during the previous year in consultations conducted under the terms of the bilateral agreement with Australia, or under the terms of the bilateral agreement or any other form of an agreement with the United Kingdom, for exemption from the licensing requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.). Each report shall contain detailed information—

(1) on any notifications or consultations between the United States and the United Kingdom under the terms of the agreement with the United Kingdom, or between the United States and Australia under the terms of the agreement with Australia, concerning the modification, deletion, or addition of defense items on the United States Munitions List, the United Kingdom Military List, or the Australian Defense and Strategic Goods List;

(2) listing all United Kingdom or Australia persons and entities that have been designated as qualified persons eligible to receive United States origin defense items exempt from the licensing requirements of the Arms Export Control Act under the terms of such agreements, and listing any modification, deletion, or addition to such lists, pursuant to the requirements of the agreement with the United Kingdom or the agreement with Australia;

(3) on any consultations or steps taken pursuant to the agreement with the United Kingdom or the agreement with Australia concerning cooperation and consultation with either government on the effectiveness of the defense trade control systems of such government;

(4) on all special provisions and procedures undertaken pursuant to—

(A) the agreement with the United Kingdom with respect to the handling of United States origin defense items exempt from the licensing requirements of the Arms Export Control Act by persons and entities qualified to receive such items in the United Kingdom; and

(B) the agreement with Australia with respect to the handling of United States origin defense items exempt from the licensing requirements of the Arms Export Control Act by persons and entities qualified to receive such items in Australia;

(5) on any understandings, including the text of such understandings, between the United States and the United Kingdom concerning retransfer of United States origin defense items made pursuant to the agreement with the United Kingdom or any other form of agreement with the United Kingdom to gain exemption from the licensing requirements of the Arms Export Control Act;

(6) on consultations with the Government of the United Kingdom or the Government of Australia concerning the legal enforcement of these agreements;

(7) on any United States origin defense item for which the United States did not seek re-export or transfer authorization under the terms of the Memorandum of Understanding between the United States and the United Kingdom, and on any United States origin defense item for which the United States did not require re-export authorization under the terms of the agreement with Australia; and

(8) on any disagreement the Government of Australia or the Government of the United Kingdom may have with the United States Government concerning any aspect of the bilateral agreements between such country and the United States, and on any disagreement with the Government of the United Kingdom concerning any aspect of any other form of agreement with the United Kingdom to gain exemption from the licensing requirements of the Arms Export Control Act.

(e) SPECIAL REPORTS ON UNAUTHORIZED END-USE OR DIVERSION.—The Secretary shall notify the appropriate congressional committees not later than 30 days after receiving any credible information regarding the unauthorized end-use or diversion of United States exports made pursuant to any agreement with a country to gain exemption from the licensing requirements of the Arms Export Control Act. Such notification may be made in classified or unclassified form and shall include—

(1) a description of the good or service;

(2) the United States origin of the good or service;

(3) the authorized recipient of the good or service;

(4) a detailed description of the unauthorized end-use or diversion of the good or service, including any knowledge by the United States exporter of such unauthorized end-use or diversion;

(5) any enforcement action taken by the Government of the United States; and

(6) any enforcement action taken by the government of the recipient nation.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

AMENDMENT NO. 1159

(Purpose: To improve the provisions on global pathogen surveillance)

In section 2403(2)(B), strike ''and'' after the semicolon.

In section 2403(2)(C), strike the period and insert ''; and''.

In section 2403(2), add at the end the following:

(D) is determined by the United States Government not to have an offensive biological weapons program.

In section 2403(3), strike ''who is eligible to receive'' and all that follows and insert ''who—

(A) is eligible to receive a visa under the provisions of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

(B) is not currently or previously affiliated with or employed by a laboratory or entity determined by the United States Government to be involved in offensive biological weapons activities.

In section 2408(b)(3), strike ''and'' after the semicolon.

In section 2408(b)(4), strike ''(4)'' and insert ''(5)''.

In section 2408(b), insert after paragraph (3) the following:

(4) necessary to secure and monitor pathogen collections containing select agents; and

In section 2408(e), insert ''monitor,'' after ''secure,''.

In section 2413(c), strike ''90 days'' and insert ''120 days''.

AMENDMENT NO. 1160

Strike section 205.

AMENDMENT NO. 1161

At the end of title III, add the following:

SEC. 313. CLARIFICATION OF FOREIGN SERVICE GRIEVANCE BOARD PROCEDURES.

Section 1106(8) of the Foreign Service Act of 1980 (22 U.S.C. 4136(8)) is amended in the first sentence—

(1) by inserting ''the involuntary separation of the grievant (other than an involuntary separation for cause under section 610(a)),'' after ''considering''; and

(2) by striking ''the grievant or'' and inserting ''the greivant, or''.

AMENDMENT NO. 1162

At the end of title VIII, add the following:

SEC. 815. MODIFICATION OF REPORTING REQUIREMENTS ON UNITED SATES PERSONNEL INVOLVED IN THE ANTINARCOTICS CAMPAIGN IN COLOMBIA.

Section 3204(f) of the Emergency Supplemental Act, 2000 (division B of Public Law 106–246; 114 Stat. 577) is amended—

(1) in the heading, by striking ''BIMONTHLY'' and inserting ''QUARTERLY'';

(2) by striking ''60 days'' and inserting ''90 days''; and

(3) by striking ''to Congress'' and inserting ''appropriate committees of Congress (as that term is defined in section 3207(b)(1) of this Act)''.

AMENDMENT NO. 1163

(Purpose: To strike section 2239, relating to the sense of Congress relating to exports of defense items to the United Kingdom)

Strike section 2239.

AMENDMENT NO. 1150

Mr. BIDEN. Mr. President, along with Senator MIKULSKI, I offer the following sense of the Senate amendment with respect to condemning violence against women. It states that the United States should continue to:

condemn violence against women and should urge states to refrain from invoking any custom, tradition or practice in the name of religion or culture as a means to avoid obligations regarding the elimination of violence against women referred to in Article IV of the Declaration on the Elimination of Violence against Women.

In this year's session of the U.N. Commission on the Status of Women, the United States sided with Iran, Pakistan and Sudan in opposing the above language in the final report of the Commission's session.

We ought to wonder why. The language was important, critical to support, on its merits and furthermore, it was hardly groundbreaking.

The United States supported it in the 1993 U.N. Declaration on the Elimination of Violence Against Women and in the 1995 Beijing Platform of Action.

This year, the U.S. delegate justified the position of not supporting the language on customs and religious practices by claiming that the United States was seeking consensus in the commission, because some other nations perceived the language as casting religion in a negative light.

This is absurd. Violence against women is an outrage. It happens every day, in America and around the world. It is never justified, and the United States should never miss an opportunity, here and abroad, to condemn it.

Therefore, I have offered this amendment to reiterate the need for the United States to continue to take a stand in condemning violence against women in all forms, and under all circumstances.

AMENDMENT NO. 1154

Mr. AKAKA. Mr. President, I rise today to support Senator FEINSTEIN's amendment to the Fiscal Year 2004 State Department Authorization bill that would require the State Department to submit an annual report on nations that are not cooperating with programs concerning small arms and light weapons.

The U.N. estimates that there are more than 500 million small arms and light weapons in the world and about half of these are illicit. Of the 49 major conflicts fought during the 1990s, small arms were used in 47 of them, causing four million deaths. Ninety percent of the deaths were civilians and eighty percent of those were women and children. The death and destruction caused by small arms and light weapons has led U.N. Secretary-General Kofi Annan to characterize them as a ''global scourge.''

In July 2001 a United Nation's conference took place on the illicit trade in small arms and light weapons. The conference adopted a program of action to eliminate these weapons. The first review of the program of action is taking place this week in New York.

U.S. Assistant Secretary of State for Political-Military Affairs Lincoln Bloomfield echoed Secretary-General Annan's comments in his address to the conference. Mr. Bloomfield told the delegates that, ''the illicit trade in small arms and light weapons poses a serious threat to stability and security in this hemisphere as well as parts of Africa, South Asia, the Middle East, and elsewhere.'' Mr. Bloomfield called on all nations to ''work even more energetically to curb the illicit trade in small arms and light weapons.''

The United States has made a substantial contribution to this effort. Over the past two years, some five million dollars have been spent on destruction assistance programs. U.S.-supported programs in 10 countries have led to the destruction of over 400,000 excess or illegal weapons and 44 millions rounds of ammunition.

The size of the problem means there is much work left to be done. President Bush in a speech last month outlining his agenda for his trip to Africa said that his ''first great goal in our partnership with Africa is to help establish peace and security across the continent.'' He underscored, ''Many thousands of African men and women and children are killed every year in regional wars.'' Africa has suffered terribly from the scourge of small arms. I urge the President to make the control of small arms and light weapons an even greater priority, and I hope the administration will continue to emphasize the importance of controlling and eliminating small arms and seek additional funding when it is needed.

Senator FEINSTEIN's amendment will assist the United States in its efforts to encourage other countries to participate in programs to control these weapons. An annual report on illicit small arms will allow the government to better track countries that are not yet cooperating. It will also allow Congress to be better informed about the State Department's efforts to gain cooperation of those countries.

I thank the Senator for her efforts. We should do as much as possible to address the scourge of small arms that is taking the lives of so many innocent people throughout the world.

AMENDMENT NO. 1155

Mr. AKAKA. Mr. President, I rise today to support Senator BIDEN's amendment to the Fiscal Year 2004 State Department Authorization bill concerning sharing information about the export of small arms with the State Department office responsible for the collection and destruction of small arms.

In July 2001 a United Nation's conference took place on the illicit trade in small arms and light weapons. The conference adopted a program of action to eliminate these weapons. After two years, the first meeting to review progress on this program of action convened this week in New York. U.N. Secretary-General Kofi Annan in a message sent to the conference said, ''It is difficult to overstate the importance of implementation of the program of action.'' He noted, ''After all, small arms and light weapons cause mass destruction. They kill about 60 people an hour or half a million people a year, 90 percent of them women and children.''

U.S. Assistant Secretary of State for Political-Military Affairs Lincoln Bloomfield described to participants the significant contribution the United States has made in the area of destruction assistance programs. Commendably, since early 2001, U.S.-supported programs in 10 countries have led to the destruction of over 400,000 excess or illegal weapons and 44 million rounds of ammunition.

Senator BIDEN's amendment will add needed rationality to U.S. policy in this area. If the United States permits the export of small arms or light weapons, the office within the State Department responsible for the collection and destruction of these arms should be informed. Otherwise we may unknowingly pay states to destroy small arms at the same time that we are giving them more weapons.

I thank the Senator from Delaware for this amendment. It is important that the right hand of the government knows what the left hand is doing. The U.N. estimates that there are more than 500 million small arms and light weapons in the world and around half of these are illicit. We have far to go in our global effort to control and eliminate these illicit arms. Every step we can take to achieve this goal should be pursued.

Mr. LUGAR. 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. LUGAR. Mr. President, I rise to update the Senate on where we stand on the State Department authorization bill. We were successful in working through many issues yesterday. In fact, we came to a conclusion on three of the most difficult issues that we expected in the bill, the structure of the Millennium Challenge Corporation, support for Iranian democracy, and the Mexico City policy. This morning, by action of the Senate, we have cleared and passed 14 amendments. We have passed about 20 amendments in less than 24 hours. In addition, 15 to 20 amendments that were mentioned as possibilities will either not be offered or will be worked out. This leaves a declining list of foreign policy amendments that we believe we can resolve today.

I want to encourage Members to come to the floor to offer their relevant amendments. We are in range of finishing the bill. I thank Senator BIDEN again for all he has done to advance the Senate's foreign policy agenda. I likewise thank the majority and minority leaders, and Senator REID especially for his cooperation.

Yesterday, it was announced that State Department authorization bills have traditionally taken much longer than 2 days. While that may be true, it does not have to be the case this time. The two bills that comprise most of the substitute amendment were passed out of the Foreign Relations Committee by a vote of 19 to 0. Republicans and Democrats have worked together closely on these issues. While we have some differences, the members of our committee are united in our belief that the substitute before us will enhance U.S. national security and is vital to our national interests.

The Senate's record this year in moving foreign policy items has been excellent. We have passed a global AIDS bill, the Moscow Treaty, NATO expansion, and other items. The Senate has moved decisively on the Nation's foreign policy business because we recognize as a body that in these perilous times it was our duty to do so. America's national security is at risk and its leaders, entrusted with passing legislation to keep America secure, must continue to do our duty.

Today Senators have an opportunity, as always, to be senatorial. I am hopeful that all Senators with an amendment will come to the floor and help us pass this bill quickly and provide our diplomats the tools they need.

I yield the floor.

The PRESIDENT pro tempore. The deputy leader.

Mr. REID. I ask unanimous consent that the pending amendment be set aside.

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

AMENDMENT NO. 1164 TO AMENDMENT NO. 1136

Mr. REID. I send an amendment to the desk on behalf of Senator REID of Nevada and Senator DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. DASCHLE, proposes an amendment numbered 1164.

Mr. REID. 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 provide support regarding the rural development crisis in Mexico)

At the end of subtitle A of title XXI, add the following new section:

SEC. 2113. SUPPORT REGARDING RURAL DEVELOPMENT CRISIS IN MEXICO.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should continue working closely with the Government of Mexico to help minimize the impact of the current rural development crisis in Mexico; and

(2) that crisis creates a humanitarian, economic, and security imperative for the United States Government to support additional programs focused on the underfunded rural communities of Mexico.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the President for fiscal year 2004, $100,000,000 for programs in Mexico that promote the following:

(1) Micro credit lending.

(2) Small business and entrepreneurial development.

(3) Small farms and farmers that have been impacted by the collapse of coffee prices.

(4) Strengthening the system of private property ownership in the rural communities.

Mr. REID. The amendment offered on my behalf and that of the Democratic leader concerns a country, regrettably, that does not get a lot of attention in the Senate. In recent months—and rightfully so—we have focused intently on Iraq, Afghanistan, North Korea, Iran, Colombia, Pakistan, and many other countries scattered around the globe. Our close neighbor and critical friend to the south, Mexico, too often receives little, if any, attention.

In some respects, the lack of attention may be a good thing. Last Sunday, for example, Mexico held midterm elections that resulted in President Fox's party losing 40 seats in the Mexican Congress in an election that was uniformly recognized as free and fair. It was not too long ago that elections in Mexico would have been front-page news in the United States, and the news would have not been good. In all likelihood, the reports would have told of rigged elections and another power grab by the long-ruling PRI.

So the lack of attention to our friend Mexico is in one sense good news, but in a much larger sense it is a serious problem. The legislation we consider today will authorize billions of dollars for countries, regions, and programs around the world. But we will do very little for the country with whom we share a 2,000-mile border—Mexico.

That is a disappointment, especially in light of that hopeful South Lawn ceremony with President Fox less than 2 years ago with our President. This amendment makes one simple thing very clear: what happens in Mexico is in the national security interests of our country. We should be doing more to help Mexicans who are working hard to help themselves. I believe President Bush summed it up very well last year when he said: ''The United States has no more important relationship in the world than the one we have with Mexico. Good neighbors work together and benefit from each other's successes.'' I agree with our President. It is a special relationship with great economic importance to both nations. But I am disappointed that the President has not backed up his words with action.

Mexico is now the second largest trading partner we have. It is among the top 10 export markets for 43 of our States. It is the ninth largest economy in the world. But this special relationship we share with Mexico is in desperate need of repair. As we have turned our attention away from Mexico in recent years, economic troubles within the country have grown increasingly serious.

A few years ago, Mexico seemed on the verge of an economic breakthrough. Today, however, Mexico's growth rate is half of what it was in the mid-1990s. This has hurt both their nation and our Nation. Mexico has a poverty rate of almost 40 percent. There are a little over 100 million people in Mexico. That means almost 40 million Mexicans live in poverty. Fifty-three percent of all Mexicans—more than 50 million people—have an annual income of less than $1,400. Twenty-three percent of all Mexicans have an annual income of less than $720. That is less than $2 a day. Income distribution within the country remains especially unequal, and unemployment and underemployment continue to hamper our southern neighbor.

The problems are especially acute in rural areas of Mexico, which have been chronically underdeveloped and underfunded. Rural poverty remains one of the most persistent and serious economic problems facing Mexico. This rural economic crisis threatens the health and well-being of people in Mexico and puts our own economy and security in jeopardy.

Take, for example, coffee growing. Coffee growers in Mexico thrived just a short time ago. They became an indispensable component of Mexico's rural economy. But they have seen the price of their crop drop by 70 percent in just 5 years. These failing commodity prices have led many of these farmers to seek another crop to feed their families. What is that crop? Opium poppies, which are used to make heroin that ultimately makes its way into our country.

I understand that when people have no money, when their families are hungry, and when their livelihood is vanishing before their eyes—think of

Mexico's coffee growers—they look for other ways to survive. Some grow poppies, but others take unbelievable risks to come to America.

Now, I am opposed to illegal immigration. I think everyone should comply with the law. But it has to tear at your heartstrings to see people who are so desperate that they risk their lives to come across the Rio Grande River. They freeze to death in the mountain passes; they die in the deserts of Arizona, New Mexico, and California trying to come to America. They pay what little money they have to demons who tell these people, ''We have a way for you to get to America.'' They cram innocent Mexicans in boxcars and trucks, and subject them to inhumane conditions. This is an all-to-familiar scene that takes the lives of too many innocent human beings.

So while I am opposed to illegal immigration, I understand why desperate people do everything in their power to try to come to America. They risk their lives to cross our border illegally. This places additional strains on our border security officers, who are already overextended. Those who manage to sneak past the Border Patrol and survive the desert and the mountain passes arrive here with few, if any, job skills, so they take any job they can find. They compete for jobs with those who are here legally and tax our social services.

Clearly, this crisis in rural Mexico is not only the business of Mexico; it is our business, too. Should we be concerned about what has gone on in Iraq? Of course we should. Should we be concerned about what is going on in Afghanistan? Of course we should. Should we be concerned about what is going on in Pakistan today? Bangladesh? India? Of course we should. Should the President of the United States be in Africa today? Of course he should.

I traveled to Africa last August. It is an eye opener. As the world's only superpower, we have tremendous obligations. The President is going to commit this Congress to new obligations as he makes his trip around Africa. We have an obligation to do our best to live up to the commitments our President makes as he travels throughout the world.

I do not in any way denigrate what we have done and what we are doing around the rest of the world. I am criticizing what we have failed to do. We have ignored Mexico, and that is wrong. We must remember that what goes on in Mexico concerns our Nation, because in today's world, problems like drugs and poverty do not grind to a halt at our borders. The Rio Grande River is not sufficient to stop the flow of illegal drugs into our country. The Rio Grande River is not sufficient to stop the poverty that comes across our borders in the form of illegal immigration that taxes our social services, our law enforcement officers and our educational system.

But we also share many positive things with Mexico. We have a shared history, a shared culture, even a shared language—I have three sons who speak fluent Spanish. Mexican Americans have helped shape our great Nation. Twenty million people of Mexican ancestry live in the United States today, an increase of 53 percent from ten years ago.

Mr. President, if you still doubt that we have a shared culture with Mexico, look at Nevada. What does the word ''Nevada'' mean? In Spanish it means ''snowcapped.'' ''Las Vegas,'' what does that mean? In Spanish it means ''the meadows.''

In the State of Nevada, which is the fastest growing State in our Nation, Mexican Americans now account for more than 15 percent of the population. That is a 300 percent increase since the early 1990s. Overall, we have seen a 53 percent increase in our country's Mexican American population, but in Nevada it has been 300 percent. That doesn't take into consideration the approximately 5 percent of the population in our state who came from Colombia, Guatemala, Honduras, and other places in Central and South America. So as you can see, Mr. President, the connections between our two nations are real.

But I want to do more than talk about this relationship. Actions speak louder than words. It is time this Congress acted. I want to follow through on President Bush's promise to work, and work together with Mexico. I want to address the very real crisis affecting Mexico's rural communities.

Some of my colleagues have said: Your amendment has some merit, but won't it cost too much money? Well, this legislation we are dealing with here in the Senate today is worth billions of dollars. I think our neighbor to the south deserves part of that largesse.

In recent years we have helped many countries around the world in their hour of need, whether through economic or military assistance. The American people have responded time and time again to crises in far corners of the world. Surely we can answer the call to help our largest trading partner and close ally. I don't think we have a choice. That is why I am proposing this plan to help Mexico lift herself up.

This amendment will not drop money on Mexico's doorstep and hope it gets spent wisely. No, we are not doing that. Any expert who is familiar with what is going on in Mexico will tell you one thing—that the way to stop illegal immigration from that country is to give Mexicans an opportunity to succeed in their own economy. That is what this amendment is all about. And so we are proposing a plan to help Mexico lift herself up by providing the resources for a program to spark redevelopment in rural areas. This amendment would authorize $100 million for microcredit lending, small business entrepreneurial development, aid to small farmers who have been affected by the collapse of prices, and support for Mexico's private property ownership system, which is in bad need of repair.

President Fox is confronted with problems all over Mexico, but none are more difficult than those of rural Mexico. Commodity prices have fallen through the floor—not only coffee, but others, as well. Mexico's young people are fleeing its historic farming areas for Mexico City.

Mexico City is the largest city in the world, with 21 million people at last count. It is also the most polluted city in the world. I went there and met with State Department officials. Our State Department officials receive hazard pay for living in Mexico City, but not because anybody is shooting at them. They receive it because the city's air is so detrimental to their health. And each day, more desperate people come to this overcrowded, polluted city from rural Mexico. The country is trading its rural future for increased unemployment in Mexico City. That is a bad switch.

Let me talk briefly about each of the provisions of this amendment. First, microcredit lending programs have been enormously successful throughout the world. The goals of these programs are to provide small loans to nontraditional sectors of the economy that would ordinarily not be supported by the main financial institutions of the country. Flexible repayment procedures and low interest rates are hallmarks of microcredit enterprises.

Our distinguished chairman of this committee has had such a significant impact on the world as a result of his involvement in this committee on which he serves, the Foreign Relations Committee. There are programs that have his name attached to them. The first one that comes to almost everyone's mind, of course, is Nunn-Lugar, which was a program that was introduced by two great statesmen—Nunn from Georgia, LUGAR from Indiana—to work on a problem in the former Soviet Union that seemed to be unsolvable. Nunn-Lugar made tremendous strides in the direction of solving the problems we had with nuclear programs in the former Soviet Union.

So I say to my distinguished Chair of this committee, I know the Senator from Indiana understands and has seen examples of how a few dollars, with our microlending programs in other countries, have been magnified and have helped individuals and regions and entire countries.

That is what we are trying to do here.

The evidence of microcredit lending clearly suggests that a small amount of money can have a huge impact on an economy by helping significantly in villages and rural communities and with small businesses. These programs ought to be rolled out to rural parts of Mexico, as they have been in other parts of the world where the need for such innovative lending was clear. My amendment would start this process.

Second, there is a lot of business activity just above the microenterprise

level which large banks and financial institutions simply won't support because of lack of collateral or creditworthiness. These are typically small businesses and entrepreneurs who are trying to get started and who many times do not even have money for further training. This amendment supports efforts to boost programs directed at small businesses and entrepreneurial development, which is critical for maintaining a diversified and balanced rural economy. When small businesses and entrepreneurs leave the rural communities for larger Mexican cities or even the United States, that spells the beginning of the end for parts of rural Mexico.

The third part of this amendment would implement programs to help the Mexican farmers who have been hurt by the falling prices of coffee and other commodities. On average, Mexican coffee farmers are being paid 70 percent less than they were just 5 years ago. As a result, these once thriving farmers and farmhands are seeking work in larger cities.

But when they come to these larger cities, they do not check into an apartment with air-conditioning or inside toilets. They cannot stop at the 7–Eleven and buy something for dinner. They live in shantytowns—homes made of cardboard. We all have seen shantytowns. It is disgraceful that people have to live that way. But many of the 21 million people living in Mexico City live in shantytowns. Agencies should be helping rural farmers to keep cultivating their usual crops, so they don't turn to illegal crop production or become desperate and abandon rural Mexico entirely.

Finally, the fourth component of this amendment—and I believe it is an important part—is to support private property ownership in rural communities, and to do it through increased mortgage financing.

If you want to sell your home in this country, it is very simple. If someone wants to buy it, they go to a title company. They go to somebody who has abstract deeds, and they run that through the legal process to find out if you really own that home, and if you do, whether there are any liens against your property in the way of debt which you haven't paid. By the time that person sells that home, the person who buys it knows everything about that real estate he wants to buy from you. You can't do that in most places in Mexico. They have no legal system to do that.

If you live in rural Mexico and you own a home, you live in that home for the rest of your life. You can't borrow money to fix it up. It is worth nothing because you can't sell it. It is, in effect, debt capital in more ways than one.

Sound and secure property rights are a fundamental part of any market economy. But the framework of property rights in Mexico is in a state of disrepair. The lack of security in property transactions has resulted in a substantial decrease in the availability of credit.

For example, mortgage financing funds only about 40 percent of new households in Mexico. Why? No one will lend money to people who do not own homes or have liens against a home. Families do not have equity in their homes, and the homes can't easily be sold unless cash is paid upfront. The impact of all this is particularly severe in rural communities, where the only alternative to living in the same dilapidated home for the rest of your life is to flee to a big city. The United States should act expeditiously in this area to help Mexico get its property rights back on track. We can do that today by passing this amendment.

So to summarize, Mr. President, the four components of this amendment are microcredit lending, small business and entrepreneurial development, assisting small farms, and supporting an enhanced system of private property ownership.

As I indicated earlier, some of my colleagues have already said this will cost too much money. I agree that it will cost a lot of money, even by Washington standards. But I also recognize that Mexico is in a dire crisis. Mexico is our friend, and it is in our interest to help Mexico. By doing this, we will help Americans as well as Mexicans.

I recognize that immigration and drug trafficking from Mexico present a real problem for the United States. I have talked about that. Especially for States, such as Nevada, that are on the front line of this battle, it is a very difficult problem.

I don't think this is a typical aid package. As I mentioned earlier, it is no handout. It is a commitment to free-market-based programs that will spur long-term development and growth in rural areas of Mexico. It is not only the right thing to do, but it also will have a positive impact on the United States by reducing the strain upon our society caused by illegal immigration and the deadly flow of drugs. Furthermore, a stronger and more economically sound Mexico will be a better trading partner for the United States. The better off Mexico is economically, the better off we are, because we will have a greater opportunity to sell them products we develop here.

I have always supported aid to Mexico. Others have objected to it and said it is not necessary, but I have always supported it. It was necessary then, and it is necessary now. It is in our humanitarian interests, our economic interests and our security interests. That is why I say we have to make these investments in Mexico today. If we can afford to help so many other countries in the world, we ought to be able to help our friend with whom we share so much and with whom we share a 2,000-mile border.

As President George W. Bush said:

We have no more important relationship in the world than the one we have with Mexico.

This amendment will prove whether the United States will do more than just talk about our relationship with Mexico. As I said earlier, are we going to talk, or are we going to act? Actions speak louder than words.

I ask my colleagues to support this amendment. This is so important for our country and for the country of Mexico.

I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Indiana.

Mr. LUGAR. Mr. President, I commend the distinguished Senator for his analysis of Mexico. Certainly we ought to underline the importance of the relationship. I believe it is deeply felt by most Americans who are interested in our neighbors to the south and to the north.

Under the North American Free Trade Agreement, we have been trading a great deal more, much to the benefit of both of our countries. There is increased wealth in Mexico; likewise, its distribution and whether it is getting to the rural people the Senator from Nevada has discussed.

I would say, first, in perspective, in the fiscal year 2003 budget of the United States, about $43 million was allocated in foreign assistance to Mexico. The President has requested that for fiscal year 2004—the one we are now discussing—that be increased now to a total of $67.5 million. So the United States, in its foreign assistance, recognizes a number of ways in which our country can work with the people of Mexico for the betterment of people on both sides.

But let me say generally about all of this that the analysis that the Senator has given would be important as testimony in our committee process, as dialog with our Department of State, to try to think through the priorities of how U.S. assistance to Mexico should best be spent.

The Senator has offered some excellent items in terms of microloans, rural development prospects. There are numerous areas in Mexico that require our retention and our cooperation. I would say, once again very generally, committing $100 million to any country in addition to that which we are now expending is a matter of no small moment. It is worthy of the attention of the committee and the proper procedures of consultation with our diplomats and with those in the State Department who have responsibility for that country and that portfolio.

Furthermore, we face an important point as Senators in looking at this amendment. As I commenced the debate on the State Department authorization bill and foreign assistance authorization bill, we pointed out we have been careful to observe the budget agreement, the budget we all came to in the Senate. Clearly, the $100 million that would be authorized by this amendment is not a part of that budget. It was not requested by the President. It clearly would be money that

would have to be subtracted from other programs for other countries or from American diplomacy generally. In essence, it is not money that can be added on at this particular juncture.

There was a point in which we were having the budget debate in which Senators could have indicated more money for foreign assistance, more money for the State Department or American diplomacy. As I have reviewed the bidding from that procedure, I pointed out and commended all of the Senators who worked with me to restore in the budget $1.15 billion that the President asked for to begin with. So at least we began the procedure with the moneys the President requested.

The $100 million committed to authorization in this amendment is clearly not a part of that process. Therefore, I am going to oppose the amendment on the basis that I think the worthy objectives of the amendment require discussion through the committee system and in consultation with the State Department and with the administration.

Secondly, I think there is a budget problem Senators have to look at squarely. I appreciate in the past it may have been the habit of the Senate, during these authorization processes, to simply authorize money with the hopes that somehow or other appropriators, at the next stage, would either find the money, subtract it from somebody else's program, or generally ignore the request.

Authorization, as we know, is not appropriations, not expenditures; therefore, sometimes Senators, from time to time, have offered an authorization with the hope that somehow in the process the money might be forthcoming or a portion of it. I understand that.

But I would say, in view of the fact that our country is committing in this budget process $67.5 million to Mexico, we are already taking note of obligations and opportunities that we have. The authorization of an additional $100 million in the Reid amendment, without the committee process, and in negotiation with the State Department, in my judgment, is inadvisable. Therefore, I oppose the amendment.

Mr. President, I would like to engage the distinguished Senator from Nevada in a short colloquy.

May I ask the Senator if he is prepared to proceed to a vote on his amendment.

Mr. REID. I am. I would like 5 minutes more in which to speak.

Mr. President, I ask unanimous consent that Senator BOXER be added as a cosponsor of my amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Nevada.

Mr. REID. Mr. President, let me just say that I have already stated in my remarks the great admiration I have for the distinguished chair of this committee. He is a good man, a good Senator, but I certainly disagree with the statements he made that this matter was not brought before the committee in the form of an amendment. I have not been here as long as the Senator from Indiana but I have been here quite a while, and I understand that not all Senators have the opportunity, if they do not serve on a committee, to offer amendments.

I know Senator BIDEN and Senator LUGAR do the best they can to bring a bill they think is responsible before the Senate. But had I been on the committee—which I am not—I would have offered an amendment such as this. I do not think there is a higher priority we have, not only from our security interests but from the simple merit of any proposal, than this one right here. I think it is very important that we recognize Mexico.

I am now one of the senior members of the Appropriations Committee, and I do not quite understand why we are being so frugal with Mexico. We are not so frugal with other countries. I think Mexico deserves this. I ask Members of the Senate to understand there is no budget point of order against what I am doing. If this were an appropriations bill or had some budget implications other than that, that might be the case, but Senators can vote for this amendment. If the appropriators can't find enough money, then fine, that is the appropriators' problem.

This body has a leading role to play in foreign affairs. We cannot be dictated to by the administration. President George Bush is President George Bush; he is not King George Bush. We have three separate but equal branches of Government: the judicial, the legislative, and the executive; and we are equal. I have a different philosophy than the President about what we should do for Mexico. He believes we should talk about it and not do a great deal about it. I believe actions speak louder than words. Now, maybe I am wrong but that is how I feel, and I have a right to feel that way.

I am 1 of 100 Senators. If the Senators want to walk in here and say thumbs down to Mexico, I think it is too bad for this Senate but they are going to have an opportunity to vote to help our neighbor.

Congress has a leading role to play in foreign affairs. We cannot defer to what the State Department wants to do. The State Department, directed by this administration, has not done a good job in taking care of Mexico. It has been all talk. There are some who have written, since the elections in Mexico a few days ago, that the reason President Fox took a drubbing in the elections is because the United States has not done anything to help Mexico.

Maybe, when this bill goes to conference, there should be some rearranging. If this amendment is adopted, maybe the people who serve on these committees in the House and the Senate will have to do some rearranging of priorities but that is what we do in conference all the time.

I think anything we can do to help the Mexican people is a direct help for us. Anything we can do to stop people from being forced to leave—Mr. President, people do not suddenly say in Mexico: Well, I guess I'm going to head for the United States. I haven't anything better to do. They are driven to the United States out of poverty, out of desperation. This amendment will allow these people to stay home. It will help Mexico City. It will help stop the tremendous flow of people into that city, the largest city in the world.

This is the right thing to do. It is the right thing to do morally. It is the right thing to do for the security of the Nation—I mean the security of this Nation. It means more than just less crime, less burden on our education system, our health services, but it is economic security in many other ways. This is good for both countries.

I respect my friend from Indiana, the distinguished chairman of the committee. I can't believe that in his heart he believes there is anything wrong with this amendment. I ask my friends to support it.

I have nothing more to say.

Mr. LUGAR. Mr. President, I thank the distinguished Senator. I would like to suggest to him that in view of testimony occurring before the committees presently, the Senator might consider laying the amendment aside temporarily and that it might be voted upon perhaps at 11:30 this morning. Would the Senator be amenable to that idea?

Mr. REID. I would be happy to enter an agreement with the Senator that at 11:30 today the Reid-Daschle amendment would be voted on. I would like an up-or-down vote on the amendment, and there would be no second-degree amendments in order. I so ask unanimous consent.

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

Mr. LUGAR. I agree that it is an up-or-down vote at 11:30.

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.

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

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

Mrs. MURRAY. Mr. President, I ask unanimous consent that the pending amendment be set aside so that I may offer an amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 1170 TO AMENDMENT NO. 1136

Mrs. MURRAY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for herself, Mr. KENNEDY, Mr. DURBIN,

Mr. DASCHLE, Mr. SARBANES, Mrs. CLINTON, and Mr. REED, proposes an amendment numbered 1170.

Mrs. MURRAY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide additional weeks of temporary extended unemployment compensation for individuals who have exhausted such compensation and to make extended unemployment benefits under the Railroad Unemployment Insurance Act temporarily available for employees with less than 10 years of service)

After title IX, add the following:

TITLE ___—UNEMPLOYMENT COMPENSATION

SEC. ___. ADDITIONAL WEEKS OF TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION FOR EXHAUSTEES.

(a) ADDITIONAL WEEKS.—Section 203 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 28) is amended by adding at the end the following:

''(d) INCREASED AMOUNTS IN ACCOUNT FOR CERTAIN EXHAUSTEES.—

''(1) IN GENERAL.—In the case of an eligible exhaustee, this Act shall be applied as follows:

''(A) Subsection (b)(1)(A) shall be applied by substituting '100 percent' for '50 percent'.

''(B) Subsection (b)(1)(B) shall be applied by substituting '26 times' for '13 times'.

''(C) Subsection (c)(1) shall be applied by substituting '7 times the individual's average weekly benefit amount for the benefit year' for 'the amount originally established in such account (as determined under subsection (b)(1))'.

''(D) Section 208(b) shall be applied—

''(i) in paragraph (1), as if '', including such compensation payable by reason of amounts deposited in such account after such date pursuant to the application of subsection (c) of such section'' were inserted before the period at the end;

''(ii) as if paragraph (2) had not been enacted; and

''(iii) in paragraph (3), by substituting 'the date that is 21 weeks after the date of enactment of Energy Policy Act of 2003' for 'March 31, 2004'.

''(2) ELIGIBLE EXHAUSTEE DEFINED.—For purposes of this subsection, the term 'eligible exhaustee' means an individual—

''(A) to whom any temporary extended unemployment compensation was payable for any week beginning before the date of enactment of this subsection; and

''(B) who exhausted such individual's rights to such compensation (by reason of the payment of all amounts in such individual's temporary extended unemployment compensation account, including amounts deposited in such account by reason of subsection (c)) before such date of enactment.''.

(b) EFFECTIVE DATE AND APPLICATION.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply with respect to weeks of unemployment beginning on or after the date of enactment this Act.

(2) TEUC–X AMOUNTS DEPOSITED IN ACCOUNT PRIOR TO DATE OF ENACTMENT DEEMED TO BE THE ADDITIONAL TEUC AMOUNTS PROVIDED BY THIS SECTION.—In applying the amendment made by subsection (a) under the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 26), the Secretary of Labor shall deem any amounts deposited into an eligible exhaustee's (as defined in section 203(d)(2) of the Temporary Extended Unemployment Compensation Act of 2002, as added by subsection (a)) temporary extended unemployment compensation account by reason of section 203(c) of such Act (commonly known as ''TEUC–X amounts'') prior to the date of enactment of this Act to be amounts deposited in such account by reason of section 203(b) of such Act, as amended by subsection (a) (commonly known as ''TEUC amounts'').

(3) REDETERMINATION OF ELIGIBILITY FOR AUGMENTED AMOUNTS FOR ALL ELIGIBLE EXHAUSTEES.—The determination of whether the eligible exhaustee's (as so defined) State was in an extended benefit period under section 203(c) of such Act that was made prior to the date of enactment of this Act shall be disregarded and the determination under such section, as amended by subsection (a) with respect to eligible exhaustees (as so defined), shall be made as follows:

(A) ELIGIBLE EXHAUSTEES WHO RECEIVED AND EXHAUSTED TEUC–X AMOUNTS.—In the case of an eligible exhaustee whose temporary extended unemployment account was augmented under such section 203(c) before the date of enactment of this Act, the determination shall be made as of such date of enactment.

(B) ELIGIBLE EXHAUSTEES WHO EXHAUSTED TEUC AMOUNTS BUT WERE NOT ELIGIBLE FOR TEUC–X AMOUNTS.—In the case of an eligible exhaustee whose temporary extended unemployment account was not augmented under such section 203(c) as of the date of enactment of this Act, the determination shall be made at the time that the individual's account established under section 203 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 28), as amended by subsection (a), is exhausted.

SEC. ___. TEMPORARY AVAILABILITY OF EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT FOR EMPLOYEES WITH LESS THAN 10 YEARS OF SERVICE.

Section 2(c)(2) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(c)(2)) is amended by adding at the end the following:

''(D) TEMPORARY AVAILABILITY OF EXTENDED UNEMPLOYMENT BENEFITS FOR EMPLOYEES WITH LESS THAN 10 YEARS OF SERVICE.—

''(i) IN GENERAL.—Subject to clause (ii), in the case of an employee who has less than 10 years of service (as so defined), with respect to extended unemployment benefits, this paragraph shall apply to such an employee in the same manner as this paragraph applies to an employee who has 10 or more years of service (as so defined).

''(ii) APPLICATION.—Clause (i) shall apply to—

''(I) an employee who received normal benefits for days of unemployment under this Act during the period beginning on July 1, 2002, and ending on December 31, 2003; and

''(II) days of unemployment beginning on or after the date of enactment of the this subparagraph.''.

Mrs. MURRAY. Mr. President, in May, after weeks of Democratic efforts, Congress extended unemployment benefits for the 2½ million Americans who have been laid off due to the economic downturn in this country. So far, our Republican colleagues have refused to include assistance for the 1.1 million Americans who have been hit hardest by this economic crisis—those long-term unemployed who have already run out of their unemployment benefits.

Mr. President, I come to the floor to offer this amendment before the Senate. The amendment will provide additional unemployment insurance compensation to more than 1 million Americans who have exhausted all of their unemployment insurance benefits.

I ask unanimous consent to add Senators KENNEDY, DURBIN, DASCHLE, SARBANES, CLINTON, and REED as cosponsors of my amendment.

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

Mrs. MURRAY. The Murray amendment provides an additional 13 weeks of benefits for unemployed Americans who have exhausted all of their Federal unemployment benefits. That means we will be giving additional assistance to American workers who have been out of work for 9 months or more.

My amendment provides 7 additional weeks of benefits for unemployed Americans who have already received 26 weeks of benefits because they live in a State hit hardest by the ongoing recession.

Finally, my amendment provides parity to railroad workers currently ineligible for extended benefits.

The amendment before us would cost $2.5 billion, but it would help more than a million American workers and their families.

Mr. President, we are talking about the people in this country who have been hit hardest by this recession. We are talking about workers who have run out of options but still have to pay their mortgage; they still have to pay their medical bills; they still have college tuition to pay.

One recent study concluded that unemployed workers do not have significant savings to carry their families through an extended period of unemployment. Unemployment rates normally replace less than half—50 percent—of lost wages. What this means is unemployed workers are draining their savings accounts just to survive. The problem is even more acute for the long-term unemployed. Many of those have drained their savings entirely. They have nothing left.

Last week's June 2003 unemployment report clearly demonstrates the need for this amendment at this time: 30,000 jobs were lost in the month of June; jobs have been lost for the last 5 consecutive months in this country; more than 394,000 jobs have been lost since January of this year; 9.4 million Americans are now unemployed; 3.4 million Americans have lost their jobs just since President Bush took office.

Mr. President, we will soon be in the longest job recession since the 1930s and the Great Depression. My State of Washington has the second highest unemployment rate in the Nation. The unemployment rate in my State is 7.3 percent, and that is just the official unemployment rate.

One recent business columnist suggested the actual unemployment rate for the State of Washington could be as high as 11.8 percent if you count all of Washington's unemployed workers.

All across Washington—in every sector and every region—we are continuing to see job losses. One recent economic report predicted it would be 2005 before any real job creation occurs in Washington State. That is a long time for people who have been out of work for 9 months or more.

My colleague from Oregon, Senator WYDEN, is in the Chamber. He and I share the distinction of being in States with the highest unemployment for the last number of years.

We know when we go home that we are going to be faced by neighbors, by friends in every community across our State who will have been on unemployment, through no fault of their own. They want to be at work. They want to support their families. They want to send their kids to college. They want to pay their mortgages. They want to pay for health care. They do not have jobs. They do not have opportunities. And we have a responsibility to make sure they do not lose everything because of a recession that has been no fault of their own.

Despite the rosy projections of economic growth and recovery that we keep hearing from this administration, we have to tell you there are many real Americans who are suffering through this economy every day.

In my State, there are about 20,000 workers who would benefit from the amendment that is now before the Senate. I have met with these workers who are struggling today. We have lost 35,000 Boeing manufacturing jobs in the last 2 years alone. On an almost daily basis, my office gets calls from workers who are desperate, who have lost their benefits or who will soon lose their unemployment insurance compensation. In fact, yesterday I received a phone call from a gentleman named Richard, and I want to read the message he left my office: He said:

> I live on Camino Island. I'm a laid off Boeing worker. I got laid off a year and a half ago. And I'm in school right now. My unemployment insurance just ran out. I have 8 months left of school. . . .I'm really concerned right now. . . .That money would have been a godsend. I worked for Boeing for over 12 years.

This could be anyone working hard, raising their family, working for Boeing for 12 years and, through no fault of their own, through an economic recession in this country, through September 11, through a downturn in our airline industry, this gentleman was laid off. He is now trying to get his life back together. He is going to school. He does not want to lose everything. He wants to contribute back to this economy and to this country. He needs us to extend unemployment insurance to give him that kind of assurance that this country is there for him in the good times and in the tough times.

There are a lot of workers, such as Richard from Camino Island, in my State who are losing their benefits. Many of these workers are losing hope in this current economy. This amendment gives more than 1 million American workers and their families new hope, new assurance that their country is there for them.

I urge my colleagues to support this amendment. I urge its adoption this morning on this bill. I thank the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, the Senator from Washington has offered this very timely amendment. We have spoken to the two managers of the bill. We are awaiting instructions from the leadership as to whether we would have a vote following the amendment that is pending, the Reid-Daschle amendment.

In the meantime, Senator ALLEN and Senator HARKIN wish to offer an amendment, and Senator CLINTON and Senator WYDEN. Senator ALLEN wishes to speak, he said, for 5 minutes; is that correct?

Mr. ALLEN. Mr. President, 10 minutes and 5 minutes for Senator HARKIN.

Mr. REID. And Senator WYDEN and Senator CLINTON wish to speak for 5 minutes. We could do that and make that just right for about an 11:30 vote.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. LUGAR. I object for the moment. I want to respond.

Mr. REID. Let's get this resolved first.

Mr. LUGAR. I object temporarily to the request for the yeas and nays. I will go along with that shortly. I am just trying to work with the distinguished leader on procedure.

Senator NICKLES requires 10 minutes for debate on the Murray amendment.

Mr. REID. Mr. President, that would put us to 5 after. Senator MURRAY asks for 5 minutes to respond. We have Senator ALLEN who wishes to speak for 10 minutes, Senator HARKIN for 5 minutes, and then we have Senator CLINTON for 5 minutes and Senator WYDEN for 5 minutes, and that puts us at 25 to the hour. Then I am sure we can have the vote at 11:35 a.m. or 11:40 a.m. and get everyone in to speak.

I ask that the Senator from Washington be given the opportunity to have her amendment seconded so she can have a vote on it; Otherwise, we will just go into a quorum call. I have the floor. We ought to vote on her amendment at some time agreed to by the leadership.

Mr. LUGAR. I agree the distinguished Senator should have a rollcall vote on the amendment. I will probably make a motion to table at the appropriate time.

Mr. REID. We understand that. We understand it will be on or in relation to the Murray amendment.

Mr. LUGAR. We on our side are trying to work out an agreement. Presently it is being drafted. Both sides are attempting to work out voting arrangements. It might be available. It might be useful to set aside the Murray amendment temporarily to listen to Senator ALLEN.

Mr. REID. I ask unanimous consent that when we go to the Allen-Harkin amendment, the Murray amendment be set aside temporarily and that he be allowed to speak for 10 minutes and Senator HARKIN for 5 minutes, and that following his remarks, as in morning business, the Senators from Oregon and New York be recognized for 5 minutes each; that we then go to Senator NICKLES and Senator MURRAY and finish debate on her amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Virginia.

Mr. ALLEN. Mr. President, I ask unanimous consent to set aside the pending amendment.

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

AMENDMENT NO. 1165 TO AMENDMENT NO. 1136

Mr. ALLEN. Mr. President, I call up amendment No. 1165.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

> The Senator from Virginia [Mr. ALLEN], for himself and Mr. HARKIN, proposes an amendment numbered 1165.

Mr. ALLEN. 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 clarify the definition of blocked assets for purposes of the Terrorism Risk Insurance Act of 2002)

At the end of title VIII, add the following:

SEC. 815. CLARIFICATION OF BLOCKED ASSETS FOR PURPOSES OF TERRORISM RISK INSURANCE ACT OF 2002.

(a) CLARIFICATION.—Section 201(d)(2)(A) of the Terrorism Risk Insurance Act of 2002 (Public Law 107–297; 116 Stat. 2339; 28 U.S.C. 1610 note) is amended by inserting before the semicolon the following: ", any asset or property that in any respect is subject to any prohibition, restriction, regulation, or license pursuant to chapter V of title 31, Code of Federal Regulations (including parts 515, 535, 550, 560, 575, 595, 596, and 597 of such title), or any other asset or property of a terrorist party".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of the Terrorism Risk Insurance Act of 2002, to which such amendment relates.

Mr. ALLEN. Mr. President, I rise with my colleague, Senator HARKIN of Iowa, to present amendment No. 1165 which simply clarifies the congressional intent of the Terrorism Risk Insurance Act passed last year by this Chamber. This amendment will finally allow American victims of terrorism the opportunity for justice and the compensation they deserve.

Unfortunately, despite repeated action taken by the Senate and by the Congress, many American victims are still debating with their own Government to seek compensation from states supporting terrorist activities.

Last year, the Senate approved an amendment that Senator HARKIN and I

offered to the Terrorism Risk Insurance Act that was intended to permit victims of state-sponsored terrorism to satisfy their court-ordered judgments for compensatory damages. That amendment was resoundingly approved by a vote of 81 to 3.

We sent a clear message that we are committed to stand beside the U.S. victims of terrorism and make sure they attain justice to which they are entitled. Indeed, several hundred Americans successfully satisfied their judgment under last year's law under assets of terrorist nations that were held by our Government. However, some executive branch officials have attempted to prevent American victims of terrorism from using Iranian assets held by the U.S. Government to satisfy their judgments against Iran for their complicit terrorist activities.

Some misguided and apparently confused Government officials are under the impression that Iranian assets fall outside the definition of ''blocked assets'' and, therefore, cannot be used to satisfy judgments awarded to American victims.

For some reason, there are some in the State Department who have found that the assets of terrorist states, such as Libya, Sudan, North Korea, and Cuba, are blocked but assets specific to Iran are merely regulated, and therefore not eligible for American victims to receive awards.

This maladroit bureaucratic interference is once again preventing these funds from being used to compensate American victims who have brought lawsuits in our Federal courts. The cases have been heard. The evidence has been presented. They have won their cases and they have secured court-ordered judgments. They are real human beings, such as Edwina Hegna of Virginia. In the 1980s, Mrs. Hegna's husband, Charles Hegna, was an employee of the United States Agency for International Development. In 1984, he was on a commercial airplane flight from Kuwait City to Karachi, Pakistan. That plane was hijacked by Hezbollah, an Iranian-backed organization. The terrorists demanded that all Americans reveal themselves. Mr. Hegna stepped forward. The terrorist then beat and tortured him.

Upon landing, they forced him to kneel. In testimony, witnesses talked about hearing Mr. Hegna praying for his life. He was then shot in the stomach and thrown 20 feet to the tarmac below. He was still alive, though, on that tarmac. Although many bones were broken in his lower body, he did not die. He laid in agony on the tarmac for over an hour. An ambulance finally arrived. The terrorists, when seeing the ambulance coming, leaned out of the airplane door and shot him repeatedly. He died in that ambulance at the age of 50.

He is survived by his wife and their four children. The Hegna family currently has been awarded a compensatory judgment but is unable to receive any compensation from Iran's estimated $237.5 million of net assets reported in this year's Treasury Department report on terrorist assets.

The Senate and Congress must restate the congressional intent, and we must restate it a second time so the Hegna family and all victims—whether they are in Iowa, New York, New Hampshire, all across our Nation—ought to be compensated from the blocked or regulated assets of terrorist nations, and their sponsors must be held responsible and accountable for their vile acts. However, since Congress enacted legislation covering these assets, mistaken bureaucratic interpretations maintain those assets are not subject to the provisions in the Terrorism Risk Insurance Act passed last year.

Let's stop playing games. Let's allow these victims and their devastated families the right to get after these assets.

Let me be clear with my colleagues about what this amendment does not do because we possibly will hear some arguments on this. What this amendment does not do, No. 1, it does not in any way change or expand the definition of blocked assets as defined in the Terrorism Risk Insurance Act, which this amendment was passed last year, 81 to 3. The definition has always intended to include these so-called regulated assets.

No. 2, it does not expand the scope of entities which could be held liable. To the contrary, existing law is broad enough and already ensures that all agencies and instrumentalities of state sponsors of terrorism are subject to the terms of the Terrorism Risk Insurance Act. Nothing in this amendment changes that definition.

No. 3, it does not eliminate or make any changes to the executive branch's flexibility or managing of sanctions. The amendment simply prevents bureaucrats from undermining the intent of the Terrorism Risk Insurance Act.

Lastly, this amendment does nothing to change the policy established by the provisions of the Terrorism Risk Insurance Act and the Harkin-Allen amendment passed last year by an 81-to-3 vote. We must send a clear message that, regardless of confused bureaucracy, we are going to stand strong for justice and hold terrorists responsible for their vile actions. Therefore, I respectfully ask my colleagues to stand with these victims of state-sponsored terrorism, stand with their families and allow them to get some kind of satisfaction, compensation, and proper recourse to justice. I urge my colleagues to support this amendment.

After Senator HARKIN speaks on this amendment, I will ask for the yeas and nays.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I compliment my colleague from Virginia for his statement and his persistence. I remember him pushing this amendment last year. I was privileged to cosponsor the amendment. I ask unanimous consent to be added as a cosponsor.

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

Mr. NICKLES. I compliment my colleague from Virginia for his efforts.

Mr. ALLEN. Mr. President, I thank my colleague from Oklahoma. It means a great deal to our efforts to have his leadership and support behind this amendment.

Seeing that my colleague from Iowa, the cosponsor of this amendment, has not yet arrived, and in the effort to have things move along, I yield the floor but reserve for him 5 minutes. Then, at the conclusion of his statement, I will ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I thank the distinguished Senator from Virginia for offering his amendment. As the Senator from Oklahoma has said, his has been persistent on behalf of the victims.

The administration has proposed a comprehensive program for addressing compensation for all U.S. victims of terrorism. I have introduced that proposal, by their request, as S. 1275. The Committee on Foreign Relations will hold hearings on the proposal on July 17. I hope our committee will have the benefit of considering the proposal, deliberating on it, and offering its best advice to the Senate.

Senator BIDEN and I are prepared to accept the amendment. We would like to do so at this stage as opposed to having a rollcall vote, or a voice vote for that matter.

Mr. ALLEN. I certainly would not object to a voice vote. I ask my chairman, Senator LUGAR, if we could have a voice vote. I think it is important we have a voice vote to make sure those in the bureaucracy best understand the intent.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I ask sometime that Senator HARKIN be recognized for up to 10 minutes to speak on the amendment. He is in the Chamber, and that is fine. I ask if Senator HARKIN would have any objection to our passing the amendment and then he be recognized to speak on the amendment that is approved. We have a UC we are trying to get through.

Mr. HARKIN. That is fine.

Mr. LUGAR. If the Chair would proceed to the question.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1165.

The amendment (No. 1165) was agreed to.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I ask unanimous consent that the following Senators be recognized to speak prior to the sequence of votes: Senator HARKIN for 5 minutes, Senator NICKLES for 10 minutes, Senator MURRAY for 5 minutes, Senator KENNEDY for 5 minutes,

and that following the debate the Senate proceed to the vote on the Reid amendment to be followed by a vote in relation to the Murray amendment No. 1170; provided that there be 2 minutes equally divided in the usual form for debate prior to each of the two votes.

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I remind everyone that Senators CLINTON and WYDEN have already been recognized in a previous order to speak for up to 10 minutes. They will each take 5 minutes. I also ask that the Senator from Maryland be recognized for 5 minutes. He has called and wishes to speak. I also ask that there be no second-degree amendment in order prior to a vote on or in relation to the amendment offered by the Senator from Washington. Part of this consent, if everyone uses their time, would bump up the vote for a few minutes but not much.

Mr. NICKLES. Reserving the right to object, and I shall not object, I believe the Senator from Iowa, Mr. GRASSLEY, may wish to speak. I am not positive about that but I reserve 5 minutes for him since this deals with the committee of which he is chairman.

Mr. REID. We would accept that.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I compliment and commend my friend and colleague from Virginia for his unrelenting efforts to make sure victims of terrorism and their families are duly compensated for the acts of terrorism done to them and to their families by various government entities abroad. Senator ALLEN has been in the forefront of this fight. I am proud to join him as a cosponsor of this amendment to again reinforce our commitment to the American victims of State-sponsored terrorism.

We are united as Americans to meet the threat of terrorism. Even as we track down the terrorists and defend America, we must never forget that terrorists acts are ultimately stories of human tragedy. We must never forget the victims, victims such as Kathryn Koob from Waverly, IA, who sought to build cross-cultural ties between the Iranian people and the American people, only to be taken hostage in the U.S. Embassy in Tehran and held captive for 444 nightmarish days in Iran.

This amendment by Senator ALLEN and myself and others will enable American victims of terrorism to receive compensation from blocked or frozen assets of foreign governments that sponsored the attacks upon them.

Despite repeated provisions passed by Congress and enacted by the President most recently as part of the Terrorism Risk Insurance Act of 2002, again the amendment on which both Senator ALLEN and I had worked, American victims of terrorism continue to be denied court-awarded compensation.

Last year, Congress passed this amendment that Senator ALLEN and I cosponsored 81 to 3 as part of the Terrorism Risk Insurance Act. This law required that compensation to American victims of Iran-sponsored terrorism be made from all blocked Iranian assets. Unfortunately, the State Department has decided to play semantics in order to get around the law, saying Iranian assets held by the United States are ''regulated,'' not ''blocked.''

This amendment offered today by Senator ALLEN and myself and others makes explicitly clear the meaning of ''blocked.''

Regulated, frozen, seized, held, licensed, restricted or anything of similar meaning, no matter by what specific legal authority Iranian funds are held by the U.S. Government.

So this should clear it up. It is a matter of fairness to the victims. It is also a matter of fairness for the American taxpayer. The executive branch of the Government actively opposes the use of blocked or frozen assets to pay court-ordered compensation but calls, instead, for compensation to be paid with U.S. tax dollars. I believe this is backwards. State sponsors of international terrorism, not the American taxpayer, must be compelled to pay these costs first and foremost.

I don't know how Congress can make itself more clear. But let's try to make it clear again that we will continue to speak on the Senate floor about this issue until all American victims of State-sponsored terrorism receive the compensation they were awarded from those who perpetrated the attacks upon them.

I am honored to join Senator ALLEN and others today and to send a strong message to State sponsors of terrorism that they will pay for what they have done, and an equally strong message to American victims of terrorism that their country supports them.

I ask unanimous consent I be added as a cosponsor to the Murray amendment.

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

Mr. HARKIN. I notify my colleagues I plan to offer another amendment later today that will be dealing, again, with aspects of reconstruction in Iraq regarding people with disabilities having access to places being rebuilt.

Finally, I compliment my friend and colleague from Virginia, again, for his untiring, unrelenting effort to make sure that victims of terrorism are awarded compensation. These are not people who just get the money; they have to go to court. They have to prove their case. If they are successful, then they will be awarded compensation from the countries that sponsor this State-sponsored terrorism. I am proud to join as a cosponsor.

Mr. ALLEN. I say to my colleague from Iowa, I know the Senator's passionate leadership on this issue has been truly a key in propelling this forward. It is a pleasure to work together. It is good to see somebody who cares strongly about justice. And as with so many efforts in the Senate, we need bipartisan leadership. I very much appreciate your vigor, your strength, your courage. You keep us going. You are a good captain of this team. We will keep fighting for those victims and against those terrorist states.

Mr. HARKIN. I thank the Senator for his kind words.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, under the earlier unanimous consent request I was given 5 minutes and Senator CLINTON was given 5 minutes to address the matter of competitive bidding for Iraqi reconstruction contracts. I ask unanimous consent I be allowed that full 10 minutes.

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

AMENDMENTS NOS. 1171 AND 1172, EN BLOC, TO AMENDMENT NO. 1136

Mr. LUGAR. Mr. President, I send to the desk two amendments, one by Senator LEAHY and one by Senator BIDEN, that have been agreed to by both sides, and I ask for their immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendments are laid aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Indiana [Mr. LUGAR], for Mr. LEAHY, proposes an amendment numbered 1171.

The Senator from Indiana [Mr. LUGAR], for Mr. SANTORUM, for himself and Mr. BIDEN, proposes an amendment numbered 1172.

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

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

The amendments are as follows:

AMENDMENT NO. 1171

Purpose: To ensure that eligibility for assistance under the Millennium Challenge Account includes a demonstrated commitment to the sustainable use of natural resources

On page 250, line 4, insert the following before the semi-colon; and the sustainable use of natural resources

AMENDMENT NO. 1172

(Purpose: To make a technical correction to the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003)

At the appropriate place, insert the following:

SEC. ___. TECHNICAL CORRECTION RELATING TO THE ENHANCED HIPC INITIATIVE.

Section 1625(a)(1)(B)(ii) of the International Financial Institutions Act (as added by section 501 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108-25)) is amended by striking ''subparagraph (A)'' and inserting ''clause (i)''.

The PRESIDING OFFICER. The question is on agreeing to the amendements.

The amendments (No. 1171 and 1172) were agreed to.

AMENDMENT NO. 1171

Mr. LEAHY. Mr. President, I want to thank the managers of the bill for accepting this amendment, and I also want to thank the White House for its support.

This is an amendment of few words—only seven, in fact, but they are important words. The Millennium Challenge Account, MCA, authorized in this bill, provides for a determination by the Millennium Challenge Board of eligibility of candidate countries for assistance. The Board is to determine whether such a country has demonstrated a commitment to several things, including ''just and democratic goverance,'' ''economic freedom,'' and ''investments in the people of such country.'' I support this. It is long overdue for our foreign assistance to be linked to concrete benchmarks like these. Too often, we have squandered U.S. taxpayer dollars on corrupt, autocratic governments that do not share our values or a commitment to democratic and economic reform.

However, as orignally drafted, the criteria for MCA eligibility do not include a country's commitment to protect the environment. Many governments of developing countries have turned a blind eye or even participated in the wholesale destruction of the timber, mineral and fossil resources that are among a country's greatest source of wealth. In Indonesia and parts of South America, the forests and wildlife are being destroyed at an astounding rate. In Angola, billions of dollars in oil revenues have been stolen by corrupt officials, and this continues today. Other countries are rapidly depleting their scarce water resources, or poisoning their rivers and lakes with toxic pollutants. Fisheries are being mismanaged, and valuable arable land is being lost to erosion.

Economic development cannot be sustained without the sustainable management of a country's natural resources, yet few developing countries have adopted laws or policies which adequately reflect the irrevocable link between economic growth and environmental protection. And some countries that have such laws or policies do not enforce or implement them. My amendment addresses this issue by ensuring that in order to qualify for assistance under the MCA, a country must have demonstrated a commitment to ''the sustainable use of natural resources.''

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, for some time now a bipartisan group of Senators expressed concern about the letting of billions of dollars in Iraqi reconstruction contracts without competitive bidding. We have worked very closely with the chair of the Armed Services Committee, Chairman WARNER, and with Senator COLLINS, who chairs the Governmental Affairs Committee. We have been able to attach an amendment to the Defense authorization bill requiring the disclosure of awards that involve closed-bid or no-bid accounts.

But the fact is, as the legislative process goes forward, too much money is now moving out of public coffers into private hands with too little assurance that those hands have won their contracts fairly.

As a result, today Senator CLINTON and I are requesting the immediate public disclosure of all documents relating to USAID's decision to exempt Iraqi contracting from full and competitive bidding. In addition, Senator CLINTON and myself are asking Defense Secretary Rumsfeld for explanations regarding particularly troubling contracts that have recently come to light and have been awarded by his Department.

Recently, a number of Senators have returned from Iraq. Every one of them I have heard discussing their trip, Democrats and Republicans alike, have concluded that the U.S. military will be spending more time in that country than originally calculated. The work to rebuild that ravaged nation will be more difficult rather than less so. Certainly, the billions of dollars of costs to the American people seem only to be going up.

This week, Civil Administrator Paul Bremmer said that just over the next 6 months, Iraqi oil revenues will be $2 billion short of what will be needed to finance occupation and reconstruction. U.S. taxpayers are being asked to fund the difference. They are being asked to fund the difference for the 6 months and presumably for the foreseeable future. Yet the rationale behind much of this cost remains unknown to the American people and even to the Congress. Companies have been given contracts for work in Iraq with little or no competition and no explanation.

The history of this, documented by the General Accounting Office, is such that this is a very unwise approach. The General Accounting Office has repeatedly said sole source or limited source contracts are not the best buy. They found that military leaders have often simply accepted the level of services given by a contractor without once asking if it could be done more efficiently or at a lower cost. Yet these noncompetitive contracts now seem to be the rule rather than the exception when it comes to Iraqi reconstruction.

In my view, when Federal agencies employ a process that may expose taxpayers to additional costs, the need for explanation increases manifold.

There is a crying need for transparency in how these billions of dollars are being spent. On April 19 of this year, a $50 million policing contract was awarded through closed bidding. On the same day it was reported that an $8 million contract for personnel services had been awarded nearly a month before the war began.

Think about that—awards actually before the conflict began. By the time the end of hostilities was officially declared in May, billions of dollars of contracts had already been awarded.

Fortunately, the news media has helped to get out the word about some of these issues. Right now the media is the American people's only source, apparently, for insight into these contracts. The more we learn about this, the more troubling the pattern is. Just recently the New York Times ran a feature-length article describing the letting of a multimillion dollar oil field contract to Kellogg Brown & Root.

I ask unanimous consent that important article 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 Magazine, June 22, 2003]

NATION BUILDERS FOR HIRE

(By Dan Baum)

The huge effort to restore Iraq's oil industry begins every day two hours south of the Iraq-Kuwait border, at the lavish Crowne Plaza Hotel in Kuwait City. No sooner does the lobby restaurant open at 5 a.m. than a line of middle-aged men in jumpsuits, golf shirts and identical tan caps forms at the breakfast buffet, eschewing the mezzeh and labneh for French toast, home fries and beef bacon. Outside, a couple of dozen silver S.U.V.'s are lined up, and after a quick breakfast the men are off in a swift northbound convoy, each car marked with the sideways V of duct tape that designates American and British vehicles. The road knifes across a packed pebble desert as flat as a griddle, with hardly a plant or a rock gentling the view to a hazy 360-degree horizon. But nobody's minding the scenery.

The men in the S.U.V.'s are all talking at once, handing clipboards and calculators back and forth, trying to make 10,000 impossible things happen in Iraq's oil fields in exactly the right order. A couple are getting in last-minute calls to headquarters in Houston before leaving Kuwaiti cellphone coverage. Though they speak with the drawling soft consonants of the Texas-Oklahoma oil patch, these are truly citizens of the world—or at least the petroleum-producing corners of it.

For they are the legions of Kellogg Brown & Root, subsidiary of the oil-services giant Halliburton, which in March won an open-ended Army contract to restore Iraq's oil fields to working order. Most have spent years toiling in the raw, scraped and sometimes violent places where oil lurks, and each hews to the oilie's ethic: no place is a hardship. How were your 12 years in Algeria? ''Not bad.'' Your six years at Prudhoe Bay? ''Not bad.'' Your 14 years in Nigeria? ''Not many of whom fought the hard battles for Basra and Umm Qasr, pile into Land Rovers and fall in behind.

When Dwight Eisenhower warned in 1961 of the ''military-industrial complex,'' he never imagined the regimental descendants of Monty's boys at El Alamein tenting in the desert to baby-sit corporadoes earning $10,000 tax-free a month. This, however, is modern might. The military has become the industrial, and vice versa.

Representative Henry Waxman, a Democrat from California, is in high dudgeon lately, suggesting that Vice President Dick Cheney's former chairmanship of Halliburton gave KBR the inside track on the Iraqi oilfields contract, which could be worth as much as $7 billion. But the reality is subtler: KBR didn't need any help. It is by now so enmeshed with the Pentagon that it was able essentially to assign the contract to itself.

KBR was founded in 1919 as Brown & Root, and quickly acquired a reputation for taking on the kinds of projects that tend to recall the building of the pyramids. It constructed the gigantic Mansfield Dam in Texas, New Orlean's 24-mile Lake Pontchartrain Causeway, Colorado's Eisenhower Tunnel and the Johnson Space Center, among many other mega-projects. Halliburton acquired it in 1962, and in 1998 merged it with the petrochemical company M. W. Kellogg to form Kellogg Brown & Root. KBR now accounts for almost half of Halliburton's annual $12.5 billion annual revenue.

The Army says KBR got the Iraqi oil-field contract without having to compete for it because, according to the Army's classified contingency plan for repairing Iraq's infrastructure, KBR was the only company with the skills, resources and security clearances to do the job on short notice. Who wrote the Army's contingency plan? KBR. It was in a position to do so because it holds another contract that is poorly understood yet in many ways more important, and potentially bigger, than the one to repair the oil fields: the Logistics Civil Augmentation Program, or Logcap, which essentially turns KBR into a kind of for-profit Ministry of Public Works for the Army. Under Logcap, which KBR won in open bidding in 2001, KBR is on call to the Army for 10 years to do a lot of the things most people think soldiers do for themselves—from fixing trucks to warehousing ammunition, from delivering mail to cleaning up hazardous waste. K.P. is history; KBR civilians now peel potatoes, and serve them, at many installations. KBR does the laundry. It fixes the pipes and clean the sewers, generates the power and repairs the wiring. It built some of the bases used in the Iraq war.

Writing the oil-field contingency plan was only one of a thousand things KBR did for the Army last year under Logcap. (KBR has a similarly broad contract with the Navy, under which it built, among other things, the cages for suspected terrorists at Guantánamo Bay.) The technical term for Logcap is ''cost-reimbursement, indefinite-delivery/indefinite quantity,'' or ''cost-plus,'' meaning KBR spends whatever it believes necessary to get a job done, then adds from 1 to 9 percent as profit. There's practically no limit on how lucrative Logcap can be, and as the awarding of the Iraqi oil-field contract—by KBR, to KBR—demonstrates, Logcap can become a generator of yet more contracts. Nothing like it exists elsewhere in government. That KBR wrote the oil-field plan wasn't considered by the Army a disqualifying conflict of interest—in fact, just the opposite. ''They were the company best positioned to execute the oil-field work because of their involvement in the planning,'' said Lt. Col. Gene Pawlik, an Army spokesman.

The military has relied on civilian contractors ever since George Washington hired farmers to haul supplies for the Continental Army, and the use of mercenaries is as old as time. But the KBR-style blending of corporations into the fabric of the military is relatively recent. Its genesis is one of the unsung but seminal ideological documents of the Reagan era, a revolution-on-paper that goes by the dry title Circular No. A–76. Issued in 1983 by the budget director, David Stockman, A–76 mandates that government should ''rely on commercial sources to supply the products and services the government needs.''

Circular No. A–76 wasn't written specifically for the Defense Department, and the military was slow to adopt the approach. It took the end of the cold war for the Pentagon to discover the benefits of outsourcing. The times demanded that the military shrink—remember all the talk about a ''peace dividend''? Oddly, though, the end of the cold war uncorked a froth of conflicts from Africa to the Balkans that the military had to monitor and, in the case of the former Yugoslavia, fight. By one count, the Army has deployed soldiers more than three times as often in the 14 years since the cold war ended than in the cold war's four-decade history, even though it is today down to only two-thirds the size of its cold war peak.

Downsizing the military not only meant doing more with less; it also meant that a lot of former soldiers, sailors, airmen and officers were suddenly on the street looking for the kind of work for which their particular skills would be valuable. The Pentagon still needed those skills. So the downsized warriors joined a constellation of corporations that sold those skills—everything from data processing to interrogation to bomb disposal—back to the military at private-sector prices.

In 1992 the Defense Department, under Dick Cheney, hired Brown & Root to write a classified report detailing how private companies could help the military logistically in the world's hot spots. Not long after, the Pentagon awarded the first five-year Logcap—to Brown & Root. Then Bill Clinton won the election, and Cheney, in 1995, became C.E.O. of Halliburton, Brown & Root's parent company. A lot of Halliburton's business depends on foreign customers getting loans from U.S. banks, which are in turn guaranteed by the government's trade-promoting Export-Import Bank. In the five years before Cheney took the helm, the Ex-Im Bank guaranteed $100 million in loans so foreign customers could buy Halliburton's services; during Cheney's five years as C.E.O., that figure jumped to $1.5 billion.

''Clearly Dick gave Halliburton some advantages,'' a Hilliburton vice-president, Bob Peebler, told The Chicago Tribune in 2000. ''Doors would open.''

Doors continue to swing freely between the corporate boards of companies like KBR, whose livelihood depends on U.S. energy and military policy, and the upper echelons of government, where those policies are set. In addition to its connection to Dick Cheney—who as vice president continues to be paid ''less than $180,000 a year'' in deferred compensation by Halliburton, according to a company spokeswoman—Halliburton has on its board former Secretary of State Lawrence Eagleburger, who has sits on the board of Phillips Petroleum alongside a former chairman of the Senate Select Committee on Intelligence, David Boren. Among the vice presidents of Booz Allen Hamilton—another does-everything company that has received millions in military contracts—is the former Director of Central Intelligence James Woolsey. Of the 30 members of the Defense Policy Board—the influential Pentagon advisory panel from which Richard Perle was recently forced to resign—at least nine are directors or officers of companies that won $76 billion in defense contracts in 2001 and 2002, according to the Center for Public Integrity. Lieut. Gen. Jay Garner, who served as chief civilian administrator of Iraq, ran a subsidiary of L-3 Communications that makes missile systems used in the Iraq war; and L. Paul Bremer III, who took over from Garner, was plucked from a new unit of the insurer Marsh & McLennan that was created a month after 9/11 to profit from the new concern over catastrophic risk.

I am unabashedly an admirer of outsourcing,'' Army Gen. Barry McCaffrey told The Dallas Morning News three years ago. ''There's very few things in life you can't outsource.'' McCaffrey now serves on the boards of the weapons makers Raytheon Aerospace and Integrated Defense Technologies, among others.

It's a relatively small club that has both guided U.S. military, energy and Middle Eastern policies over the past three decades and then run the corporations that benefit from those policies. And it's a club that had a long history with Saddam Hussein. A sheaf of declassified 1980's State Department cables demonstrate that in 1983 Secretary of State George Shultz—former president of Bechtel—sent Donald Rumsfeld to meet personally with Saddam Hussein several times, in part to promote an oil pipeline to the Red Sea port of Aquaba. (The accompanying State Department photo of the two men warmly shaking hands is startling, given the recent vitriol between them.) In the midst of negotiations with Rumsfeld, Hussein used poison gas against the Iranian Army. While cables demonstrate the State Department discouraged this, a memo to Eagleburger, then the under secretary of state, noted it may have been American firms that sold Hussein the gas, and outlined the need ''to avoid unpleasantly surprising Iraq'' with public statements.

By July 2000, Cheney claimed on ABC's ''This Week'' that neither Halliburton nor its subsidiaries dealt with Iraq at all. ''Iraq's different,'' Cheney said at the time. ''I had a firm policy that wouldn't do anything in Iraq, even arrangements that were supposedly legal.'' But in fact from 1997 to 2000, when Cheney was running Halliburton, two of its subsidiaries sold Saddam Hussein's government a total of $73 million in oil-field supplies. The deal didn't violate U.S. sanctions because the subsidiaries, Dresser-Rand and Ingersoll Dresser Pump Company, were foreign.

KBR/Halliburton, then, has rounded the bases when it comes to Iraq. It got rich doing business with Iraq, it got rich preparing to destroy Iraq and it's now getting rich rebuilding Iraq.

Proponents of contracting make the point that as the overall size of the military shrinks, the ''tooth'' needs to increase relative to the ''tail,'' or, as one analyst put it, ''You want the 82nd Airborne training to kill people and blow things up, not cleaning latrines or trimming hedges.'' They also argue it's cheaper to hire contractors to do short-term work rather than have the military maintain full-time capabilities it needs only briefly.

A good example is Camp Arifjan, a U.S. Army base about 90 minutes southwest of Kuwait City. Six months ago, this was nothing but a small collection of buildings that was supposed to be a training base. On Oct. 11—the day Congress gave President Bush authority to wage war on Iraq—someone in the Pentagon picked up a phone and told KBR it had nine weeks to run Arifjan into a full-blown Army base for 7,000 people. The job went to Robert (Butch) Gatlin, a wizened 59-year-old Tennessean who served 32 years in the Army Corps of Engineers before coming to perform the same work, at much greater pay, for KBR.

''When we got here, there was no power or water,'' Gatlin said as we stepped from the air-conditioned trailer that is KBR's Arifjan headquarters into the blinding desert sun. Within about 72 hours of the Pentagon's call, Gatlin had a handful of KBR specialists—electricians, carpenters, plumbers—on planes headed here. Most of the rest were hired locally. ''I had a thousand people working here in 24 hours,'' he said. ''The Army can't do that.''

KBR essentially took an entire Army base out of containers and made it rise in the middle of the Kuwaiti desert two days ahead of schedule: air-conditioned tents complete with 110-volt outlets for the soldiers' boom

boxes, male and female shower blocks, kitchens, a laundry, Pepsi machines, a Nautilus-equipped health club with an aerobics room (''Latin Dance Thurs & Sat!''), a rec center with video games and a stack of Monopoly sets, a Baskin-Robbins and a Subway sandwich shop. (No beer, though; alcohol is illegal in Kuwait.) To conjure Camp Arifjan in a twinkling amid one of the most hostile environments on the planet was by any measure a stunning logistical achievement. And now, as at many bases in the U.S., it's KBR civilian employees, not soldiers, who cook, do the laundry, shuttle supplies and control the airspace overhead. KBR does everything but fight. Though it looks like an Army base, Camp Arifjan effectively is a subsidiary of Kellogg Brown & Root. The Army is merely—to use Gatlin's term—the ''client.''

The advantage to the Pentagon of using contractors goes beyond logistics. Had the Army tried to build Camp Arifjan itself last October, it would have had to mobilize reservists, said Lt. Col. Karen LeDoux, the Logcap commander at Arifjan. Activating reservists means disrupting families and businesses and generating TV coverage of men and women leaving home in uniform. In October, the war was still being debated at the United Nations and in the streets. ''It's a political decision to use contractors,'' LeDoux said. ''The Army can get a delicate job done quietly.''

Outsourcing military missions also lets the Pentagon do things Congress might not approve. Congress, for example, has said the military can have only 400 U.S. soldiers in Colombia, an oil-rich country destabilized by guerrillas and the cocaine trade. But for years, civilian pilots employed by DynCorp, a KBR competitor, have been flying what amount to combat missions in Colombia under contract to the State Department, spraying coca crops with defoliant and occasionally getting shot at. Representative Janice Schakowsky, Democrat of Chicago, has been trying to put a stop to this kind of end run around Congressional oversight, but in the bellicose post 9/11 atmosphere on Capitol Hill, she can't get traction. Congress would never authorize the U.S. military to perform such a politically explosive mission as the Colombian spraying, Schakowsky argues, and if an American soldier was killed in Colombia it would be Page 1 news.

''Is the U.S. military privatizing its missions to avoid public controversy or embarrassment—to hide body bags from the media and shield the military from public opinion?'' she asks. Iraq, Schakowsky says, is no different. ''We talk a lot in Congress about how many U.S. troops are there and for how long, but not at all about the contractors,'' she said. ''They don't have to follow the same chain of command, the military code of conduct may or may not apply, the accountability is absent and the transparency is absent—but the money keeps flowing.''

The General Accounting Office and several watchdog groups say it's not yet even clear that Pentagon contractors are cheaper in the long run than a larger military; the experiment is still too young. And there are other concerns, first among them the uncomfortable fact that the military can find itself dependent in wartime on people it doesn't control. Often, the only people who know how to run the military's new high-tech gear are the geeks of the company that makes it, so the soldiers manning, say, an Abrams tank don't necessarily know how to fix it if it breaks. After visiting Arifjan I met a reserve Air Force colonel in the lobby of the Kuwait Hilton who told me the communications gear on which his job depends is entirely maintained by civilian employees of the manufacturer (he wouldn't tell me which). ''We had a problem in the middle of the night and called down for the contractor; they told us he doesn't come in until 9 a.m.,'' the officer told me. ''We're fighting a war, and the contractor doesn't come in until 9 a.m.!'' And really, there's no guarantee the contractor will be there at all if things get ugly. Soldiers have to stay put when the shells start falling or face punishment for desertion; contractors who decide the high pay isn't worth the risk can simply leave. As the Defense Department itself put it in a 1991 report, ''D.O.D. Components cannot ensure that emergency-essential services performed by contractors would continue during crisis or hostile situations.'' And that was before the big increase in Pentagon contracting.

From the public's point of view, the increasing use of contractors makes it harder to know what the military is really doing. The Pentagon has lots of maddening rules that citizens have to follow if they want information, but while the Pentagon has secrets, it also fundamentally recognizes that it is a public institution. Not so the contractors, whose first allegiance is to their shareholders and who have little incentive to share information about how they operate. Take salaries. An Army sergeant with four years' service earns $48,292.03 a year, a captain with two years' service earns $60,500.47 and a lieutenant colonel with six years' service earns $87,299.81; the salaries are even posted on the Internet. But when I asked a KBR spokeswoman how much her people were earning for their hard, beerless months in the desert, she said, ''We absolutely don't discuss salaries.''

''Why not?'' I asked. ''You're paying them with taxpayer money.''

''We absolutely don't discuss salaries,'' she repeated. (Later, a KBR manager told me on the sly that because he and his colleagues have all their expenses paid by KBR and Americans abroad pay no income tax on the first $80,000 they earn annually, they expect to net $120,000.)

At Camp Arifjan, Butch Gatlin spoke of the good old days of the late 90s, when he had signing authority for any purchase up to half a million dollars. Then came the U.S. involvement in Bosnia and Kosovo from 1995 to 2000, when one of every seven Pentagon dollars passed through KBR and both the company and the Pentagon got dinged by the General Accounting Office for overspending. The G.A.O. said it found ''no evidence that cost was taken into consideration.'' Last year, KBR paid $2 million to settle federal fraud charges that it inflated the cost of an Army contract in California and ''in doing so, it increased its profits at the government's expense.''

Now when Gatlin wants to buy anything over $2,500—which is almost everything—he has to get a signature from an Army officer living at Arifjan. ''He signs a lot,'' Gatlin sighed. Cost-plus contracting offers the Army maximum flexibility; in an emergency or a politically sensitive moment, KBR can quietly throw as much money as necessary at a problem. But the more KBR spends, the more it earns.

Bechtel, another hydra-headed American giant, won what's often called the ''mother contract'' from the U.S. Agency for International Development to revive Iraq's water, power and electricity and the port of Umm Qasr. Unlike KBR, which fills the Crowne Plaza with a huge regiment of Texans who actually turn wrenches, Bechtel keeps fewer than 50 engineers and managers quartered at the Kuwait Sheraton. Bechtel's client is USAID, not the military, so none of its work is classified, and that makes it easier to hire its muscle locally. So while the lobby of the Crowne Plaza feels like a particularly high-rent sergeants' club—noisy and smoky, men clumping in work boots across the faux-Persian carpets—the cool marble lobby of the Sheraton plays the role of officers' billet to the reconstruction campaign. On the Sheraton's black leather sofas, British businessmen perch primly in no-wrinkle blazers, sample cases ready, watching for the company golf shirt of a Bechtel executive to emerge from the elevators.

Robert Sedgbeer, who works for a smallish British company that makes cellphone towers, was fighting jet lag to stay awake. ''If I can just get these into the right hands, my trip will be worth it,'' he said, fingering a stack of company literature and craning his neck for a Bechtel exec. Stephen Thomas, whose achingly polite Oxbridge manner belies his 15 years in Oman (''not bad''), said he hopes to sell Bechtel his company's food-service and telecommunications skills. Like Sedgbeer and everybody else in the lobby, he lowered his voice when saying ''Bechtel,'' lest he risk offending the keepers of the golden keys. ''We don't often get the chance, in our lifetimes, to see a country with such tremendous oil wealth and virtually no civilian commercial infrastructure get a whole new blueprint,'' Thomas said eagerly.

The revolving door that spins at the top of the military-industrial ziggurat spins at the bottom too. On my way out of Arifjan, I looked more closely at the heavily armed soldiers guarding the gate and found they weren't soldiers at all, but rather civilian employees of something called Combat Support Associates, a joint venture of three obscure American companies that provide the Army with security, logistics, ''live-fire training'' and maintenance. In southern Iraq I ran into four big men in full combat gear and Robocop sunglasses whom I also took to be soldiers until I noticed the tape over the left shirt breasts; instead of US ARMY, it said EODT. That stands for ''Explosive Ordnance Disposal Technology,'' not an Army unit but a company based in Knoxville, Tenn. The Web site says EOD Technology ''applies leading-edge geophysical technologies to provide documented efficient solutions to environmental challenges,'' and what that translates to is: these guys dig up minefields for a living. Their challenge the day I saw them was an unexploded American artillery round that had crashed through an oil pipeline and was buried who-knew-where underneath. All four used to be soldiers; now they do the same work at private-sector wages.

It's an article of faith among KBR's people that they will be in Iraq only a short while. KBR's top client, Brig. Gen. Robert Crear of the U.S. Army Corps of Engineers, is the man in charge of Team RIO (Restore Iraqi Oil) and on a walking tour of the Basra oil refinery he insisted that the Army's role—and by extension KBR's—is temporary. ''This is an Iraqi operation,'' he said several times. ''The oil belongs to the Iraqi people. We are only support, and only until the infrastructure is up and running.''

But neither he nor anybody else was able to say what ''up and running'' means. Depending on how that question is answered, companies like KBR will be in Iraq for months and will make millions, or years, and make billions. Decades of war and sanctions have left the wellheads, drills, pumps, and pipelines so inefficient and unsafe that, by some estimates, it will take $50 billion and a decade to fix them.

There is no question that companies like KBR are up to the job. What isn't clear is whether there will come a day, anytime soon, when the United States says, ''O.K.; good enough,'' and goes home—leaving the Iraqi oil fields patched together and its equipment semi-safe. Or does the effort to ''assist the Iraqi people'' require a

decadelong, oil-financed bonanza for oil-service companies like KBR/Halliburton? If anybody has the answer to that question, he or she is not saying. ''That's way above my pay grade,'' says General Crear.

What's certain is that as long as the Army is in Iraq, KBR will be there with it. In Baghdad every morning, a crowd of desperate job seekers gathers at dawn at the back gate of the old Republican Palace compound, which is now U.S. Army headquarters. At about 7, a Humvee full of KBR men roars up, and like doorkeepers at the old Studio 54 they select a dozen or so grateful men and women for menial tasks on the base. Nobody objected to my watching this scene, but later, when a photographer took out a camera, an Army public-affairs officer walked up with his hand outstretched. ''The authorities in charge have decided not to allow access at this time,'' he said. When asked if those ''authorities'' were the Army or KBR, the officer sighed and said, ''To be honest, the lines get a little blurred sometimes.''

Mr. WYDEN. Mr. President, the reason that article is so important is because it indicates Kellogg Brown & Root essentially wrote the specs for the U.S. Government with respect to an oil field restoration effort. What that article shows is that the process basically allowed an incumbent contractor to identify the criteria for a multibillion dollar contract and virtually ensured that company would be awarded the contract without competition. If the news reports are correct, the potential for sole-source, custom-crafted contracts is basically guaranteed now by the Kellogg-Brown agreement. Senator CLINTON and I have asked the Defense Department to provide within 30 days answers to some of the serious questions that involve contracting processes that seem to be used as of today.

The Department of Defense recently announced, for example, that they had some concerns about the original agreement. That is fine, but we want to know whether there are other contracts that are being let in this fashion. We want to know whether the Department of Defense intends to continue the practice where it has not been discovered by the news media.

The reason we are so concerned is if individual contractors are customarily setting the criteria for the work they plan to pursue, there are conflict-of-interest issues that ought to be resolved by our Government today. When you consider the Kellogg Brown & Root contracts are so-called cost-plus contracts, this arrangement becomes even less acceptable. Cost-plus contracts let the companies spend what they think is necessary, and then on top of it they tack on a percentage fee to make a profit. The more taxpayer dollars the company spends, the more profit they are able to bring home. A number of Iraqi reconstruction contracts, not just Kellogg-Brown's, have been designed in this way.

My view is, if the Federal Government is going to spend my constituents' money in this way, my constituents deserve an explanation.

I was at a town meeting in a small Oregon community on the Oregon coast this last weekend, where they could not afford money to have their port dredged. It may take upwards of $100 billion under some of these plans to rebuild Iraq. When our country can't afford the money to make sure our small ports get help quickly, there is no place for waste in these reconstruction matters.

Finally, to just highlight the immediacy of this concern, questions have been raised as to how MCI, a company that does no wireless service in the U.S. and never has, could end up winning the contract from the Defense Department to set up a wireless telecommunications network in Iraq.

That is the kind of question we want to see answered. That is why we are sending these letters today, calling for immediate public disclosure of these contracts so we can see whether the American people are getting their money's worth. We come to the Senate floor today because these are new concerns that have come to light. Chairman WARNER, Senator COLLINS, and others have worked with us in a very constructive way with bipartisan legislation that I hope will be passed quickly. But I don't think we ought to allow the outsourcing of accountability over billions of dollars of contracts for Iraq to continue one day longer. That is why I come to the floor today to announce this effort, to try to bring some sunshine to Iraqi contracting. I have always felt sunshine is the best disinfectant. It sure looks like we need some of that right now.

I yield the floor.

Mrs. CLINTON. Mr. President, I join Senator WYDEN in expressing concern over the process regarding the awarding of reconstruction contracts in Iraq. As Senator WYDEN has pointed out, this is an issue that impacts the spending of hundreds of millions of taxpayer dollars. After the magnificent performance of our U.S. military in Iraq, we are now faced with the task of rebuilding Iraq's infrastructure. Huge contracts are being awarded in support of these efforts. However, many of these contracts are being awarded without fair and open competition and with no public oversight.

This week, Senator WYDEN and I sent a letter to the administrator of the U.S. Agency for International Development, Andrew Natsios, requesting that he make public all documents related to USAID's decision to exempt contracts for reconstruction of Iraq from full and open competition. As the letter points out, sole-source and limited-source contracts seem to be the rule, not the exception, for rebuilding Iraq.

However, as the U.S. General Accounting Office has reported, sole-source or limited-source contracts usually are not the best value for the taxpayers. With $100 million in taxpayer funds projected for rebuilding Iraq, it is critical that we ensure that this money is being spent wisely.

Certainly, there may be times that contracts need to be awarded outside the normal contract award process. But in those cases, it is particularly important that we ensure that those contracts undergo full disclosure to avoid unnecessary expenses for the taxpayers.

As our letter makes clear, both the GAO and the USAID Inspector General have raised questions about the processes used to award reconstruction contracts in Iraq. It is the responsibility of Congress to ensure that the funds we appropriate for reconstruction in Iraq are spent in a fair and open manner.

Earlier this year, I joined Senator WYDEN, Senator COLLINS, Senator BYRD and others in introducing the Sunshine in Iraq Reconstruction Contracting Act. The bill provides an element of accountability so that Congress and the American people can have a full understanding of how these contracts are being awarded. It would require that when contracts are awarded without a full and open competition, the awarding agency would have to publicly explain why.

We were able to get similar language inserted into the Department of Defense Authorization bill which would require that Iraq reconstruction contracts be subject to these reporting requirements. However, until that provision becomes law, we are calling upon USAID to voluntarily make these documents public.

As I have said before, it would be unfortunate if, in our effort to set an example of open government and democratic principles abroad, we undermined those principles here at home. I hope that the rest of my colleagues join me in asking USAID to make these documents public.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I ask unanimous consent I be permitted to speak for 5 minutes following the last speaker in the unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Reserving the right to object, is the Senator speaking against the Murray amendment?

Mr. SANTORUM. I will offer an amendment on Syria and speak on it and then I will be withdrawing the amendment.

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

The Senator from Maryland.

Mr. SARBANES. I understood the Senator from Oklahoma was lined up to go next. If he wishes to defer, I would be happy to go now, if that is acceptable to him.

Mr. NICKLES. For the information of colleagues, I don't believe the UC had an order. It lists Senators. I can't do it right now.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, as I understand it, I am recognized for 5 minutes under the unanimous consent?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 1170

Mr. SARBANES. Mr. President, I rise in very strong support of the Murray amendment. I commend the very able Senator from the State of Washington for coming forward with this initiative. It is a critical issue for millions of Americans across the country, and I know how concerned she has been about this issue. I am very happy to join in supporting it as a co-sponsor.

This, historically, has been a bipartisan issue. Unemployment insurance benefits were extended four times during the Reagan administration and three times during the Bush administration. The recent unemployment figures offer very strong support for acting on the Murray amendment.

Last week it was reported that the unemployment rate rose to 6.4 percent in June. This is the highest unemployment rate in over 9 years. We have to go back to April of 1994 for a higher rate. Mr. President, 9.4 million workers are unemployed, the most since December of 1992. This, of course, doesn't account for those who are so discouraged that they are not looking for work. Were we to count them, the unemployment rate would be well above 7 percent.

The economy has lost 394,000 jobs since January. We have lost jobs each of the past 5 months. Since this administration took office, private sector employment has fallen by more than 3 million.

Two million workers have been unemployed for more than 26 weeks, which is the period covered by regular unemployment insurance benefits. This morning, the Labor Department reported that an additional 439,000 workers filed initial unemployment insurance claims. More than 400,000 workers have been filing initial unemployment insurance claims for 21 consecutive weeks. The last time there was a longer streak of initial unemployment insurance claims over 400,000 was in September of 1992, more than 10 years ago.

Furthermore, the number of continuing claims is at its highest level in 20 years. You have to go back to February of 1983 to find continuing claims at the level which we are now experiencing.

There are over 1 million Americans who have exhausted all of their unemployment insurance benefits and are still not able to find a job, not because they don't want to work but because there are not jobs to be had.

Under current law, extended unemployed insurance benefits last only 13 weeks for most workers. Those in high unemployment States receive 26 weeks. This amendment would provide an additional 13 weeks to those who have already exhausted their benefits in most states and a further 7 weeks for those in high unemployment States.

It is not as though this proposal is excessive historically. In previous recessions, we have passed extensions comparable or, indeed, beyond what is contained in this amendment. When we had a recession from July of 1990 to March of 1991, we extended unemployment benefits until April of 1994. At the program's peak, benefits were available for 26 to 33 extra weeks. That was in the previous Bush administration.

It is bad enough to get this level of unemployment in these administrations. That is a breakdown in policy. But it is even worse not to provide these benefits to help people go through the period of unemployment that they are experiencing, as the Senator from Washington so aptly stated in detailing the problems.

Let me make one final point. We build up an unemployment insurance trust fund in good times to fund the benefits when we encounter an economic downturn. The cost of this amendment, as I understand it, is $2.5 billion.

I ask the Senator from Washington if that is correct.

Mrs. MURRAY. The Senator is correct.

Mr. SARBANES. There is $19 billion in the trust fund specifically collected for the purpose of paying unemployment insurance benefits in an economic downturn. This amendment would take less than 15 percent of that trust fund balance in order to expend these benefits.

We are facing a very serious situation. We need to recognize it here. We recognized it when we had a downturn under the Reagan administration. We recognized it when we had a downturn in the first Bush administration. We ought to recognize it once again and make benefits possible for these families who are experiencing tremendous difficulties and burdens. We ought to help carry them through this economic downturn until we start getting substantial job restoration.

I commend the Senator from the State of Washington for offering this amendment. She has followed this issue very closely. I think it is imperative that the Murray amendment be agreed to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I understand there are 5 minutes reserved for Senator KENNEDY.

The PRESIDING OFFICER. That is correct.

Mr. HARKIN. I am told by his staff that Senator KENNEDY is unable to be in the Chamber due to other commitments. He has yielded his time to me on this amendment. I thank Senator KENNEDY for yielding me this time. I ask to be recognized at this point for those 5 minutes.

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

Mr. HARKIN. Mr. President, Senator KENNEDY has been a great leader on this issue. I know he wanted to speak on Senator MURRAY's amendment, but he could not be here at this time.

We have been debating for the last few days the medical malpractice bill. We moved off it. But I think there is another, more pressing issue we need to address. It is what I call ''President Bush's economic malpractice.'' The victims are working Americans.

As has been stated, unemployment has continued to climb; at 6.4 percent, it is the highest level since 1994. That is 9.4 million people looking for work who can't find any. Under President Bush's misguided leadership, we have lost 3.1 million private sector jobs. This is the first time since Herbert Hoover's administration we have had an administration with a net loss of jobs. What a record.

Again, the numbers don't reflect the millions of workers who were laid off and had to take jobs that paid far less. In fact, the unemployment rate, in addition to the unemployed, would include part-time workers who want to work full time but can't find it and discouraged workers no longer seeking jobs. This rose to 10.3 percent in June. We are still losing jobs every month—33,000 last month alone.

The economy is limping along. Our national deficit continues to balloon and will reach about $400 billion by the end of this year. Again, that is why I accuse this administration of ''economic malpractice.''

I don't think any illustration is better than this cartoon in the Pittsburgh Post Gazette. Here is a man holding a cup of coffee. He says: ''I tried to get angry with Bush for attempting to take away my overtime pay, but then I remembered I don't have a job.''

Later on, I am going to have an amendment also dealing with overtime pay because not only do we have people who are unemployed who need an extension, as Senator MURRAY says in her amendment, but now they want to take away overtime pay for those who are working. It is sort of a double hit on the workers of America.

In May, after weeks of Democratic efforts, Congress extended the unemployment benefits for 2.5 million Americans who had been laid off. But our Republican colleagues refused to include assistance for the 1.1 million Americans hit the hardest by the economic crisis—those long-term unemployed who have already run out of their unemployment benefits.

It is unconscionable to provide billions of dollars in tax breaks for the wealthiest of Americans and refuse to provide an average of $260 a week for the recession's first and hardest hit victims. That is what the Murray amendment does. This amendment provides up to a 13-week additional benefit for these 1.1 million long-suffering Americans.

I might add that I looked at the figures. There are 9,800 in my State of Iowa alone. This would give them 13 weeks of additional benefits, and it would provide 7 additional weeks of benefits for those who have received the 26 weeks of benefits but who are

out of it and who live in those States hardest hit by the recession.

It occurred to me when I looked at the amendment offered by the Senator from Washington that it really is unconscionable that this Congress proposed these tax breaks for the wealthiest but won't come down and help those who are unemployed.

I ask a rhetorical question: The tax breaks we provided for the wealthiest in our country, did we limit them to 26 weeks? Did we limit them to 13 weeks so they can get the tax breaks, but they are only for 26 weeks and once the 26 weeks are over, they snap back again and they have to pay the tax rate they paid before? No. It is unending. It goes on and on. From now on, they continue to get those tax breaks. But for hard-hit Americans out of work, our colleagues on the other side of the aisle are saying 26 weeks, that is enough; you are out. I don't believe that is fairness in our society.

I commend and compliment my friend and colleague from Washington State for addressing this issue and for pointing out that these hardest hit Americans deserve and need to have this extension.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I rise in opposition to the Murray amendment. I urge our colleagues to vote no on the amendment.

Just for the information of our colleagues and the sponsor of the amendment, I will make a budget point of order. Not only does it violate the budget, but it also violates, I am going to say, the spirit of the Senate.

We are supposed to be working on a State Department authorization bill. Every Senator knows this amendment does not belong on this bill. Yet some people say: Oh, we are going to put it on this bill. It is ridiculous. It is not like we have not voted on this before. Just last May we passed an extension of unemployment compensation that takes us through the end of the year. It costs about $7 billion. We passed it overwhelmingly. It is a clean extension.

We have passed clean extensions in the past, but it seems like, for the last year and a half, a lot of colleagues say: Well, we don't want to pass a clean extension of unemployment benefits. And by that I mean a Federal unemployment assistance, which is temporary. Most States provide 26 weeks of benefits. I believe Massachusetts has 30 weeks, but most States have 26 weeks of unemployment comp. And then there is a Federal program of 13 weeks that is temporary. The Murray amendment would make that 26 weeks for certain people. It would double the Federal temporary assistance. That is very expensive. It costs billions of dollars. I have opposed that and the Senate has opposed it.

As a matter of fact, we voted on it four times this year. We voted on it on January 22, March 25, May 15, and then May 23. We have defeated doubling this program. Yet here we are again trying to double it on a State Department reauthorization bill. It does not belong on this bill. It violates the budget. Some States even get more than 52 weeks, including the State of Washington. Most States get 26 weeks of State aid, 13 weeks Federal. And high unemployment States—and there are a few—get another 13 weeks of federal aid. So a few States already get 52 weeks. Some States that really have high unemployment, including the State of Washington, get another 13 weeks. That is a total of 65 weeks. That is over a year.

It is almost like no matter what program we have, we have to have more. This is a lot of money. I believe I heard my colleague say that benefits average about $260 per week. That is correct. Some States are up to $500-plus per week. And, yes, in some cases it might be paid for over a year.

In this amendment, it will all be paid for by the Federal Government. I think there has to be a limit. That is why we have budgets. This would break the budget. But more important than that, it does not belong on this bill. This is the fifth time we are going to vote on this. Maybe people think they are scoring political points on this issue. I don't know. It does not belong on this bill.

At the appropriate time, I will make a budget point of order and urge my colleagues not to agree to this amendment.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I rise to talk about a piece of legislation that Senator BOXER and I introduced last year and reintroduced this year which has 63 cosponsors. I understand the Senator from California may be offering this amendment after these two votes and speaking on that amendment; and then my understanding is she intends to withdraw that amendment. But I think it is important that both of us have an opportunity to talk about the importance of this issue; and that is the Syrian Accountability Act.

Many in this Chamber—obviously, 63—have very serious concerns about the role Syria is playing in the Middle East and in the world community. Syria is, unfortunately, being treated differently than other countries that have been listed as sponsors of terrorism. There are a couple handfuls of states that sponsor terrorism. Syria is one of them. Yet it is treated fundamentally differently than all of the other state sponsors of terrorism.

Yet arguably—maybe with the exception of Iran—it may be one of the most egregious violators of international law, one of the worst in terms of sponsoring terrorism, and one of the most disruptive to peace in the Middle East and the Palestinian-Israeli peace process.

In addition, even since we introduced this legislation last year, we have seen Syria's horrendous actions with respect to the support for Saddam Hussein and his regime during the recent operation in Iraq. So there are even additional reasons for Syria to be held accountable for their actions, which are against the security interests of the United States of America.

We had Under Secretary Bolton just recently over at the Department of State talking about how Syria has a stockpile of nerve agent, sarin gas, and is trying to conduct research and development on nerve toxins like VX. So not only are they a sponsor of terrorism, disruptive to the Middle East process—and one thing I did not mention, which is as egregious as any, is their occupation and manipulation of the country of Lebanon. So they are, in a sense, occupying with a puppet government where they have terrorist camps which provide great disruption in the region. They are developers of weapons of mass destruction. They aided a country that we were at war with, at the time we were at war with them. They are an underminer of the peace process. The list can go on and on and on.

There are very few countries that you can say as many negative things about as far as their impact on the world stage as the country of Syria. Yet this country treats Syria better than all of the other terrorist states that we have listed. I find that to be very troubling. Senator BOXER and I have introduced a piece of legislation which just wants the United States to treat Syria the way we treat all the other rogue nations in the world—no worse but certainly no better, given their record of disruption and instability in that region and their threat to the national security of this country.

This legislation would require the President to prohibit the export to Syria of any items on the U.S. munitions list or any item on the commerce control list. In addition, under the Boxer-Santorum amendment, the President would be required to impose two or more of a menu of five other sanctions, including a ban on all exports to Syria, except food and medicine; a ban on U.S. businesses operating or investing in Syria; a reduction of diplomatic contacts with Syria; restrictions on travel by Syrian diplomats in the United States; and the blocking of all transactions in Syrian property. It does provide, as all these kinds of legislation provide, the President's ability to waive sanctions if he determines that waiving is in the national security interests of the United States.

So I believe this is a vitally important measure for the U.S. Congress and our country, to go on record and say Syria—maybe one of the worst offenders and most destabilizing countries not just in the region but in the world—should be treated no better—not worse than but no better—than other state sponsors of terrorism.

Senator BOXER and I talked to the chairman and ranking member about this legislation. We had a very good discussion yesterday about it. The chairman, who I see is in the Chamber, assured us this was of great interest to him, and he understands the concern of Senator BOXER and myself and the other cosponsors about this issue. If the chairman would like to make a comment, I think we have come to some sort of agreement as to how we might handle this situation.

I yield to the chairman.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Let me respond to the distinguished Senator from Pennsylvania by saying, we will have a hearing on Syria in the Foreign Relations Committee. We take the issue seriously, as the Senator does, and Senator BOXER, who is a member of our committee. We look forward to that hearing.

Mr. SANTORUM. I thank the chairman for his assurance that the issue of Syria and the Syrian Accountability Act will be taken seriously by the committee. We hope, as a result of that, we can move forward with some productive legislation in the Senate to give our country a stronger hand in dealing with terrorism in the Middle East.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 1170

Mrs. MURRAY. Mr. President, how much time remains under the agreement before the vote?

The PRESIDING OFFICER. The Senator has 3½ minutes.

Mrs. MURRAY. How much time does the other side have?

The PRESIDING OFFICER. Senator GRASSLEY has 5 minutes, Senator NICKLES has 6½ minutes.

Mrs. MURRAY. Mr. President, I would ask the Senator from Oklahoma if he intends to use all his time.

Mr. President, I know many Senators are waiting to vote. I will just make a few more comments. I know Senator NICKLES intends to raise a budget point of order.

Let me say in response to the comments made in opposition to the Murray amendment that we will be voting on shortly, that we on this side, Democrats, have brought this issue up time and again.

That is because our economy is struggling. That is because we have families at home who have been laid off, who have run out of unemployment insurance. We would love to have a debate on how to increase jobs. Democrats believe investing in transportation that provides infrastructure and new jobs is critical. Democrats believe investing in education, getting our economy going again is an important way to provide jobs for people. And there are other investments we believe would be helpful in providing jobs. We have not had the debates. We have been thwarted at every turn.

As a result, we have people at home who have been laid off. In the last 5 consecutive months we have lost jobs. We cannot continue to ignore those people at home who are out of work, who have run out of unemployment insurance, who cannot pay their mortgage, put food on the table, are becoming even more of a drag on our economy because they can't contribute back. We believe by extending unemployment benefits we will at least help them in the temporary.

We welcome a debate on getting jobs and the economy going again. We have been waiting for that discussion. We have had time to have a tax cut debate. We have seen that has not produced the kinds of jobs we need. In fact, 3.5 million Americans have lost their jobs since this President took office. We want to have a jobs program. But at this point that has not occurred.

What we now have is more than 1 million Americans who have run out of their unemployment insurance. The time is right. We hear this violates the Budget Act. I welcome my colleagues to go home and say to a young family whose father or mother has lost their job, who are struggling every single day with tears in their eyes, that this violates the Budget Act or this is not the right time or the right bill. We can do this, and we can do it now.

I urge my colleagues to support the amendment.

I tell our colleagues on the other side as long as this economy struggles, as long as people are losing unemployment insurance benefits, we are going to continue to bring this issue back to the floor. We would like to have a jobs program. We would like to see jobs increased. We want to have the debate. Right now we need to deal with the immediate.

I ask unanimous consent that Senators CANTWELL and DAYTON be listed as cosponsors of the Murray amendment.

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

The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I am willing to yield back the remainder of my time, if all sides are, and proceed to the votes.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Mr. NICKLES. I raise a budget point of order against the amendment offered by the Senator from Washington, Mrs. MURRAY. It increases mandatory spending and, if adopted, would cause an increase in the deficit in excess of the level permitted in the most recently adopted budget resolution. Therefore, I raise a point of order against the amendment pursuant to section 505 of House Concurrent Resolution 95, the Concurrent Resolution on the Budget for fiscal year 2004.

Mrs. MURRAY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for purposes of the pending 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.

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the vote on the Reid amendment No. 1164, followed by a vote in relation to the Murray amendment No. 1170, with 2 minutes equally divided in the usual form prior to each of the votes.

AMENDMENT NO. 1164

Mr. REID. Mr. President, since 9/11 we have had to refocus on the issue of national security. The amendment before the Senate deals with our national security in a very direct way. This amendment deals directly with our neighbor with whom we share a 2,000-mile border, Mexico. This amendment would help the poorest of the poor in rural Mexico. The four components of the amendment are, No. 1, it would establish a microcredit lending program; No. 2, it would establish programs to assist rural Mexican small businesses; No. 3, it would assist small rural farmers; No. 4, it would establish a system of private property ownership. This is not a typical aid package, not a handout, but a commitment to a free market society to spur economic development. This is $1 for every Mexican. It doesn't sound like too much to me. Mexico is our friend, our neighbor. They deserve our support. Anyone who votes against this amendment should never ever again complain about illegal immigration.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I oppose the Reid amendment. I ask Members to vote no. I do so mindful of the fact that Mexico is our friend and that we are going to have $67.5 million of foreign assistance in the budget as we now have it that may be of assistance to our friends. The ideas presented by the distinguished Senator from Nevada are good ones, but they are ones that I believe require further discussion either in committee or on the floor. Clearly, $100 million, which is the request for authorization in his amendment, is well outside the budget we have adopted. That $100 million must be subtracted from some other part of State Department foreign assistance at some other point. The Senator has made the point the appropriators might very well do that. Indeed, they might. But I believe it is irresponsible to push that responsibility onward knowing the $100 million is not there, is not a part of the parameters of our foreign assistance. Therefore, I ask Senators to oppose the Reid amendment.

Mr. REID. Irresponsibility is not helping our neighbor.

Mr. President, 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 Amendment No. 1164. The clerk will call the roll.

The legislative clerk called the roll.

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

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 43, as follows:

[Rollcall Vote No. 268 Leg.]

YEAS—54

Akaka	Dodd	Lautenberg
Baucus	Domenici	Leahy
Bayh	Dorgan	Levin
Biden	Durbin	Lincoln
Bingaman	Edwards	McCain
Boxer	Ensign	Mikulski
Breaux	Feingold	Murray
Brownback	Feinstein	Nelson (FL)
Byrd	Harkin	Nelson (NE)
Cantwell	Hollings	Pryor
Carper	Hutchison	Reed
Clinton	Inouye	Reid
Conrad	Jeffords	Rockefeller
Corzine	Johnson	Sarbanes
Craig	Kennedy	Schumer
Daschle	Kerry	Stabenow
Dayton	Kohl	Stevens
DeWine	Landrieu	Wyden

NAYS—43

Alexander	Dole	Nickles
Allard	Enzi	Roberts
Allen	Fitzgerald	Santorum
Bennett	Frist	Sessions
Bond	Graham (SC)	Shelby
Bunning	Grassley	Smith
Burns	Gregg	Snowe
Campbell	Hagel	Specter
Chafee	Hatch	Sununu
Chambliss	Inhofe	Talent
Cochran	Kyl	Thomas
Coleman	Lott	Voinovich
Collins	Lugar	Warner
Cornyn	McConnell	
Crapo	Murkowski	

NOT VOTING—3

Graham (FL)	Lieberman	Miller

The amendment (No. 1164) was agreed to.

Mr. REID. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1170

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Is the order now to have a rollcall vote on the Murray amendment?

The PRESIDING OFFICER. That is correct, 2 minutes equally divided on the Murray amendment, followed by a vote.

Mr. LUGAR. I yield to Senator NICKLES.

Mr. NICKLES. Mr. President, the bill we are trying to amend is the State Department authorization bill. The amendment Senator MURRAY has offered is an unemployment compensation amendment. One that, I might add, we have not marked up or had a hearing on in the Finance Committee. I might also add, one that we have already voted on four times this year. We have defeated it every time.

In May, we passed an unemployment compensation extension that costs about $7 billion. We continued the current program. It lasts through the end of the year. Senator MURRAY's amendment wants to double the program from 13 weeks of Federal temporary assistance to 26 weeks. Her State already gets 65 weeks of combined State and Federal benefits, and has maximum benefits of about $500 per week.

There is a budget point of order because it breaks the budget and spends billions of dollars. I made that budget point of order and I urge my colleagues not to waive the budget point of order.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, 30,000 jobs were lost in the month of June alone. We have lost jobs in the last 5 consecutive months. A million people have now lost additional compensation under UI. This amendment is extremely important.

I yield the remainder of my time to Senator KENNEDY.

Mr. KENNEDY. Mr. President, we passed an extended unemployment in May but that was to only take care of the recently unemployed. The Murray amendment will take care of 1.1 million Americans who were fully employed 2 years ago. Every one of them was employed. Every one of them was working. They want to work. Now they are completely cut off by the abbreviated amendment we passed last spring.

We ought to provide the $2 billion included in the unemployment compensation fund. That fund has $20 billion. This will only use $2.5 billion. These workers have paid into it; they are entitled to it; they need it; and they ought to be provided for. That is what the amendment does.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act on the Murray amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

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

The yeas and nays resulted—yeas 48, nays 48, as follows:

[Rollcall Vote No. 269 Leg.]

YEAS—48

Akaka	Byrd	Daschle
Baucus	Cantwell	Dayton
Bayh	Carper	Dodd
Biden	Clinton	Dorgan
Bingaman	Collins	Durbin
Boxer	Conrad	Edwards
Breaux	Corzine	Feingold
Feinstein	Lautenberg	Reed
Harkin	Leahy	Reid
Hollings	Levin	Rockefeller
Inouye	Lincoln	Sarbanes
Jeffords	Mikulski	Schumer
Johnson	Murray	Snowe
Kennedy	Nelson (FL)	Specter
Kohl	Nelson (NE)	Stabenow
Landrieu	Pryor	Wyden

NAYS—48

Alexander	DeWine	Lugar
Allard	Dole	McCain
Allen	Domenici	McConnell
Bennett	Ensign	Murkowski
Bond	Enzi	Nickles
Brownback	Fitzgerald	Roberts
Bunning	Frist	Santorum
Burns	Graham (SC)	Sessions
Campbell	Grassley	Shelby
Chafee	Gregg	Smith
Chambliss	Hagel	Stevens
Cochran	Hatch	Sununu
Coleman	Hutchison	Talent
Cornyn	Inhofe	Thomas
Craig	Kyl	Voinovich
Crapo	Lott	Warner

NOT VOTING—4

Graham (FL)	Lieberman	
Kerry	Miller	

The PRESIDING OFFICER. The yeas are 48, the nays are 48. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. LUGAR. Mr. President, I ask unanimous consent to set the pending amendment aside.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 1173 TO AMENDMENT NO. 1136

Mr. LUGAR. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Indiana [Mr. LUGAR], for Mr. KYL, proposes an amendment numbered 1173.

Mr. LUGAR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: Requirement for report on the role of North Korea in the trafficking of illegal narcotics)

On page 90, between lines 17 and 18, insert the following new section:

SEC. 815. REQUIREMENT FOR REPORT ON THE ROLE OF NORTH KOREA IN THE TRAFFICKING OF ILLEGAL NARCOTICS.

(a) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the role of North Korea, since January 1, 2000, in the trafficking of illegal narcotics.

(b) CLASSIFIED REPORT.—If the President submits the report in a classified form, the President shall also submit an unclassified version of the report.

(c) CONTENT.—The report shall—

(1) address each aspect of North Korea's role in the trafficking of illegal narcotics, including any role in the cultivation, sale, or transshipment of such narcotics;

(2) identify the origin and destination of all narcotics that are transshipped through North Korea;

(3) provide an estimate of the total amount of income received by the Government of North Korea each year as a result of such trafficking and the currencies in which such income is received;

(4) describe the role of North Korean government officials and military personnel in such trafficking, including any use of diplomatic channels to facilitate such trafficking; and

(5) include an assessment of whether the leadership of the Government of North Korea is aware and approves of such trafficking activities in North Korea.

Mr. LUGAR. Mr. President, the amendment requires a report on the role of North Korea in trafficking of illegal narcotics. It has the support of both sides. I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1173) was agreed to.

Mr. LUGAR. 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.

Mr. LUGAR. Mr. President, I have a unanimous consent request.

I ask unanimous consent that Senator BINGAMAN be recognized to offer an amendment related to AIDS, provided that Senator BINGAMAN be in control of 40 minutes and Senator LUGAR be in control of 20 minutes and, following that debate, Senator REID be recognized to speak for up to 15 minutes as if in morning business; finally, I ask that following that, the Senate proceed to a vote in relation to the Bingaman amendment, with no second degrees in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LUGAR. I thank the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

AMENDMENT NO. 1174 TO AMENDMENT NO. 1136

Mr. BINGAMAN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. DASCHLE, Mr. LEAHY, Mr. DURBIN, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. HARKIN, Mrs. CLINTON, and Mr. CORZINE, proposes an amendment numbered 1174.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of Congress on funding for assistance to combat AIDS globally)

On page 94, between lines 17 and 18, insert the following new section:

SEC. 815. SENSE OF CONGRESS ON FUNDING FOR COMBATTING AIDS GLOBALLY.

(a) FINDINGS.—Congress makes the following findings:

(1) With the President's support, Congress overwhelmingly and expeditiously approved the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25; 22 U.S.C. 7601 et seq.), indicating the gravity with which Congress considers the pandemic of HIV and AIDS infection.

(2) The Act, which was supported and signed into law by the President, authorized the appropriation of a total $15,000,000,000 for fiscal years 2004 through 2008. Specifically, the Act authorized $3,000,000,000 to be appropriated in fiscal year 2004 for HIV/AIDS and related programs, of which up to $1,000,000,000 was authorized to be made available for the United States contributions to the Global Fund.

(3) In contrast to the amounts authorized to be appropriated in the Act, the President's budget for fiscal year 2004, includes only $1,900,000,000 for HIV/AIDS and related programs, of which only $200,000,000 is for the United States contribution to the Global Fund.

(4) Approximately 5,000 people contract HIV each day.

(5) In Africa, more than 17,000,000 people have died from AIDS, another 28,000,000 are infected with HIV, including 1,500,000 infected children, and 11,000,000 children have been orphaned by AIDS.

(6) The United Nations Development Programme Annual Report for 2003 states, ''HIV/AIDS is a catastrophe for economic stability [and] may be the world's most serious development crisis.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress, when considering appropriations Acts for fiscal year 2004, should fully appropriate all the amounts authorized for appropriation in the Act, even to the extent that appropriating such amounts will require Congress to appropriate amounts over and above the funding levels contained in the Concurrent Resolution on the Budget for Fiscal Year 2004 (H. Con. Res. 95, 108th Congress, 1st session).

(c) DEFINITIONS.—In this section:

(1) ACT.—The term ''Act'' means the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25; 22 U.S.C. 7601 et seq.).

(2) GLOBAL FUND.—The term ''Global Fund'' means the public-private partnership known as the Global Fund to Fight AIDS, Tuberculosis and Malaria established pursuant to Article 80 of the Swiss Civil Code.

Mr. BINGAMAN. Mr. President, this is an amendment I am offering on behalf of myself, Senator DASCHLE, Senator LEAHY, Senator DURBIN, Senator LAUTENBERG, Senator FEINSTEIN, Senator HARKIN, Senator CLINTON, and Senator CORZINE.

This year in his State of the Union Address, President Bush announced a new global AIDS initiative which would provide $15 billion in U.S. funding over the next 5 years. Unfortunately, when the time came for the President to submit his budget and to stand behind that commitment to $15 billion, the budget did not reflect that commitment.

In the fiscal year 2004 budget request, the President asked Congress to appropriate at least $1 billion less than what he had spoken of in this new initiative. Rather than requesting that Congress appropriate $3 billion for these issues, the President effectively said in his budget that less funding was good enough this year.

This chart points out, in the bottom line, the President's budget request. As you can see, it is a total of $1.9 billion for the next fiscal year. The other line on this chart is the level at which we have authorized funding, which is consistent with what the President asked for in his State of the Union speech.

Using the most liberal of calculations, the President's budget asks for $1.9 billion for this AIDS effort. This includes $200 million pledged to the global fund in fiscal year 2004.

What makes this reduction even more difficult to swallow is that at the same time we were asking for less than we promised as a nation with regard to AIDS funding, we also saw in the budget of the administration requests for reductions in funding for critical global health issues in other areas as well.

I am very proud to say that this May, the Congress chose to realize the President's original vision when it authorized, over the next 5 years, the $15 billion the President asked for in his State of the Union speech. This was legislated as the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003.

Within this $3 billion, we provided that $1 billion could be directed to the global fund. So Congress did authorize what the President talked about in his State of the Union speech.

The President is now, of course, in the midst of a tour through Africa. He is meeting with the leaders of those countries. Many of those countries have suffered from the ravages of these diseases. Of course, he is discussing, as he should, the fight against HIV/AIDS, against tuberculosis, against malaria.

The morning news report that I saw in the New York Times I think sums it up well. It has quotations. The President said yesterday in Botswana:

The people of this nation have the courage and resolve to defeat this disease and you will have a partner in the United States of America.

He went on to say:

This is the deadliest enemy Africa has ever faced, and you will not face this enemy alone.

There is another article I have from the New York Times that speaks of the President's trip to South Africa yesterday. It indicates the following: He talked about his AIDS proposal. He did not mention that a House subcommittee is likely to cut funds for the first year of the $15 billion 5-year program below the $3 billion sought by legislation that Mr. Bush signed this spring. The program would provide help to 14 countries. Twelve of those countries are in Africa.

The question for us in the Congress is whether we will vote now to fully realize the President's stated intentions or will we succumb to political expediency and essentially go along with taking credit for a $15 billion commitment while in fact doing substantially less than that. I believe a promise made should be a promise that is kept.

The amendment I am offering today, along with Senator LEAHY and Senator

DASCHLE, simply states that we will appropriate the amounts Congress and the President have pledged to commit to these programs, and that we will do so without reducing our funding commitments to other important global health programs.

The urgency behind our promise is borne out in a report that was released this week in which the United Nations finds that the greatest impediment to development in poor countries around the world today is HIV/AIDS.

In 1990, 10 million people were infected with HIV. Today, in 2003, there are 42 million people who are infected with HIV. To date, this disease has killed 25 million people. It has created over 14 million orphans. In the next 10 years, it is estimated that a full 25 percent of sub-Saharan Africans could die from HIV/AIDS.

Most of the victims of HIV/AIDS are children and young adults. It is a disease that cuts lives short before they ever reach their full potential. Because of this, it creates a generational vacuum in countries where it is most prevalent. The President today is in Botswana. That is the country with the highest rate of HIV/AIDS of any country in the world. So this generational vacuum I referred to means there will not be leaders for tomorrow. It means the ideas and energy that youth carries with it will not have an opportunity to express themselves as cultural, societal, and governmental forces. It means the development of nations is seriously jeopardized and the doors of opportunity for fanaticism and terrorism are thrown wide open.

In 1998, Zambia lost 1,300 teachers to HIV/AIDS. In a country that is able to train only 1,900 teachers in a full year, it is not hard to imagine the depth of the devastation that is being created.

To date, over 17 million Africans have died from AIDS and another 28 million are infected with HIV. This includes 1.5 million children who are infected with HIV. Experts estimate that in less than 25 years, there will be 110 million cases of HIV/AIDS in India, 70 million in China, 13 million in Russia. The magnitude of the health resources that will be required in these countries is mind-boggling.

Looking beyond the health service demands of these diseases, it becomes apparent that domestic productivity, the continued growth and development of these nations, will be significantly impaired.

I could go on at length about the extent of the problem we face. I think all of us in the Senate have become aware that this is a serious issue. By providing the promised $3 billion each year, in an effort to fight HIV/AIDS and TB and malaria, we would prevent a minimum of 2.3 million additional people from contracting the HIV virus. I say that is a minimum because by fully funding our promise, we can leverage more resources from the other countries as well.

The question we are faced with is whether Congress is going to step up and do what it has promised to do. It is not enough to say some year in the future we will get around to doing this. We have authorized $3 billion per year. We should appropriate $3 billion per year.

Our amendment answers that question and makes it clear that the Congress is committed to keeping its promise and this Nation's promise in this regard. It also makes clear we are committed to doing that not at the expense of other global health programs. The funding cuts in the President's budget seem to rest on an underlying assumption that because we are going to up the ante for funding HIV/AIDS, TB, and malaria, we do not need to do as much in the areas of poverty and disease and malnutrition and development of democracy abroad in other respects. The reality is, the confluence and the interaction of these factors in Third World nations contradict that assumption.

By choosing to focus intensely on one of these issues, we are not then free to ignore others. The effective model for helping nations that are less wealthy than ours requires an appreciation of the interdependence of the issues of poverty, disease, early mortality, famine, and poor education.

I do not believe that in order to fund efforts directed against HIV/AIDS and TB and malaria, other efforts to help these countries should suffer. Unfortunately, in the President's budget, other essential international programs are cut anywhere from 5 percent to 63 percent. Programs that help vulnerable children, children who are blind, who suffer mental disabilities, who have physical disabilities, those are cut 63 percent in that budget request. Immunizations, therapeutic and surveillance programs for infectious diseases are proposed for cuts of 32 percent. Child survival and maternity programs will be cut by 12 percent. So we need to address this issue.

The amendment I have sent to the desk is a sense of the Congress, but it is one that will make it clear to the rest of the world, as well as to all who are concerned about this issue, that we will make good on this promise. The Congress needs to choose between this funding and other items. The Congress needs to make a decision. The amendment we are offering today simply states that we are committed to putting the money behind our promises when it comes to fighting HIV/AIDS. We will provide the funds we promised. We will do so without cutting funding to other vitally important health needs.

Let me just read the very short ''resolved'' sentence out of this amendment I am offering. It says:

> It is the sense of Congress that Congress, when considering appropriations Acts for fiscal year 2004, should fully appropriate all the amounts authorized for appropriation in the Act. . . .

That refers, of course, to the United States Leadership Against HIV/AIDS Act.

> [We] should fully appropriate all the amounts authorized for appropriation in the Act, even to the extent that appropriating such amounts will require Congress to appropriate amounts over and above the funding levels contained in the Concurrent Resolution on the Budget. . . .

In my view, this is a statement that needs to be made, particularly this week as the President is traveling on the continent of Africa. I urge my colleagues to join me in helping to ensure that our commitment to fight HIV/AIDS is made a reality.

I yield up to 10 minutes to my colleague and a person who has been a very strong leader on this issue, Senator LEAHY from Vermont.

Mr. BYRD. Will the Senator yield briefly for an inquiry?

Mr. LEAHY. Yes.

Mr. BYRD. Mr. President, how much time remains?

Mr. LEAHY. The Senator from New Mexico yielded me up to 10 minutes. I don't think I will take quite that long.

The PRESIDING OFFICER (Mr. BUNNING). There are a total of 26½ minutes.

Mr. BYRD. I ask unanimous consent that upon the conclusion of the remarks by Mr. LEAHY I be recognized out of order, without the time being charged against either side, on another matter.

The PRESIDING OFFICER. For how much time?

Mr. BYRD. Not to exceed 20 minutes.

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

Mr. BYRD. I thank the Chair and I thank the Senator.

Mr. LEAHY. Mr. President, I thank my good friend from New Mexico. I commend him for his amendment. What the Senator from New Mexico has pointed out is the reality behind the rhetoric; perhaps, to some extent, the honesty behind the headlines.

Like so many others, I have read with interest and a little frustration the press articles, the letters to the editor, the other expressions of view by various people about how Congress needs to ''step up to the plate'' and fund the President's global HIV/AIDS initiative. Of course, we should fund it. This is far more than a Presidential initiative. It is the culmination of years of work by Members of Congress, both Democrats and Republicans, and the White House and many private groups to significantly increase funding to combat the spread of AIDS.

When I talk about the reality behind the rhetoric and the honesty behind the headlines, I recall how right up until the end of last year the White House was actively opposing efforts by Senators, particularly Senator DURBIN, to provide emergency funding for this purpose. In fact, the White House refused many times to declare AIDS an emergency.

This January in his State of the Union Address the President announced a 5-year, $15 billion global AIDS initiative. The President received a lot of praise for that announcement. He should have. In fact, I

am one of those who did praise him for it. And he deserves credit for speaking out more than any previous President about the need to combat AIDS. I commend him for going to Africa, and for calling for greater efforts to fight AIDS, which has ravaged those countries.

But whether he intended it or not, the President's State of the Union announcement created the expectation that the administration would provide $3 billion toward this initiative in 2004, a reasonable expectation when you consider that there are 15,000 new HIV infections every single day. In 40 days, that is an amount equal to the entire population of my own State of Vermont.

The United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, which passed last month—and we all recall, with very strong support from the President—reinforced this expectation because it authorized up to $3 billion for these programs in 2004.

I support that funding. In fact, while it represents a significant increase over the current level of funding, it is way short of what a country as wealthy as ours, the wealthiest Nation in history, should be spending to fight the worst public health crisis that history has ever known. But let's look at what has happened since then.

After the headlines were over, after the meetings at the White House were over, after all the photo ops were over, the President did not include $3 billion to fight AIDS in his 2004 budget. He provided $2 billion, not $3 billion.

In fact, depending upon who you ask in the administration, it is not even $2 billion. It is somewhere between $1.65 and $2 billion.

Let's assume it is the full $2 billion. That is $1 billion less than what he promised. And then when the Republicans in the House Appropriations Committee met, they provided in their allocation for foreign assistance, which includes funding to fight AIDS, an amount which cut the President's $18.8 billion foreign assistance budget by $1.8 billion. The Senate cut it by $800 million.

So what happened is, the President underfunded his own AIDS initiative by one-third when he actually sent his proposal to the Congress, and then the Republican-controlled Congress cut his budget even more. So now we are faced with the impossible task of finding $3 billion in a total budget that is considerably less than the President's budget which was already too little.

I am growing weary of hearing in the press: Now it is up to the Democrats to find the $3 billion to back up the President's promise. First off, it was not his initiative. It was a joint initiative of many. Secondly, he didn't include the money in his budget. And even with the amount of money that he did include in his budget, the Members of his own party cut it even deeper. Actually, if the Members of the President's party agree with the promise he and they made, they ought to be offering this amendment themselves, at least vote for this amendment.

The amendment says we want the President's promise to be fulfilled because if the Members of the President's party don't vote for this, what they will have done, as so often happens here, is pass a big authorization bill, pat themselves on the back, have the photo ops, accept the praise about finally getting serious about fighting AIDS and then, when the cameras have gone home and it comes time to appropriate the money, they say no.

Let's find the $3 billion. One easy way would be for the President to send up a budget amendment that actually asks for the amount of money that he promised. And then the Congress needs to declare AIDS an emergency, which we all agree it is, and appropriate the additional $1 billion.

I commend the Senator from New Mexico for his amendment.

And I take the President at his word, that he does feel strongly about the AIDS crisis and that he intends to do something about it. But words won't prevent AIDS. Words will not provide treatment to those suffering from it. Words are not enough to fight the worst epidemic in recorded history. It is going to require money, too.

The President has said the right things but now it is sort of like ''the check is in the mail.'' He has to write the check and he has to tell members of his own party who have voted for the President's budget, which actually cuts his promise substantially: Look guys, I made this promise; we have to stand up and vote for it. I think he would be doing a very good thing if he did. We are not going to cure AIDS overnight. We are not going to stop every new case. But we know how to slow it considerably.

We are going to see civil strife and conflict especially in Africa, and calls for the United States to send troops. And when you look to the root causes, it will be AIDS that is part of the problem.

We have been blessed in this Nation with the most wealth of any people in history. We should ask ourselves: Don't we have a moral responsibility to do everything we can to help those who are less blessed?

Mr. President, I reserve the remainder of Senator BINGAMAN's time and I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is recognized for up to 25 minutes.

Mr. BYRD. Mr. President, on August 22, 1920, an article written by former LTC Thomas Edward Lawrence appeared in one of the great newspapers of London, the Sunday Times. This legendary British military officer—better known as Lawrence of Arabia—began his commentary with a sharp warning about his country's occupation of ancient lands in the Middle East:

> The people of England have been led in Mesopotamia into a trap from which it will be hard to escape with dignity and honor. They have been tricked into it by a steady withholding of information. The Baghdad communiques are belated, insincere, incomplete. Things have been far worse than we have been told, our administration more bloody and inefficient than the public knows. It is a disgrace to our imperial record, and may soon be too inflamed for any ordinary cure. We are today not far from a disaster.

Colonel Lawrence concluded with an equally sharp question:

> How long will we permit millions of pounds, thousands of Imperial troops, and tens of thousands of Arabs to be sacrificed on behalf of colonial administration which can benefit nobody but its administrators?

Mr. President, it seems that history does have a way of repeating itself. These were the observations some 83 years ago of a British soldier who had studied the history of the Middle East, fought alongside Arabs in the Great War, and understood the anger of those who lived under the administration of a distant power. How prescient were those words—then and now.

His observations, which might have been considered academic in the months before U.S. and British troops began their recent advance into Iraq, now appear, as I say, prescient. As violence in the streets of Baghdad increases, as our troops are being killed and wounded by guerrilla attacks, as progress toward creating a new Iraqi Government stagnates, the American public is only just now beginning to come to grips with the enormity of the task that we have before us in Iraq.

A clear picture had never been painted for the American public by the ''powers that be.'' Oh, we heard rosy scenarios about instant liberty and flowers to the troops. The Vice President talked about flowers that would be bestowed upon our troops by those people in Iraq who would be liberated by us, the liberators. That was the talk of the day.

But now reality has emerged and it is harsh. And seeing the enormity—the enormity, I say—of the task before us and the increasing dangers to the loved ones who serve in uniform, the American people out there who are watching this Senate forum are beginning to ask, How long must our troops remain in those distant hot sands? How long? They are asking that in the mail I receive from the people back home. How long must they patrol the dangerous streets of Najaf and Fallujah? When will our troops be coming home?

Weeks ago, the President gave vague assurances about the timely withdrawal of our troops. He said:

> We will stay as long as necessary to get the job done, and then we will leave.

Those were his remarks at Santa Clara, CA, on May 2 of this year. But I say, Mr. President, such words are without substance; they are ''doublespeak.'' They do nothing but feed the hopes of the American people, as well as the people of Iraq, that our troops will soon return from Iraq,

while avoiding any real indication of when that might happen.

The fact is, the Bush administration has carefully avoided telling the American people when it expects our occupation of Iraq to conclude. So far, this administration has yet to even estimate how soon it will be able to hand over Iraq to the Iraqi people. In short, it appears that we have no exit strategy, and we have had none from the beginning.

The word ''quagmire'' is starting to be used by the media. Clearly, many people are very worried about our situation in Iraq. The death toll keeps mounting.

Last week, the President actually taunted those forces who are murdering our troops in the streets of Iraq. He dared the violent militants by saying: ''Bring 'em on.'' One can hardly think of a more inappropriate comment for a President to make when Americans are under siege in Iraq and being asked to deal with the treacheries of urban guerrilla warfare with no end in sight. Chest thumping should have no place in such a situation.

This was the same President who went to the trouble to put on a flight suit, land on an aircraft carrier, and with great fanfare tell the American people that major combat operations in Iraq have ended, while overhead there was a banner stream which said: ''Mission accomplished.'' But British and American soldiers are still dying in Iraq. Now the President is saying: ''Bring 'em on.'' What are we to believe?

The President has backed away from earlier suggestions of a foreseeable end to U.S. peacekeeping efforts in Iraq. He warns of the return of tyranny if our troops begin returning home.

Judging by the President's statements, our armed forces have become the thumb in the dike—the only obstacle that prevents the return of a repressive dictatorship in Iraq.

How did it come to this? Members of Congress were told that our forces would be greeted as liberators. We will be going in not as occupiers but as liberators. Iraqi citizens were supposed to eagerly embrace democracy and serve up Saddam Hussein on a silver platter the moment they sipped from the cup of freedom. We should have known that the burden of democratizing Iraq would be no easy task. The Administration should have been more forthcoming about the difficulty of that task, about the time it would take to execute it, and about the cost to the taxpayer.

To be sure, the Defense Department is now scrambling to scrape up as many as 20,000 foreign troops to join our forces in occupying Iraq by the end of September. I applaud these efforts. But it would be folly to believe that a deployment of 10,000, 20,000, or even 30,000 foreign troops would significantly reduce the dangers to the scores of thousands of Americans who are now in Iraq.

The failure of this Administration to adequately plan for postwar Iraq has become painfully evident. Before the war, I said: Where is the plan? What is the plan? At yesterday's Armed Services Committee hearing, Secretary of Defense Donald Rumsfeld said he did not know if the United States had made any formal request for assistance from NATO or the United Nations since the beginning of the war in Iraq. The deployment of experienced peacekeepers from our friends and allies would go a long way to relieving the strain on our troops. And, Mr. President, it is simply shocking that our Secretary of Defense would be unaware of efforts by the administration, if there are any, to make a formal request to NATO and the United Nations to provide these troops.

The tragic failure of the Administration's efforts to build international support before launching its impatient rush towards war against Iraq is now bearing its bitter, bitter fruit.

The Secretary of Defense tells the Senate Armed Services Committee to be patient. Well, the administration was not all that patient before launching its rush toward war against Iraq.

The difficulty in finding just 20,000 peacekeepers to patrol Iraq is evidence that White House efforts to assemble 49 nations into a ''coalition of the willing'' was merely an exercise in rhetoric, meant to cover the lack of significant military or financial contributions from dozens of nations, save for those of Britain, Australia, and Poland.

Has the lack of a plan for postwar Iraq needlessly cost American lives? If we had not been so convinced that Iraqis would greet our armies with flowers and smiles, could we have better anticipated the chaos and lawlessness that broke out in the days after the war?

If we had not been so cocksure about our ability to neatly decapitate the leadership of the Iraqi regime, could we have fashioned a better plan to deal with the collapse of civil order as our tanks rolled into Baghdad?

Perhaps this White House should have listened to the advice of some senior military leaders who foresaw the need for several hundred thousand troops to stabilize postwar Iraq. Perhaps it should have contemplated the consequences of a Saddam Hussein driven into hiding but still potent and dangerous. Perhaps, perhaps, perhaps.

The Administration appears quite ready now to dedicate our military to a long-term occupation of Iraq. War-weary soldiers will continue to patrol the areas around Baghdad. The citizen-soldiers of the National Guard and the Reserves will be kept from returning to their homes, their jobs, and their families.

Senators, read your correspondence from back home. See what those families of guardsmen are saying. Read your letters. You are receiving them. My office is not unique in that respect.

The citizen-soldiers of the National Guard and the Reserves will be kept from returning to their homes, their jobs, and their families. Thousands of American families will continue to worry about the fate of their loved ones.

Ah, the sleepless nights that are spent by mothers, by wives, by husbands of guardsmen who have already been in Iraq for weeks and weeks and who are not told when they will be coming home but were told we will be there for a long time. Think of the tears that are spilled by mothers and wives and children for the husbands, the sons, the fathers who are away and who are not told when they will be coming home.

And in spite of the heavy commitment that this Administration has made to the most ambitious policy of nation-building in more than half a century, it appears to be on the verge of sending unknown numbers of U.S. troops to yet another peacekeeping mission in Liberia.

In my home state, there is a growing sense of disenchantment with these foreign adventures. Every day, more letters come to my office from West Virginians asking when their family members will be coming home. How long will it be? How long must we wait? When will they be coming home? My letters contain details about National Guard and Army Reserve units with unclear missions and open-ended deployments. I have received word that some units are without mail service—we are not told that by this administration—others must wait weeks between phone calls home to their families. One unit had to ration water to just 20 ounces per day because of supply shortages. I suspect that other Senators are experiencing a similar phenomenon in the content of their mail from families of the Guard and Reserve.

These part-time soldiers are proud to serve in our nation's military, but they know that they are also full-time members of their communities. Our nation's reservists have important duties in their civilian lives, serving their cities and towns as police officers, business men and women, doctors, teachers, and laborers. Members of the Guard and Reserves proudly joined to serve their country in times of crisis, and they have demonstrated that pride and done well, but not to be a permanent constabulary force in the Middle East. Nobody told them that.

Our brave and professional fighting men and women are awesome on the battlefield, but they must not be expected to carry out the role of peacekeepers or nation-builders in an open-ended mission, whether it take place in Lebanon, Somalia, Bosnia, Afghanistan, Liberia, or Iraq. Our American soldiers are not Iraqi bureaucrats. Our Armed Forces are trained to win wars, not run countries. Putting our men and women in such an untenable situation is a misuse of our military and a disservice to our military personnel.

This Administration should think hard about whether we have the manpower—do we?—to sustain a large commitment of troops in Iraq for the long term. They better think about it. We currently have overseas commitments in South Korea, Japan, the Balkans, and Afghanistan. I have heard we have our military forces spread so thinly around the world, in 136 countries, I recently saw. Keeping tens or hundred of thousands of troops in Iraq for as many as ten years may demand more troops than our voluntary armed forces can muster. Think about it.

This Administration should think hard about whether we have the money to single-handedly pay for the occupation and reconstruction of Iraq. The Department of Defense has reported that we are spending $3.9 billion each month to occupy Iraq. That is a billion dollars a week. How much is a billion dollars? A billion dollars is $1 for every minute that has passed since Jesus Christ turned the water into wine in the city of Caanan.

So the Department of Defense has reported that we are spending $3.9 billion a week. They had not said that until yesterday. Pulling that information from the Secretary of Defense was like pulling teeth. It was hard to do.

How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. One minute and thirty-eight seconds.

That is in addition to the $950 million we are spending each month for our mission in Afghanistan. At a time when the United States is running record-breaking deficits of $400 billion each year, the Administration has not even included these $58 billion in occupation costs in its budget. In sharp contrast to the 1991 Persian Gulf war, where our allies contributed $54 billion of the $61 billion cost of that war, the American taxpayer is virtually alone in bearing the burden for the staggering cost of this most recent war with Iraq.

Americans have good cause to be proud of the men and women who unselfishly serve our country in uniform. They have carried out their duty in Iraq admirably. But what is the next step? The last thing we want to do is repay the services our troops have given to our country by committing them indefinitely to a fuzzy reconstruction mission of uncertain duration.

Iraq is fast becoming an urban guerilla shooting gallery with U.S. troops as the targets. It is time to go to the United Nations and work to deploy a trained multinational peacekeeping force to cope with the perils of the occupation of Iraq. Before there is a disaster to cope with, before there is a major loss of life, before there is a crisis, we must read the tea leaves.

This White House cannot further presume on the patience of the public. The American people must be given an exit strategy for our troops. We must ask the international community for help in Iraq.

I yield the floor.

Mr. DURBIN. Will the Senator from West Virginia yield for a question?

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. My time has expired.

The PRESIDING OFFICER. The time has expired.

The minority leader.

Mr. DASCHLE. Mr. President, I will use my leader time to yield to the Senator from Illinois for whatever question he may want to ask of the Senator from West Virginia.

Mr. DURBIN. I thank the Democratic leader for the time.

I rise for a brief moment in tribute to my colleague from West Virginia. Over the last 6, 8, or 10 months, the United States has been making critical and historic foreign policy decisions which have reversed values and traditions that have guided this country for decades. One Senator has come to this floor time and time again to turn that bright, glaring light on America that is our responsibility to do, and the Senator from West Virginia has done it again today. I thank him for being that voice time and again in the Senate, and I hope that many of us will join in this chorus to accept our congressional responsibility to the people we represent, to stand up and ask the hard questions that Congress must ask of every President, regardless of party, particularly at a moment in time when over 100,000 of our best and brightest in service to this country are risking their lives. My tribute and thanks to the Senator from West Virginia.

Mr. BYRD. Mr. President, my thanks to the senior Senator from Illinois who has added his voice and his vote in support of his conscience on this matter.

Mr. DASCHLE. Mr. President, I will use the remainder of my leader time to make a couple of remarks with regard to the Bingaman amendment, but I, too, want to join the Senator from Illinois in expressing our gratitude to the Senator from West Virginia for his outspokenness, his candor, the strength and conviction with which he has once again articulated the views of so many of the people of this country, as well as the members of our caucus. I thank him once again for his contribution.

Mr. BYRD. Mr. President, I thank the distinguished leader.

AMENDMENT NO. 1174

Mr. DASCHLE. Mr. President, I express my strong support for the amendment offered by the Senator from New Mexico. It is very straightforward. It says as clearly and as succinctly as it can that the United States must keep its promise when we consider the appropriations bill later this month, that we will fully fund the $3 billion promised in the fight against global AIDS. That is all it says.

The Senator from New Mexico has laid it out very clearly. I applaud him and thank him for his leadership and the compelling arguments that once again he has articulated with regard to the urgency as well as the need to do this as we consider the appropriations bill later on.

The President early this year laid out a very ambitious proposal. Unfortunately, for whatever reason, the President did not fund that proposal when he submitted his budget to the Congress. We are now responsible to fill that hole, to address that vacuum, to make that commitment. That is, in essence, what the Senator from New Mexico is saying with this amendment. Let's acknowledge the commitment, let's acknowledge our determination at the appropriate time, in the appropriations bill, to send a clear message.

Why is it important now? It is important now because the focus of the world media is on Africa. The President today is in Botswana. I happened to be in Botswana last August. It is a beautiful country with remarkable natural beauty. They have a dedicated democratic government, one of the most successful in all of Africa. It has the fastest growing economy in the world over the last three decades.

However, if there is any hope of economic survival, if there is any chance this economy will continue to flourish, they must grapple effectively with a very serious matter. Forty percent of all Botswanans today are infected. Consider that 4 in 10 people in Botswana today have HIV. We opened an AIDS testing and counseling center when we were in Botswana. The townspeople turned out for that ceremony with a joy and excitement that I had not expected in a country where 40 percent may have that disease. They were joyful for one reason: They knew we could now begin to address this incredible problem.

If we fully fund our promise, if we fully ensure that centers such as the one we opened in Botswana last August can test, can treat, can care, can provide the outreach, then indeed we will have fulfilled our commitment. We will have recognized the critical nature of this crisis.

The world has never known a pandemic as brutal as this AIDS pandemic. But the world has never known a country as strong and giving and caring as America. So this is our moment to prove that the commitments made in the past are no less and no more than the commitment we make now to address this pandemic in a meaningful way, to send a clear message to the Botswana people Botswana who are listening today and who want to believe what they heard in the commitment given earlier this year is one that will not erode, that will be there, not only with words but with deeds, not only with promises but with resources.

That is what the Bingaman amendment does. That is why I rise so strongly in support of it today.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico has 16 minutes and 20 seconds.

Mr. BINGAMAN. Mr. President, I thank Senator DASCHLE, the leader, for his strong support for this effort.

I had the good fortune to be with him in Botswana last August and underscore and emphasize the very points he made about the enormous need that exists in that country and throughout the African continent.

I yield all but 2 minutes of the remaining time to my colleague from Illinois. I reserve 2 minutes to summarize at the end.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 14 minutes.

Mr. DURBIN. Perhaps I will not use all of the time and will yield back to the sponsor of this amendment.

Mr. President, I thank the Senator for focusing the attention of the Senate on an issue of such moral gravity. As the President of the United States said in Africa yesterday, that continent has never been challenged as greatly as it is challenged today by the AIDS epidemic. I might add parenthetically, the world has never been challenged in a way we are being challenged today by this world AIDS epidemic.

I sit on the Democratic side of the aisle and am proud of my party loyalty, but when I went to the State of the Union Address with President Bush just a few months ago and he said the United States of America was going to lead the world with a $15 billion commitment over 5 years to fight the global AIDS epidemic, this Democrat stood up and applauded as loudly as he could. And ever since, every opportunity I have had, I have given this President credit for leading our Nation in the right direction on the global AIDS epidemic.

I add, as well, I am happy this President has joined two of his predecessors in visiting sub-Saharan Africa. We have overlooked this continent far too long. There is great potential in sub-Saharan Africa, a great potential for economic growth and a great potential for building democracy, building a market economy.

But as President Bush has learned and everyone who visits Africa learns, this whole continent is consumed with this epidemic. You can go to Africa looking for any issue you are interested in; I guarantee what you will find is the AIDS epidemic. Whether you are interested in food, AIDS, or economic development, whether microcredit or education, your first concern will be the AIDS epidemic.

How can you teach children in school when school teachers are dying at an alarming rate? How do you keep up with the health care needs with so many AIDS orphans and so many infected people? What is the economic future of a country where you cannot predict what next month's workforce will look like? All of these issues, whatever they may be, all point to the one central concern: Fighting and conquering this epidemic.

We applauded President Bush on both sides of the aisle for the $15 billion over 5 years. What Senator BINGAMAN is doing today is saying to the Senate, don't let the applause die down. Let's give the President a chorus of support, not just a chorus of applause. Let's make certain those who did stand up and laud the President for his leadership will be here doing our part.

It is inexcusable to say we can only spend $2 billion this year to fight the global AIDS epidemic. The United States can do more and must do more. If we do not, more people will become infected, more people will die, more AIDS orphans will populate the poor countries around the world which means the challenges in the later years will be even more substantial.

How much money is needed at this point? Here is an estimate that has been given from the United Nations agency about the need to fight the global AIDS epidemic. If you look at the next fiscal year, 2004, $8 billion is needed on a global basis. The United States AIDS spending is substantial but, unfortunately, it makes up only a small part of this global need. Frankly, when you look at what the President has proposed, if we could increase our spending to a $3 billion level it could make a significant difference.

This year about $4.7 billion will be spent worldwide fighting the global AIDS problem; $1.6 billion of international bilateral assistance country to country of which the United States puts up about $640 million; $1 billion in multilateral AIDS groups like the Global Fund, which I support; $1 billion by the governments of infected countries, and $1.1 billion by the families of those infected countries—about $4.7 billion. And the need is $8 billion.

What Senator BINGAMAN brings to the Senate today is an amendment asking the Senate to put the money where the promise has been made. The President has toured South Africa, Botswana, countries like Senegal. In visiting these countries he has said the United States is committed to $15 billion. With the Bingaman amendment, we will make certain that commitment is more than just passing rhetoric.

I say to my colleagues in the Senate who have had a chance to travel overseas and not visited Africa, if you want to be a convert on the urgency of this issue, visit Africa. Meet the people who are infected today and are trying, every single day, just to survive.

Go to Soweto Township in South Africa, as I did just a few months ago with Senator FEINGOLD of Wisconsin, and meet women who are infected with HIV who have small children and will never be able to have access to antiretroviral therapy which could keep their lives stronger and longer than otherwise would be the case. The best they could hope for is one nutritional meal a day, to give them strength to ward off infection.

Come to the streets of South Africa. Come see in Cape Town the AIDS orphans roaming those streets, AIDS orphans—I saw this with my own eyes—who are sniffing glue, stealing, living on the streets. Their families are gone. It is repeated over and over, thousands of times, millions of times, in sub-Saharan Africa.

Come to Uganda and find those battling with the AIDS epidemic with very little money but great resolve, preaching abstinence and fidelity and condoms if necessary to protect themselves. These are people winning this battle every single day, waging the battle every single day, surviving for another day. But they need our help.

The richest nation on Earth should put $3 billion on the line this year, this next year, as the President has promised—in 2004. By keeping that promise, we will say to the world, we are not only trying to meet our moral obligation, we are urging you to do the same.

This money has a multiplier effect. Mr. President, $3 billion from the United States will multiply into more and more money being spent on the global AIDS crisis. But, likewise, our failure to do so, our failure to keep our word—what the President said in the State of the Union Address—that is going to be noted as well.

We have a lot more we can do. It is not just a matter of humanity and compassion; it is a matter of global security. These countries that are devastated by AIDS are fragile societies which, if they fall, if they cannot maintain their civil structure, will become vacuums, and in those vacuums we know we will find havens for terrorism, laboratories and experiments for the worst possible political outcomes. We don't want that to happen.

We need to stand together with the President. I don't think we should be making excuses or coming up with alternatives. Let's put our money where the President promised it would be. Let this President, traveling in Africa, receive word within an hour that the Senate is standing behind him. The promises he is making to the continent of Africa are promises which both political parties in the Senate are going to stand behind. That is the best possible message.

Senator BINGAMAN, Senator LEAHY, Senator DASCHLE, I, and others want to make certain $3 billion will be available next year to combat this pandemic across the world.

I stand in strong support of this amendment, and I reserve the remainder of my time.

Mr. BINGAMAN. Mr. President, how much time remains?

The PRESIDING OFFICER. There remain 7 ½ minutes.

Mr. BINGAMAN. I will yield to the Senator from California who had a question or two she wanted to ask at this point.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Yes, I wish to address a couple of questions to my friend, Senator BINGAMAN.

First, I thank you so much for bringing this amendment to the floor. We have a situation where President Bush

is in Africa. I want to make sure I am right on how I read your amendment. He is there saying he has committed, over a 5-year period, $15 billion. Is that correct?

Mr. BINGAMAN. That is exactly the commitment the President has made.

Mrs. BOXER. As I understand my friend, what has happened is that the President's own budget, instead of giving $3 billion for this effort, which would be $3 billion this year and $3 billion each year for 5 years to meet his commitment, has underfunded his own request and has underfunded where the authorizing bill said this ought to be at $3 billion.

Am I correct in saying when the President says he is waiting for Congress to act, essentially his own budget has undercut his commitment?

I just want to make sure I understand that what the Senator is doing today is sending a signal to the people of the United States of America, and to the people who are suffering from AIDS worldwide, that this amendment would bring the amount up to the amount that was promised in the President's own authorizing legislation but that he has underfunded in his own budget and that this bill is underfunding.

What you are doing is keeping the promise made by the President himself, in correcting what was a terrible mistake, it seems to me, in the fact that this bill, as it currently stands, without my colleague's amendment, underfunds that account for AIDS.

Mr. BINGAMAN. Mr. President, in response to the question, let me just say that is the thrust of the amendment. The amendment is a sense of the Congress. It is the sense of the Congress that when appropriations bills do come to the floor of the Senate, we will agree to fully appropriate the money needed to meet this $3 billion per year commitment. That is not the amount the President has asked for. He has asked for substantially less. It is not what early indications are the House Subcommittee on Appropriations is likely to provide.

We are also concerned, of course, about the availability of those funds in our own Appropriations Committee.

So this would make it clear to the whole world, we are committed to providing these funds, even if it is outside the bounds of the budget resolution—which it may well have to be. But we will provide the funds necessary to meet the commitment the President has made and continues to make on this trip to Africa.

I would like to reserve the remainder of my time. I know Senator LUGAR wishes to reserve the remainder of his time so we can have short statements. We will not use the full amount of time reserved.

At this point, Senator REED is here wishing to speak so I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). Under the previous order, the Senator from Rhode Island is recognized for up to 15 minutes.

Mr. REED. Mr. President, over the past few weeks the entire world has witnessed the images emanating from Liberia of chaos and carnage and a people who are bedeviled by a civil war that has lasted too long. This is a country that is in turmoil, a country with which we have a deep historic relationship. It is a country I do believe we must assist.

The trouble in Liberia is not of the last few days or few months. It has extended at least for a decade. But at this time we have the opportunity, and I believe also the responsibility, to assist the people of Liberia to find a better way, a way without violence, a way that will guarantee a democracy that works and an economy that provides for the people of Liberia.

Liberia has a special relationship to the United States. In 1822, a group of freed slaves from America began to settle the west coast of Africa. They were provided assistance by private philanthropists but at the insistence and encouragement of the U.S. Government. This was, at that time, a response to the prevailing system of slavery in the United States, a humanitarian approach.

By 1847, these settlers had established the Republic of Liberia, the first independent country in Africa. It was modeled after the United States. In fact, even today, 5 percent of the population trace their heritage directly back to these American slaves who were freed and repatriated to Liberia.

The Liberians modeled their Constitution on the United States Constitution. The Liberian flag closely resembles the United States flag. The capital of Liberia is named Monrovia, after President James Monroe.

Before 1990, before the beginning of this civil war, Liberia's leading trading partner was the United States, and the United States was a major source of assistance to the country of Liberia.

Our histories have been inextricably linked since 1822. Without the attempt of the United States in a small way to work its way through the problem of slavery and the creation in this country of private philanthropy, Liberia would not exist.

I argue that these close historical ties are very important influences that should govern our decision today as we seek to help the people of Liberia.

At the core of the problem today in Liberia is the behavior and the conduct of the President of Liberia, Charles Taylor. Taylor is 55 years old. He is the son of an American father and a Liberian mother who was a direct descendent of American slaves.

During the 1970s, he worked in Boston, MA, while earning an economics degree at a Massachusetts college. He returned to Liberia in 1979, having spent a significant part of his life here in the United States. In 1979, the Government of Liberia was at that time taken over by Samuel Doe. President Taylor worked briefly for Samuel Doe. When he was accused of embezzling over $1 million from that Government, he left Liberia. He fled to some place with which he was very familar, Massachusetts. He was arrested there but he managed to escape from jail and made his way to Libya where he trained at a camp run by Qadhafi, a guerrilla training camp.

In 1989, he led a small band of irregular forces that overthrew the Samuel Doe government, and he effectively became leader. Then, through an election, he became the President.

But his Presidency has been marred not only by the decline of Liberia but by the instability throughout west Africa, spawned by his policies and his practices. Between 150,000 and 200,000 people have been killed and over 1 million people have been dispossessed in Liberia during the Taylor reign.

Monrovia, the capital of Liberia, a city of more than 1 million people, is the only African capital that has no electricity, no running water, and no telephone service. Tens of thousands of people live in the ruins of bombed-out buildings. There are only two functioning hospitals in the entire country. Only a handful of flights each week leave Monrovia in small planes and go to adjacent west African countries. There is no direct connection between this country and the capitals of the world.

In the past decade, in response to this violence, this chaos, and this collapse, the United Nations has passed seven resolutions seeking to halt the destabilizing force of the Liberian Government—seeking to halt it from its policies of encouraging rebel groups in adjacent countries and trying to induce it to fully abide by numerous Security Council resolutions to end the internal conflict in Liberia.

The United Nations-backed Special Court in Sierra Leone is investigating war crimes that have taken place in Sierra Leone. These crimes include mass rapes, kidnapping, murder, amputation of limbs of civilians, and recruitment and use of child soldiers.

Last month, the Court unsealed an indictment against Charles Taylor for ''bearing the greatest responsibility for war crimes, crimes against humanity and serious violations of international humanitarian law within the territory of Sierra Leone since November 30, 1996.''

Taylor has deliberately assisted rebel forces in Sierra Leone and has provided resources for and is a willing party to the atrocities which I mentioned—the atrocities which have led to his indictment by the Court in Sierra Leone. He did it for diamonds. He did it for power. But the results have been devastating to that country.

It is quite clear that Taylor has not only destroyed his own country but he has also helped to undermine and destabilize adjacent countries, such as the Ivory Coast and Sierra Leone.

One of the problems with countries such as Liberia and adjacent countries is when there is a government that

does not work or simply works for the benefit of the party in power or the person in power, those countries are likely breeding grounds for terrorist activity and terrorism that will spread beyond their borders. In fact, in today's world, it could spread worldwide.

As a CRS report noted, ''For more than a decade, cycles of conflict in Liberia have generated a range of effects that have undermined the national security, political stability, and economic prosperity of its neighbors, and had secondary negative repercussions in the wider sub-region. Among the most serious of such effects are the spread of small arms; the diffusion of violence-based social norms, often with commercial underpinnings; and increasing amounts of mercenary activity in the region; the deployment of diverse, often state-assisted rebel groups along regional borders; rampant human rights abuses; and the creation of aggrieved refugees and internally displaced populations.''

That has been the record of Charles Taylor.

I believe the United States has an obligation to Liberia based on history, based upon the chaos that is obvious in the country, based upon the policies and practices of President Taylor that has ruined his own country and harmed his neighbors. We must act for the security of west Africa and possibly even for the security of the United States.

I should also point out that our British allies intervened in Sierra Leone to ensure stability because of their historic ties with Sierra Leone. The French have intervened in the Ivory Coast. In fact, a month ago it was the French forces that evacuated Americans who were in danger in Liberia itself.

I believe we have to take several steps. First, the United States should organize a robust multinational force endorsed by the United Nations Security Council to support the cease-fire and to restore order in Liberia.

We all recognize that this is a decision for the President of the United States. But the Department of Defense must give the President of the United States all the options he needs and which he requires for the movement of troops—troops that could, with the President's order, intervene in Liberia. Without timely orders and giving troops notice of movement and beginning the movement process, we could find ourselves with other ugly episodes of violence in Liberia in the next few days, or weeks, or months. Finding the President being moved to act, it could take days to put our forces in place to operate.

With respect to not only organizing our response, we also should seriously begin marshaling the forces necessary to intervene if and when the President of the United States gives such an order.

Our involvement should not be contingent on Charles Taylor's decision to leave.

I have already described the record of Mr. Taylor. It is a record that lacks credibility. And his decision should not represent a veto of our policy. The President has said that he would consider the use of force or international forces if Taylor left. I think we should make it quite clear that if the situation deteriorates sufficiently and there is a prospect of using force for positive change for the Liberian people, then Charles Taylor should not decide by his presence or his absence whether we commit forces or assist with these international forces.

The United States should also seek Security Council approval of chapter VII authority to further support the Sierra Leone Special Court and its indictment of Taylor for crimes against humanity.

Presently, although the Special Court is backed by the United Nations, only Sierra Leone is bound by its decision. We should use our diplomatic influence to ensure that Taylor answers the indictment, in the event he does leave Liberia, or in the event that he comes into international custody in Liberia.

Finally, we should support a U.N. mission for Liberia, in consultation with the Economic Community of West African States, or ECOWAS, and the International Contact Group for Liberia, to provide for an interim government and ultimately a democratic transition.

The world, and particularly the people of Liberia, are waiting for our leadership. We should provide it.

There is another aspect of the issue of Liberia that is important to consider. It is not with respect to those Liberians who are in that country but actually with respect to Liberians who are here in the United States and who have been here in the United States for more than a decade.

When the Liberian civil war broke out, many Liberians began to flee to the United States. The chaos began to be obvious to our political leaders and in March of 1991, the then-Attorney General recognized their plight, and granted to these people temporary protective status, or TPS. This was back under the administration of President George Herbert Walker Bush.

Under TPS, nationals of a country may stay in the United States without fear of deportation because armed conflict or extraordinary conditions make it unsafe for these people to return home.

To obtain TPS, persons must register with the Bureau of Citizenship and Immigration Services—formerly known as INS, before its reorganization—pay a processing fee, and apply for an authorization to work. They must have a passport from the country from which they have fled. And they cannot be granted TPS if they have any criminal convictions.

Persons with TPS in the United States must pay taxes, but they do not qualify for benefits such as welfare or food stamps, and not a single day spent in this country under TPS counts toward the residency requirement for permanent residency.

As required by statute, the Attorney General reviews the situation in the country each year and then decides whether to extend TPS.

In the case of Liberia, the civil war has raged on and on for more than a decade, prompting Attorneys General of the first Bush administration, the Clinton administration, and the present Bush administration to annually review the status of Liberians in the United States.

In 1996, 1998, and again in 2002—this time under the present Bush administration—the Attorney General found that the situation in Liberia had deteriorated to such an extent that TPS was not only granted but there was a ''redesignation.''

What does that mean? It means that people who had fled the country after 1991, or who had returned to Liberia and then returned to the United States, were also included in the protected category of TPS. So we have had a situation going over a decade in which annually Attorneys General have looked at the issue and have granted protective status to these people.

There was one brief period, from 1999 to 2001, where the conflict seemed to be ebbing. In that period, TPS was not granted. However, the Attorney General and the administration determined that it was still inappropriate to return these people to Liberia.

The PRESIDING OFFICER. The 15 minutes allocated to the Senator from Rhode Island have expired.

Mr. REED. Mr. President, I ask unanimous consent for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REED. Thank you, Mr. President.

During this period of time, the Attorney General, therefore, granted a different form of relief known as deferred enforced departure, which was used to shelter the population of Liberians in the United States from immediate deportation.

But I think the point is, it is quite clear we have recognized the legal right of these people to stay in the United States because of the turmoil in Liberia for more than a decade.

That turmoil today is even worse. It is reaching a crisis proportion, so much so that the President of the United States is actually contemplating the use of American forces or certainly American support for an international peacekeeping mission.

Now, I have given this long and complicated history to suggest that we have a population that each year waits anxiously for a decision by the Attorney General whether to be sent back to a very difficult environment.

We are talking about 15,000 people in the United States. There is a human

face to this. They cannot tell an employer they can take a job for 2 years. They do not know if their children can go off to college for 2 or 3 years because you cannot give those assurances. They pay taxes, but they do not qualify for benefits. And many of these Liberians have lived in the country longer than the 5 years of residency required for citizenship.

What I have done for several years is introduce legislation to allow these individuals to become permanent residents as a step towards citizenship. I have been supported by my colleagues, Senators CHAFEE, KENNEDY, CORZINE, DURBIN, and HAGEL because we believe—and particularly at this moment we believe—it is appropriate to give these Liberians in America a sense of permanency.

Let me say, this would not be a unique occasion. We have, in many other instances, extended coverage like this to other nationals. We have had situations in which we have allowed people staying in our country to adjust to permanent residency status.

For example, in 1998 Congress passed a law allowing four national groups, who were in similar situations, staying in the United States at the discretion of the Attorney General to adjust to permanent residency status: 4,996 Poles, 387 Ugandans, 565 Afghanis, and 1,180 Ethiopians.

In the 102nd Congress, we passed a law that allowed 52,968 Chinese nationals with deferred enforced departure to apply for permanent residency and then citizenship because they were victims of Tiananmen Square.

In the 105th Congress, we passed the NACARA legislation. Under this law, 150,000 Nicaraguans, 5,000 Cubans, 200,000 El Salvadorans, and 50,000 Guatemalans were given the chance to reach permanent residency status.

In 1999, we passed a bill allowing 2,000 Syrian Jews to accede to permanent residency en route to citizenship.

My legislation would not set a precedent, but it would provide support and comfort, and I think long overdue justice, to 15,000 Liberians in this country.

Mr. President, I hope we can work together in the near future to make this legislation law.

I thank my colleagues for listening to this speech about Liberia. We have two functions: One, to provide assistance internationally to help the people struggling there; and then to provide a sense of permanency to those Liberians who are here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I will give a short speech as part of the 20 minutes allocated to me at this time.

My understanding is, my colleague Senator BINGAMAN will speak on the AIDS legislation that he has proposed with many cosponsors, and then we will proceed to a rollcall vote on the Bingaman amendment.

Let me say at the outset that during our debate today on these authorization bills, we have heard from Senators on very important foreign policy issues. The distinguished Senator from Rhode Island, who just spoke on Liberia, is an excellent example of one who has spent time and effort in analyzing that issue.

We heard from the distinguished Senator from West Virginia, Mr. BYRD, earlier on with regard to his apprehensions on Iraq. Other Senators likewise have taken this forum.

Although that means perhaps our debate has been more extended on the authorization bills, this is a good time for Senators who are focusing on foreign affairs to speak and to enlighten their colleagues and the public in this important body.

On the AIDS question, let me simply say that I indicated early on to Senator BINGAMAN and the sponsors that we would be prepared to accept that amendment. I did so simply because I think it is important, with the President in Africa, that there be clarification, in a bipartisan way, that we support the initiative he has given to the world. It is an extraordinary initiative. It has large impact. Hopefully, it will have good results on the ground with medical services, pharmaceutical products, other practices that are initiated by the various states that may be recipients as well as individual persons.

I come to the floor simply to say I hope Senators will support the amendment, that we understand the President has made a very large offer. Now, authorizers and appropriators are going to have to work their way through that situation, along with the White House, in responsible ways for the next 5 years or so. That will take some doing, as most speakers today have pointed out.

There has been, at least with some of those who have spoken on the issue, some skepticism about whether the President either understood the enormity of the task, whether he or his staff have in fact asked for the amounts of money that are required to get the job done, to follow the plan. And, in fact, some have suggested even a photo op followed by a lack of activity and followthrough that would be disastrous both to the credibility of the proposal as well as to the recipients.

My own view is that our President, George Bush, is very sincere about this project. I say that from personal conversations with the President and the opportunity to work with him. The occupant of the Chair, as a distinguished member of the Foreign Relations Committee, is well aware that our committee took up the AIDS legislation issue. Senator BIDEN and I, in a bipartisan way, formulated, with the aid of many Senators on both sides of the aisle on our committee, an initiative that we believed was most appropriate in following through on that.

In due course, colleagues in the House of Representatives, led by HENRY HYDE of Illinois and others, formulated a piece of legislation that was a strong piece of legislation, in our judgment. It was the hope of the President and the leadership of the Senate that we could all turn to, in unity with our colleagues in the House, and pass an AIDS bill prior to the President going to the G–8 to lay before the European states and Japan and others the full benefits that would come to the world if they were willing to sign up likewise and work with us and follow our leadership.

And in a very late night session, the Chair will recall, we did pass that legislation. The President promptly signed it in the early days of the following week, as soon as it reached his desk, and proceeded to Europe with that initiative. He proceeds to Africa with that initiative now.

It is very meaningful, as he visits in countries, even as we speak, that have a very high incidence of AIDS. It is important with the President in Africa on the ground speaking to this issue that we speak in one voice likewise. This is why I will propose to Senators that we in fact support the amendment.

I am advised my colleague from Pennsylvania would like to have a few minutes. I am prepared to yield to him. I have 20 minutes. How much time would the Senator desire?

Mr. SANTORUM. Two minutes.

Mr. LUGAR. I yield 3 minutes to my distinguished colleague from Pennsylvania.

Mr. SANTORUM. Mr. President, I want to echo the chairman's comments that this body in a very late session, under his leadership and that of Senator BIDEN, was able to pass this historic measure providing the President the fodder he needed to go to Europe and the G–8 and make a pitch that the United States is behind trying to take on this scourge that has enveloped a continent, the subcontinent of Africa, and he was able to do that. As a result, he has been able to get the European Union to make a substantial commitment to participating in this project.

I don't know if it has been said yet, but not only did we believe it was necessary to provide the appropriate leverage for our comrades in Europe to participate, but it worked. It was successful. They have come to the table and we are grateful for that. I think Senator BINGAMAN's amendment, as the chairman suggested, is just further evidence of our commitment to funding.

My belief is we should come forward with the necessary funds. I don't necessarily agree with Senator BINGAMAN that we need to put $3 billion in the appropriations process in the pipeline right now. The commitment was $2 billion plus $1 billion in matching funds. The President said he would put up $200 million in good faith. So that puts us at $2.2 billion which is what I believe is the number that is necessary to meet the commitment the authorization requires. I don't think it is necessary for us to appropriate $1 billion without having the match in place for that $1 billion. I think we can always come back, as we are maybe even this week,

with supplementals throughout the course of the year to fulfill the commitment.

Our commitment in the Congress was $2 billion plus $1 billion if other countries match it. So we need to put in $2 billion. We have $1.9 billion, as the Senator from New Mexico said. So we are not that far off. But the President did say he would put $200 million forward, whether or not it is matched, as a good faith effort. And so I think to comport with that, we should do our best, within the appropriations process, to come up with $2.2 billion. But I think anything beyond that, candidly, is unnecessary, under the authorization is unnecessary. And I hope we do what is required and candidly sit back and wait and see what kind of commitments we will get from the rest of the world before we start ponying up real dollars in the appropriations process when those dollars are contingent upon other countries coming through with their contributions.

While I agree in principle with what the Senator from New Mexico said and will certainly support his amendment—I encourage Senators to support this amendment—I do so with the caveat that really full funding, under the understanding on this floor the night we passed it as well as the President's initiative, is, in my mind, $2.2 billion. And then we can go from there subsequently, depending upon the kind of support we get from other countries around the world.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BINGAMAN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from New Mexico has 3 minutes and 46 seconds remaining, and the Senator from Indiana has 10 minutes and 20 seconds.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Senator STABENOW be added as a cosponsor of my amendment.

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

Mr. BINGAMAN. Let me begin by thanking the Senator from Indiana for his willingness to support the amendment and urge others to. That is very important. It is important we pass this amendment by a large bipartisan vote. He indicated he believes the President is sincere in his commitment to provide this $15 billion over 5 years. I certainly agree. I believe the President is sincere as well. I believed that when he said it in his State of the Union speech. I still believe it.

Unfortunately, the fact we are faced with is we have authorized the $15 billion to be spent consistent with what the President asked for. But as we all know, there is a difference between what is authorized and what is appropriated. And the early indications are the appropriation may not be that generous or that robust.

That is the reason for my amendment.

The early indications I am referring to are the President's own budget request. In his request to the Congress, the President did not ask for $3 billion this first year. He asked for, perhaps in a most generous reading of his budget request, $1.9 billion; $200 million of which would be committed to this global AIDS fund. We had authorized $3 billion, $1 billion for the global AIDS fund, $2 billion on other bilateral programs and AIDS initiatives. All I am saying is, we need to step in and, as is appropriate under the Constitution, appropriate the funds the President is talking about in Africa, that we have authorized to be spent.

I believe that is the least we can do. This amendment is a sense of the Congress that we are committed to that when the appropriations bills come to the floor later this year. We will all have a chance at that point to look at those bills and see whether or not the funding is present.

If it is, fine; if it is not, we can add funding at that time before we complete action on those bills. I do not subscribe to the view that the President's commitment of $15 billion is contingent upon all sorts of other things. I think it is a commitment this country has made. I commend the President for it. I commend him for taking this trip to Africa. I know those countries have desperate needs for which that funding could be used. And this pandemic that we are seeing worldwide, but most particularly on the African Continent, is something that deserves our top priority. I urge my colleagues to join me in passing this sense-of-the-Congress amendment and then, of course, I will urge them to support following through when the appropriations bills actually come to the floor. That is when the real decision point comes. This is a great indication that the Senate is standing behind the President, behind its commitments, and that is exactly what we should do.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LUGAR. Mr. President, I yield back the remaining time that I have, and I commend the amendment to Senators. I hope there will be strong support.

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 bill clerk called the roll.

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

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

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

The result was announced—yeas 78, nays 18, as follows:

[Rollcall Vote No. 270 Leg.]

YEAS—78

Akaka	Daschle	Leahy
Alexander	Dayton	Levin
Baucus	DeWine	Lincoln
Bayh	Dodd	Lugar
Bennett	Dole	McCain
Biden	Domenici	McConnell
Bingaman	Dorgan	Mikulski
Boxer	Durbin	Murkowski
Breaux	Edwards	Murray
Brownback	Feingold	Nelson (FL)
Bunning	Feinstein	Nelson (NE)
Burns	Frist	Pryor
Byrd	Graham (SC)	Reed
Campbell	Hagel	Reid
Cantwell	Harkin	Roberts
Carper	Hatch	Rockefeller
Chafee	Hollings	Santorum
Chambliss	Inhofe	Sarbanes
Clinton	Inouye	Schumer
Cochran	Jeffords	Shelby
Coleman	Johnson	Smith
Collins	Kennedy	Specter
Conrad	Kohl	Stabenow
Corzine	Kyl	Voinovich
Craig	Landrieu	Warner
Crapo	Lautenberg	Wyden

NAYS—18

Allard	Fitzgerald	Sessions
Allen	Grassley	Snowe
Bond	Gregg	Stevens
Cornyn	Hutchison	Sununu
Ensign	Lott	Talent
Enzi	Nickles	Thomas

NOT VOTING—4

Graham (FL)	Lieberman
Kerry	Miller

The amendment (No. 1174) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 1182, 1183, 1184, 1185, 1186, AND 1187, EN BLOC, TO AMENDMENT NO. 1136

Mr. LUGAR. Mr. President, at this point I wish to send to the desk a packet of agreed-upon amendments and ask for their consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

Mr. LUGAR. These amendments include a chairman's amendment regarding Pakistani debt reduction; a chairman's amendment that will provide technical fixes of the State Department's Fellowship of Hope Program; an amendment by Senator FRIST to authorize the United States-Russian Interparliamentary Group; an amendment by Senator FRIST to authorize the United States-China Interparliamentary Group; an amendment by Senator WARNER to strike section 206 of the pending State Department authorization bill relating to security capital cost sharing; an amendment by Senator ENSIGN regarding the level of U.S. funding for the United Nations peacekeeping operations; an amendment by Senator VOINOVICH to require the Annual Report on Religious Freedom to include a section on anti-Semitism; an amendment by Senators

INOUYE and AKAKA to authorize additional appropriations for the Center for Cultural and Technical Interchange Between East and West.

I ask unanimous consent these amendments be agreed to en bloc.

Mr. REID. Reserving the right to object, Senator BIDEN is not on the floor. His staff has said Senator BIDEN has not had a chance to look all these over.

Mr. LUGAR. Very well, I will withdraw my motion. I will attempt to consult with the Senator.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, just as soon as the list has been reviewed more carefully by our distinguished ranking member, I am sure we will be in a position to work with the chair to accommodate his unanimous consent request.

We have a number of Senators who have been working with the managers. I think they may be in a position to offer their amendments with the understanding they would not require rollcall votes.

I know Senator DODD and Senator CLINTON and SCHUMER, at least, are in that position, maybe others.

I have just shared with the majority leader a list of amendments that may not be finite but is almost officially finite. We are hopeful we can continue to work with our managers in accommodating those Senators who wish to offer amendments but with a recognition that in most cases they will not require a good deal of time. In some cases they will not be offered at all.

We have only been on the bill for about a day—full—and we were reminded it has been since 1985, which was the last time we actually brought up successfully the State Department authorization bill.

We are very desirous of completing the work on all three pieces of it. We will continue to work with the distinguished majority leader and chair to figure out a way to accommodate the successful conclusion and consideration of the legislation. As I say, this list is not necessarily finite, but I do not expect it to grow. In fact, I think there are amendments on the list that will probably not be offered. So we will go from here.

In the meantime, perhaps, if we could dispose of the amendments that will not require rollcalls, we will expedite this process even more.

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

Mr. DASCHLE. Yes, I will be happy to.

Mr. REID. The Senator indicated we have spent basically a day, a half day yesterday and so far today, on the State Department authorization. All Democrats want to finish this bill. I think the leader would acknowledge that. We had our policy meeting today and our caucus luncheon Tuesday. I remind the leader—the majority leader is in the Chamber also—we spent 2 days this week on a bill that everyone knew, when it came up, was going nowhere. We all believe this bill is going somewhere—has the opportunity to go somewhere. I hope the two leaders would work to move it forward.

I know the Democratic leader feels that way. I think it would be a shame, for lack of a better description, after all the work we have done on this—as the Democratic leader has announced, we have a list that is a good list, nearly complete. We could complete this legislation. We can't complete it in a matter of hours, but I think we could complete it in a matter of a day or so.

Mr. DASCHLE. I will comment and then yield the floor. It was reported to me the last time we took up the bill in 1985 we took a couple of weeks to pass it. We certainly do not expect to spend a couple of weeks on the bill in this session of Congress. But I think it does, again, remind us that there are very important issues involving foreign policy, the State Department, and other issues—whether or not they are directly relevant to the State Department—that are meritorious and deserve consideration. I know of no one, on this side at least, who would require a good deal of time, an inordinate amount of time, for their amendment to be considered.

We will work with our Republican colleagues in the hope we can accommodate this list, expedite the consideration of the bill, and move to a successful conclusion.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I am very pleased that the Democratic leader agrees we can complete this very important piece of legislation. The fact it has been such a long time since we have carried out our real responsibility in this authorizing legislation, trying to do what we are doing in a very systematic, orderly way, rather than throwing it on appropriations which, in the past, historically, has been done, I hope reflects my intent and the intent of all of us working together to go about this in an orderly way, the way that is most appropriate.

We have a lot of work to do. We have made a lot of progress this week. We knew at the outset of the week we were setting out an ambitious agenda, in the sense that it is really what I believe our responsibility is to do. We tried not to rush things too much and consider amendments, some of which are not germane to the underlying bill. It is the right of every U.S. Senator to offer those. Those amendments have come from the other side of the aisle. I know every effort is being made to focus on the bill itself.

We will be in session today. We will be in session late tonight. We will be in session tomorrow. We will be in session, voting, tomorrow. My goal remains to be to finish this bill. We will do legislative appropriations. We can discuss when to do that that is most appropriate on both sides of the aisle. We are going to bring that to the floor. We can do it tonight. We can do it tomorrow. We can do it tomorrow afternoon.

My goal would be to be able to complete that bill and go to military construction as well. We can talk among ourselves.

The Democratic leader stressed the importance of getting amendments forward. We just talked through a list from the other side of the aisle. I just talked to Chairman LUGAR. We have really just two or three amendments. So for the first time we have sort of a finite list of amendments with which we can work. I ask that the chairman and ranking member do their very best to cull through the amendments. As the Democratic leader said, if they do not need a rollcall vote, let's try to work through this in an orderly way.

I do want our colleagues to know, for scheduling, just as I said last Monday, Tuesday, Wednesday, Thursday—today, I am saying it again, we are going to go through these next three bills. If we can complete this bill in a few hours, which the Democratic leadership said we cannot do—and I respect that if we really can't. I hope we could. Talking to Chairman LUGAR, he says he thinks we can. But if you believe it is absolutely impossible, then it may be that later tonight we will set this aside and we will begin the other two bills, which we will be addressing. We will be voting on them with rollcall votes. I will talk to Chairman STEVENS in a few minutes and see what he thinks is best, in terms of that overall schedule.

If there were any chance we could systematically go through this bill and complete the work—and again the chairman and ranking member have done a great job in terms of considering the whole range of amendments thus far, but if we can complete that bill and get started on legislative appropriations, and military construction, if we can do that tonight we wouldn't even have to vote tomorrow at all.

I know we just heard that is not going to be possible in terms of the range of amendments as we go forward. We are voting today, tonight, we will stay on this bill a while longer, and we can talk. If you believe we need to set it aside so we can go to the appropriations, we can come back to this as soon as we finish this appropriation.

The PRESIDING OFFICER. It is the Chair's understanding the chairman has sent to the desk a series of amendments which he wishes to be considered en bloc. Is that correct?

Mr. LUGAR. That is correct. I would like to amend my proposal to eliminate an amendment by Senator WARNER to strike section 206, and an amendment by Senator ENSIGN regarding the level of U.S. funding. I had listed eight of these. These two should be omitted from that list.

The PRESIDING OFFICER. Is there objection?

Mr. BIDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. No, I do not object.

Mr. REID. Mr. President, we on this side have worked with the ranking member of the committee, and we have a list of Democratic amendments we want to go in order.

I would like to announce those for the benefit of the Senate.

Mr. LUGAR. Mr. President, if the Senator would yield for just a moment, if I could complete the action with regard to the six amendments.

Mr. REID. I apologize. I thought that had been done.

Mr. LUGAR. Mr. President, I ask unanimous consent that those six amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were agreed to as follows:

AMENDMENT NO. 1136

(Purpose: To authorize Economic Support Fund assistance for Pakistan)

At the end of section 2123, add the following:

(d) ASSISTANCE FOR PAKISTAN.—

(1) IN GENERAL.—Of the funds authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 2004, $200,000,000 may be made available for assistance for Pakistan, of which up to $200,000,000 may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for Pakistan.

(2) TREATMENT OF CERTAIN ASSISTANCE.—The amount made available under paragraph (1) for the cost of modifying direct loans and guarantees shall not be considered assistance for purposes of any provision of law limiting assistance to a country.

(3) LIMITATION.—The authority provided by paragraph (1) shall be subject to the requirements of section 634A of the Foreign Assistance Act of 1961.

AMENDMENT NO. 1183

(Purpose: To grant the consent of Congress to the receipt by employees of a designated entity or designated country of salary and benefits from such entity or country while they serve in offices of profit or trust within the Department of State)

On page 31, between lines 23 and 24, insert the following:

''(c) For the purposes of the program authorized by subsection (a), Congress consents to employees of a designated country or designated entity continuing to receive payment of salary and benefits from such designated country or designated entity while they serve in offices of profit or trust within the Department of State.

AMENDMENT NO. 1184

(Purpose: To authorize a United States-Russia Interparliamentary Group)

On page 94, between lines 17 and 18, insert the following new section:

SEC. 815. UNITED STATES-RUSSIA INTERPARLIAMENTARY GROUP.

(a) AUTHORIZATION.—The United States Senate is authorized to appoint Senators to meet annually with representatives of the Federation Council of Russia for discussion of common problems in the interest of relations between the United States and Russia. The Senators so appointed shall be referred to as the ''United States group'' of the United States-Russia Interparliamentary Group.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $75,000 for each fiscal year to assist in meeting the expenses of the United States group.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to this subsection are authorized to be available until expended.

AMENDMENT NO. 1185

(Purpose: To authorize a United States-China Interparliamentary Group)

On page 94, between lines 17 and 18, insert the following new section:

SEC. 815. UNITED STATES-CHINA INTERPARLIAMENTARY GROUP.

(a) AUTHORIZATION.—The United States Senate is authorized to appoint Senators to meet annually with representatives of National People's Congress of the People's Republic of China for discussion of common problems in the interest of relations between the United States and China. The Senators so appointed shall be referred to as the ''United States group'' of the United States-China Interparliamentary Group.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $75,000 for each fiscal year to assist in meeting the expenses of the United States group.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to this subsection are authorized to be available until expended.

AMENDMENT NO. 1186

(Purpose: To require the Annual Report on International Religious Freedom to include a section on anti-Semitism)

On page 94, between lines 17 and 18, insert the following new section:

SEC. 815. REQUIREMENT FOR ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM TO INCLUDE INFORMATION ON ANTI-SEMITISM.

Section 102(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)(1)) is amended by adding at the end the following new subparagraph:

''(G) ACTS OF ANTI-SEMITISM.—A description for each foreign country of—

''(i) acts of anti-Semitic violence that occurred in that country;

''(ii) the response of the government of that country to such acts of violence;

''(iii) actions by the government of that country to enact and enforce laws relating to the protection of the right to religious freedom with respect to people of the Jewish faith;

''(iv) societal attitudes in that country toward people of the Jewish faith; and

''(v) trends relating to such attitudes in that country.''.

AMENDMENT NO. 1187

(Purpose: To authorize certain additional appropriations for the Center for Cultural and Technical Interchange Between East and West)

At the appropriate place, insert the following:

SEC. . AUTHORIZATION FOR THE CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.

Of the amounts authorized in this Act under Section 102 for United States Educational, Cultural, and Public Diplomacy Programs up to $4 million is authorized to be appropriated, in addition to such funds authorized under Section 102(a)(3), in support of the Center for Cultural and Technical Interchange Between East and West.

AMENDMENT NOS. 1184 AND 1185

Mr. FRIST. Mr. President, I have two amendments to establish legislative exchange programs on behalf of the United States Senate.

These two amendments will authorize funds necessary to create formalized, cooperative relationships between the U.S. Senate and the Federation Council, the upper house of the Russian Parliament, as well as between the United States and the National People's Congress of the People's Republican of China.

The genesis of these initiatives is the hard work and deep interest that two of our colleagues have shown in pursing a deeper relationship with our counterparts in those two bodies.

Senator LOTT, during a visit to Russian 2 years ago, began a very fruitful dialogue with members of the Federation Council that has continued at many levels since. I myself had the opportunity earlier this year to meet with the Mr. Mikhail Margelov, Chairman of the Foreign Relations Committee of the Federation Council, Senator LUGAR'S counterpart, and I look forward to playing host this fall to my counterpart, Mr. Sergei Mironov, the Chairman of the Federation Council. At that time it is our joint intention to sign a memorandum of agreement that will formalize a regularized relationship between our two legislative bodies.

U.S.-Russian relations are at a point today that would have been unimaginable even a decade ago. We are joined in a growing exchange of trade and investment, the open travel of tourists and the business community, and cooperation on the central threat facing our two nations—the scourge of global terrorism. We have our disagreements, but for the most part these are the normal disagreements that exist between any friendly nations. It is my firm belief that as part of our relationship with Russia, we should establish an institutional relationship with our counterparts in the Federation Council to examine our mutual interests and craft solutions that reflect our shared interests.

In the case of the National People's Congress of the People's Republic of China, I would like to credit Senator TED STEVENS for his initiative in pursuing a more regularized relationship. It is my intention to invite my counterpart, Mr. Wu Bangguo, the Chairman of the National People's Congress, to visit the United States later this year or early next year.

As an aside, I have the privilege to lead a delegation of eight Senators to China earlier this year. This delegation was hosted by Chairman Wu during our 3-day stay. He was a gracious host and provided us with an outstanding schedule of appointments during our stay. But beyond this, we also had very candid and complete conversations about the challenge and opportunities in the U.S.-China relationship. I will not suggest that there are not problems, but it was remarkable how openly Chairman Wu was willing to discuss these issues in an attempt to understand our perspective, if not find common ground.

I detect on both sides an optimism about U.S.-Chinese relations that has not existed in well over a decade. By deepening our relationship with the National People's Congress, I am confident we can fortify that optimism and create real potential to solve some of the problems that have plagued our relationship in the past.

I urge immediate adoption of these two amendments.

AMENDMENT NO. 1186

Mr. VOINOVICH. I rise today to introduce an amendment that would require the State Department to include in its annual report on international religious freedom a section highlighting the issue of anti-Semitism abroad.

As many of my colleagues are aware, we have seen a disturbing trend in the increase of anti-Semitic violence abroad, with growing reports of incidents in countries that have traditionally been among Europe's strongest democracies, including France and Germany. I remain deeply concerned with these reports, and I believe it is absolutely essential that we do all that we can to take action to combat this problem, both at home and overseas.

Last month, former New York City Mayor Rudy Giuliani led the U.S. Delegation to the first conference of the Organization for Security and Cooperation in Europe, OSCE, dedicated solely to the issue of anti-Semitism. The conference took place in Vienna, Austria, during the period of June 19–20, 2003, bringing together parliamentarians, officials, and private citizens from all 55 OSCE participating states.

As a member of the Helsinki Commission, I strongly encouraged the State Department to make this conference a priority of the U.S. government. Last October, a number of my colleagues joined me in a letter to Secretary of State Colin Powell urging him to call on the OSCE to schedule this meeting. With the support of Secretary Powell, Undersecretary of State Marc Grossman, and our Ambassador to the OSCE, Stephan Minikes, I was very pleased that the chair-in-office of the OSCE did in fact agree to put this meeting on the calendar. It is an important step in the right direction.

Work to highlight this alarming trend began in earnest last year. In May 2002, the Helsinki Commission conducted a hearing to examine reports of increased anti-Semitism. During that hearing, I called on the Organization for Security and Cooperation in Europe, OSCE, to conduct a separate session on anti-Semitism during the annual meeting of the OSCE Parliamentary Assembly in Berlin last July. I was pleased that this did, in fact, take place. Delegates to the meeting unanimously passed a resolution calling attention to the danger of anti-Semitism, which I cosponsored. The conference held last month was a product of much of the work done during the past year.

As we discuss the need to address this issue, I could not agree more with a statement made by Mayor Giuliani just before he left for the Vienna conference, in which he remarked, ''The conference represents a critical first step for Europeans, who have too frequently dismissed anti-Semitic violence as routine assaults and vandalism. Anti-Semitism is anything but routine. When people attack Jews, vandalize their graves, characterize them in inhumane ways, and make salacious statements in parliaments or to the press, they are attacking the defining values of our societies and our international institutions.''

While we are headed down the right path, it is critical that we take action to follow up on the successful beginning found at the conference in Vienna. This amendment aims to ensure that the U.S. Government pays close attention to the issue of anti-Semitism internationally, with the hope that it will encourage our friends, allies, and partners abroad to do the same. The amendment requires the inclusion of the following information on the subject of anti-Semitism for each foreign country: acts of anti-Semitic violence that occurred in that country; the response of the government of that country to such acts of violence; actions by the government of that country to enact and enforce laws relating to the protection of the right to religious freedom with respect to people of the Jewish faith; societal attitudes in that country toward people of the Jewish faith; and trends relating to such attitudes in that country.

The promotion of human rights worldwide is a central aspect of U.S. foreign policy, and consistent with this goal, the Senate has acted to condemn anti-Semitism abroad. I believe this amendment is a necessary step as we look to combat anti-Semitism at home and abroad.

I urge my colleagues to join me in support of this amendment.

Mr. LUGAR. I thank the Chair. I thank the Senator.

Mr. REID. Mr. President, the amendments offered on this side are amendments by Senator BIDEN, Senator SCHUMER, Senator KENNEDY, Senator STABENOW, Senator DORGAN, Senator HARKIN, and Senator DODD, in that order. So everyone understands—we have a lot of people shuffling around—that will be the order of amendments by Democratic Senators.

It is Clinton and Schumer. I apologize for that.

The PRESIDING OFFICER. The Senator from Delaware sought recognition.

Mr. BIDEN. I yield. Apparently the Senator from New York has a question.

Mr. SCHUMER. Mr. President, the amendment Senator REID mentioned after Senator BIDEN's amendment is a different amendment. Senator CLINTON and I have an amendment. Those two amendments we will do en bloc. We would not have a vote. The majority and minority have agreed. It affects matters in New York City. We would like to do those very quickly before we begin this order, if I may ask that we do that.

Mr. REID. Following the Biden amendment?

Mr. SCHUMER. One minute.

Mr. REID. Right now?

Mr. SCHUMER. Two minutes of debate right now.

The PRESIDING OFFICER. The Senator from Delaware has the floor.

Mr. SCHUMER. Will the Senator yield?

Mr. BIDEN. Yes. I am happy to yield, not that I have the floor.

Mrs. CLINTON. Mr. President, I ask unanimous consent that the pending amendments be set aside and that I call up amendment No. 1142 and another amendment at the desk by Senator SCHUMER.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENTS NOS. 1142 AND 1188 TO AMENDMENT NO. 1136

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mrs. CLINTON], for herself and Mr. SCHUMER, proposes an amendment numbered 1142 and an amendment numbered 1188 to amendment No. 1136.

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

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

The amendments are as follows:

AMENDMENT NO. 1142

(Purpose: To increase the authorization of appropriations for protection of foreign missions and officials for fiscal year 2004, and to make an authorization of appropriations for expenses related to such protection that were incurred prior to October 1, 2003)

On page 10, strike lines 17 through 19 and insert the following:

(5) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For ''Protection of Foreign Missions and Officials'', $21,000,000 for the fiscal year 2004, and $55,900,000 to be available for expenses related to protection of foreign missions and officials incurred prior to October 1, 2003.

AMENDMENT NO. 1188

(Purpose: To impose an economic sanction on foreign countries that owe property taxes to Washington, D.C. or New York City)

At the appropriate place, insert the following new section:

SEC. ___. PENALTY FOR UNPAID PROPERTY TAXES.

(a) IN GENERAL.—Subject to subsection (b), an amount equal to 110 percent of the total amount of unpaid property taxes owed by a foreign country to the District of Columbia and New York, New York as reported by the District of Columbia and New York, New York, respectively, shall be withheld from obligation for such country from funds that are—

(1) appropriated pursuant to an authorization of appropriations in this Act; and

(2) made available for such foreign country under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(b) PAYMENT.—Funds withheld from obligation for a country under subsection (a)(2)

shall be paid to the District of Columbia or New York, New York, as appropriate, to satisfy any judgment for unpaid property taxes against such foreign country.

(c) CERTIFICATION.—The withholding of funds under subsection (a) shall apply with respect to a foreign country until the Secretary of State certifies to the designated congressional committees that the total unpaid property taxes owed by such country have been paid in full.

(d) DEFINITIONS.—In this section:

(1) DESIGNATED CONGRESSIONAL COMMITTEES.—The term ''designated congressional committees'' means the Committees of Foreign Relations and Appropriations of the Senate and the Committees on International Relations and Appropriations of the House of Representatives.

(2) JUDGMENT.—The term ''judgment'' means a judgment, order, or decree, including a judgment rendered by default or nonappearance of a party, entered in favor of the District of Columbia or New York, New York in a court of the United States or any State or subdivision thereof, arising from a proceeding regarding unpaid property taxes.

(3) UNPAID PROPERTY TAXES.—The term ''unpaid property taxes'' means the amount of the unpaid taxes, and interest on such taxes, that have accrued on real property under applicable laws.

Mrs. CLINTON. Mr. President, the U.S. State Department is legally obligated to provide security protection for the United Nations and its missions. Under a longstanding arrangement, the City of New York has provided this police security for the United Nations and its missions, and then it has been reimbursed by the State Department.

Long ago, the State Department decided the best way to do this was to have the city provide the service and then provide a reimbursement.

Since September 11, the security needs of the United Nations have increased to about $18.5 million annually in New York alone. Then there have been additional events, such as the U.N. General Assembly and the Millennium Summit alone cost almost $20 million. Thus, the authorization for the program entitled ''Protection of Foreign Missions and Officials'' must be increased so that the City of New York can receive adequate reimbursement.

I thank the chairman for his understanding and his cooperation in making this possible. I thank the ranking member as well.

This program has been authorized at $10 million over the last several years. It will provide reimbursement not only for New York but also Los Angeles and Chicago. The annual figure will be increased $21 million to cover all three cities' expenses; plus an authorization of $55.9 million is included to reimburse the cities for back claims accumulated over the last several years.

I thank the chairman and the ranking member for accepting this amendment.

I would like to yield to my colleague, Senator SCHUMER, on a second amendment.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Thank you, Mr. President. I thank the chairman and ranking member for their courtesy.

We have two amendments. Senator CLINTON has explained the first one. That deals with reimbursement for police expenses. We always had that in New York City. This simply raises the amount, given the 9/11 situation.

The second amendment is a little different. It very simply says that diplomatic scofflaws have to pay their property taxes. We have a whole lot of missions in New York. A handful of them don't pay their property taxes.

This amendment is very simple. When they don't pay their property taxes, this gives authorization for them to be taken from their foreign aid. It is only fair. It is only right.

We did this for parking tickets a few years ago. It was very successful. We want to do it for property taxes.

It is mind-boggling to know, but there is $214 million in outstanding property taxes from these missions. This amendment will go a long way to collecting it.

I ask unanimous consent that both amendments be agreed to by voice vote.

The PRESIDING OFFICER. The Senator's request is not in order. Does the Senator request unanimous consent that the amendments be agreed to?

Mr. SCHUMER. I ask unanimous consent that both amendments be agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments (Nos. 1142 and 1188) were agreed to.

Mr. BIDEN. Mr. President, I suggest that we move out of order to Senator DODD. The chairman and I have accepted a modified Dodd amendment. Rather than have him wait all this time, I would like to suggest he be recognized to speak and that we move on his amendment.

AMENDMENT NO. 1189 TO AMENDMENT NO. 1136

Mr. DODD. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes an amendment numbered 1189.

Mr. DODD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit MCA monies from being used to fund projects that could displace US jobs or production, or pose an environmental hazard)

On page 247, strike the period at the end of Section 3102(a) and add the following:

'', except that the Corporation is prohibited from providing assistance to any entity for any project which is likely to—

(i) cause the substantial loss of US jobs, or the displacement of US production, or

(ii) pose an unreasonable or major environmental, health or safety hazard.''

Mr. DODD. Mr. President, this amendment reflects the language and my discussion with the chairman of the committee which adds the word ''substantial'' to the first paragraph of the first (i) clause—the substantial loss of U.S. jobs. And the rest of the amendment will read as it is presently printed.

Let me, first of all, thank the distinguished chairman and ranking member for allowing me to offer this amendment and for accepting it. This language conforms to existing law with the Overseas Private Investment Corporation, the Export-Import Bank, and other foreign aid programs and takes into consideration job loss on environmental issues.

I think it fits into the Millennium Account category. I am a strong supporter of the Millennium Account. I thank the chairman and others who have been involved. I think it will be a wonderful opportunity for us to provide education and needed assistance to others around the world.

This amendment would add a proviso to Division C of the bill—Millennium Challenge Assistance—to ensure that Millennium Challenge monies authorized in this legislation do no inadvertently fund projects that result in the loss of American jobs, or the transfer of U.S. production facilities abroad, or pose a threat to public health or the environment.

Why is this amendment necessary? Aren't U.S. foreign assistance laws already on the books that prevent U.S. foreign aid monies from being used in ways that can hurt American families or damage the environment? The answer is yes such laws exist but the bill before us today would exempt the Millennium Challenge Corporation set up in Division C of this bill from this and other restrictions currently in law.

The Millennium Challenge Account has been provided with substantial resources in this bill—more than $8 billion over three years with virtually no legislative strings attached.

Clearly there was a rationale for giving the corporation flexibility to try a new approach to helping countries help themselves climb the development ladder. I am certainly willing to give this ''experiment'' a chance to see if it produces better results than our normal foreign assistance programs.

Having said that, none of us in this body would support the use of American taxpayer dollars being used to displace American jobs or U.S. production or to pose an environmental or health hazard.

There is also ample legislative history to suggest that restrictions of this kind are not unduly burdensome.

USAID programs are already subject to somewhat similar restrictions as are U.S. Export/Import Bank and OPIC programs. None of these organizations have alleged that these restrictions impair their ability to carry out their activities.

Opponents of this amendment suggest that this provision is unnecessarily restrictive and difficult to implement. I find that rather hard to accept. We clearly know that there are a number of sectors in this country that are particularly sensitive to foreign competition—steel, textiles to name a few. Over the last three years more than 2.3 million American manufacturing jobs have been lost. We must not unknowingly make matters worse by providing ill conceived subsidies to foreign competitors.

My colleagues I am sure know that there is a U.S. government entity—the International Trade Commission—which is charged with monitoring the impact that foreign production is having on U.S. industries and jobs in this country.

Clearly there are enormous U.S. resources and information that will be readily available to the corporation to ensure that U.S. taxpayer dollars aren't being used to, in effective, subsidize the export of American jobs and production. So I don't accept the argument that this amendment is too difficult or draconian for the corporation to implement.

Is this amendment more difficult to implement than a provision already in this bill which requires the corporation to make the judgement that a particular government is ''committed to just and democratic governance'' in order for it to be eligible for assistance from the Millennium Challenge Account? I don't believe it is.

There is no reason to believe that the corporation should find this restriction any more burdensome.

Frankly, I would think that the Administration would welcome this amendment because it will sensitize officials of the corporation that they must always be mindful that nothing that the corporation undertakes or supports should be injurious to American workers—the folks footing the bill for this experimental approach to helping poor countries lift themselves out of poverty.

Some may argue that this provision is unnecessary, that the members of the corporation will be too smart to ever do anything to hurt U.S. workers or production.

I would say to my colleagues that the conditions that currently exist in law with respect to this matter came about because U.S. agencies frankly weren't paying attention to the domestic effects because that wasn't in their ''job descriptions''.

Moreover, the surest way for support to be eroded for the MCA is for it to become known that in its zeal to help MCA eligible countries, it has ignored the negative implications that ill conceived projects could have on American workers and production facilities. With this statutory red flag, it is less likely that such mistakes will be made.

I urge my colleagues to support this amendment.

Let me lastly say, aside from this particular amendment, how deeply proud I am of the chairman and the ranking member. When I was a member of committee, I think I had a full head of black hair the last time we had a State Department authorization bill on the floor of the Senate.

This is not an accident. The last time we were on the floor and it was brought up, the Senator from Indiana was chairing the committee. I am proud to be a member of this committee and proud to be affiliated and associated with the two distinguished Senators, the chairman and the ranking member. They do a fabulous job on this committee.

I hope we get this bill finished. This is important, not only for what it includes but also the statement it makes about how important we consider the role of the State Department, the aid programs which we administer, and the assistance provided to people all over the globe.

My compliments to the chairman and the ranking member for a job tremendously well done.

Mr. LUGAR. Mr. President, I thank the Senator for his generous comments. I thank him for his amendment and for his cooperation in working to strengthen the MCA, and likewise at the same time indicate our concern about loss of jobs in this country and the environmental damage by the modifiers of ''substantial loss of U.S. jobs,'' and the language already, ''unreasonable or major environmental health, or safety hazard.''

The Senator has made a very good contribution.

Mr. BIDEN. Mr. President, I, too, thank the Senator from Connecticut for his kind comments. As they say, he uses overly formal language. He is a valued member of their committee. He is more than that. He is more than that. He is one of the engines of the committee. I thank him for his comments. I respect and reflect his comments relative to the chairman.

This is an important bill. As my grandfather used to say: With the grace of God, the good will of the neighbors, and the creek not rising, we may get this finished.

Mr. President, I send an amendment to the desk and ask for its immediate consideration.

Mr. DODD. Mr. President, I think we have to ask unanimous consent that the Dodd amendment be accepted.

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

If not, without objection, the amendment is agreed to.

The amendment (No. 1189) was agreed to.

Mr. DODD. I thank the chairman.

AMENDMENT NO. 1190 TO AMENDMENT NO. 1136

Mr. BIDEN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN], for himself, Mr. LEVIN, and Mr. DASCHLE, proposes an amendment numbered 1190.

Mr. BIDEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert:

SEC. . In appreciation of our armed forces and regarding restoring stability and security in Iraq.

(a) FINDINGS.—The Congress makes the following findings:

(1) The United States Armed Forces, with the support of forces from Great Britain and other countries, historically and courageously liberated Iraq in three weeks;

(2) Conditions on the ground in parts of Iraq continue to pose a grave threat to American troops, thereby complicating efforts to restore law and order and essential public services for Iraqis and these efforts are further complicated by the absence of effective communication with the Iraqi people;

(3) Ultimately, maintaining law and order in Iraq and preserving its territorial integrity will require the creation of a professionally trained Iraqi police force and a reformed Iraqi military but that will take a significant amount of time and in the meantime international armed forces and police must assume these responsibilities;

(4) Approximately 145,000 U.S. troops are currently deployed in Iraq, meaning that American troops comprise roughly 90% of Coalition forces, and even if, as the Department of Defense has stated, an additional 10,000 international troops join the Coalition effort in Iraq by September, Americans will still comprise roughly 85% of Coalition forces;

(5) Maintaining the existing force level in Iraq currently requires $3.9 billion each month;

(6) The Department of Defense has stated that it will require one year to train a new Iraqi Army of 12,000 soldiers and three years to train 40,000 soldiers;

(7) The Coalition Provisional Authority has stated that it will require at least one year to recruit and train a police force of 40,000 officers capable of assuming minimal police functions in Iraq, that it will require five years to recruit and train a full force of 75,000 officers, and that at least 5500 additional international police are needed to train, assist and jointly patrol with the existing Iraqi police force;

(8) President Bush has noted that ''The rise of Iraq, as an example of moderation and democracy and prosperity, is a massive and long-term undertaking,'' and it is clear that increasing the number of troops and police from countries other than the United States will reduce risks to American soldiers and the financial cost to the United States;

(9) Secretary Rumsfeld testified that ''We certainly want assistance from NATO and from NATO countries'' and it is clear that involving the North Atlantic Treaty Organization, as is being done in Afghanistan and has been done in Kosovo and Bosnia, allows the Coalition to maintain a robust military presence while decreasing the exposure and risk to American troops; and

(10) Rebuilding Iraq's neglected infrastructure and economy and administering Iraq—including providing basic services and paying public sector salaries—is likely to require tens of billions of dollars over several years and projected Iraqi oil revenues will be insufficient to meet these costs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that:

(1) It is in the national security interests of the United States to remain engaged in Iraq in order to ensure a peaceful, stable, unified Iraq with a representative government.

(2) The President should request formally and expeditiously that NATO raise a force for deployment in post-war Iraq similar to what it has done in Afghanistan, Bosnia and Kosovo and the Congress urges NATO allies and other nations to provide troops and police to Coalition efforts in Iraq.

(3) The President should call on the United Nations to urge its member states to provide military forces and civilian police to promote stability and security in Iraq and resources to help rebuild and administer Iraq.

Mr. BIDEN. Mr. President, I thank my friend from Indiana for his tolerance. I don't usually send to the desk, in the 30-plus years I have been here, sense-of-the-Senate resolutions. But this is a sense-of-the-Congress resolution. I don't send those, either. But I want to explain, before I explain what this resolution does, why I am doing this.

I am of the view—and I am not suggesting the chairman shares my view, or anyone else does—that the President's attitude as to how to proceed on Iraq from this moment on is in play and being influenced by two very important elements of his administration. I am of the view, speaking for myself, that Mr. CHENEY and Mr. Rumsfeld, and others in the administration—who are referred to, not in a negative sense but straightforwardly, as the so-called neoconservatives of the administration in foreign policy—are importuning the President on one course of action.

I am of the view that the Secretary of State—and I do not speak for the Secretary of State; I do not suggest he has represented to me what I am about to say—but I believe the Secretary of State and a lot of the uniformed military are suggesting the President take another course of action, not drastically different but different relative to the issue of post-Saddam Iraq: How do we win the peace?

So it is my hope and my view that this is an appropriate place for the Senate to weigh in on what I believe to be an ongoing debate. I know it is an ongoing debate within the administration on a matter on which I do not believe the President has fully made up his mind. That is not a criticism. That is not meant to be a criticism. It is an observation because a lot of these issues are in play.

Let me illustrate what I mean by that.

The President bought on to a position proffered by the Secretary of Defense, prior to us going into Iraq, that in a post-Saddam Iraq we would have a general, named Garner, who would move in, and along with General Franks, he, General Garner, would put together the political, economic, and reconstructive pieces of this; that he would set up an Iraqi Government very quickly; that there would be in place an infrastructure of a bureaucracy; a significant element of an army that had been beheaded of the Baathist Party elements; and that a police force would be up and standing, once you took out the Baathist elements; and there would be something to work with.

Well, we held hearings, as did my friend, Senator KENNEDY, in the Armed Services Committee, and that was not what the experts told us prior to us going into Iraq. But that is what Mr. Rumsfeld, and others, convinced the President would be the case. So right afterwards, Mr. Chalabi landed in southern Iraq. General Garner was in there shortly after that. We started down a course that was based upon that recommendation. It became obvious, almost instantly, that it was not a very well-thought-out or likely-to-succeed initiative. So what happened?

The President, importuned again by others in his administration, immediately corrected course, I think correctly so, and to his credit. He very shortly pulled out General Garner. He came along and put in an ambassador named Bremer, who is a first-class guy, put in a different team, brought in public information officers from the military, and did other things which literally changed the course that was planned.

Now look, again, not a criticism. I am complimenting the President because he realized the first course set out was not likely to succeed and he changed course. That is what good leaders do when faced with an object in their way that is not able to be surmounted by the game plan they have in place.

If anybody thinks I am exaggerating this, remember what Ambassador Bremer had to say: We are not going to hold elections right away. We are not going to move forward and set up an Iraqi Government. We are not going to have Mr. Chalabi running the show, et cetera. I happen to think these were correct decisions.

My point is, the President saw the unlikely prospects of the first course of action succeeding and he changed course. That is good.

Now, there are other things that are now in play—in my view, if he does not change course, we are going to reap the whirlwind in Iraq. We are starting from an incredibly difficult situation. I said in Iraq, when we were last there with the chairman, Senator LUGAR—and have said since—that if the Lord Almighty came down and stood in the well of the Senate and said: ''I have told the President the right answers to the next 15 decisions he has to make on Iraq''—we would still only have a 65- or 70-percent chance of getting it right in Iraq because there are another 30 decisions to follow.

This is a complicated problem. This is a country that really isn't a country. This is not a country in a way most Americans think of it. This is the idea of the Brits. After 1919, they put together three desperate elements—two Arab, one Indo-European—into the borders that now constitute Iraq, in a circumstance that is difficult, at best, to make work. The only way it has worked, quote, unquote and been held together since then, is with either an outside power or an authoritarian ruler.

So what are we doing now? The President is saying he wants to establish a democracy there. I, quite frankly, think that is a bridge too far. If we establish a participatory government that is a republic, that takes into consideration in its constitution each of the major elements of that country, in a way that gives them representation but falls short of a liberal democracy, I will be happy. I will be happy. I will consider that a success.

So the point I am making is, this is very difficult.

What are the immediate obstacles we are facing now? I do not have to tell anybody in this Chamber. All my colleagues are well-informed women and men. The first obstacle is, it has proven to be incredibly difficult to stand up the infrastructure of Iraq.

We were there. We did a press conference. I think it was literally about 120 degrees. At another press conference there, it was 114 degrees. That I know for certain. My point is, it is hot there. Guess what. Failure to have refrigeration, failure to have lighting, failure to have air-conditioning ''ain't'' like failing to have it even on a steamy day in Washington.

What happens when it gets to be 95 degrees in Washington, DC, or Wilmington, DE? We send out social service agencies to go out to every area we know of, or people with meals on wheels, to make sure their windows are up and their air-conditioning working, because people die.

I want to put this issue in perspective. Not having air-conditioning, not having lighting, not having electricity in a country where it is not unusual to have 125 degree temperature for a long stretch of time is more than an inconvenience.

Now, we are doing everything possible. The Corps of Engineers is in there. We have private contractors in there. We have let contracts, even contracts I have criticized. Bechtel gets a contract without even a bid. But the point is, we are moving as fast as we can.

But we have a second problem. The second problem is: the expectations of the Iraqi people. They think we are the Second Coming. They cannot believe that we, the United States of America, within roughly 4 weeks were able to topple this guy they thought was invincible.

We were able to take this several-hundred-thousand-person army and decimate it and have it evaporate, to take the thought-to-be-12-foot-tall Republican Guard, and vanquish it. What do they think? They think we can do anything. So they don't believe now, many of them, that their failure to have these amenities is because we can't get it done quickly enough. They believe we don't want to do it because if we did, we could snap our fingers. We are the United States.

There is a third piece here. They don't understand because we are not broadcasting it, in my view, sufficiently well, that when we do stand up

a power grid, the Iraqis, whether it is the fedayeen, whether it is the left over remnants of the Baathist Party, whether it is the Sunni in the so-called Sunni triangle, whether it is the Shia who are angry—whoever it is—they don't understand that Iraqis are blowing up the grids. We get it done; they go blow it up guerrilla warfare style—blowing up the oil fields, the pipelines. So what do we do about that? That is our first big problem, a perception and a reality of not sufficiently quick movement.

There is a second big problem we have, among many others, although I am sure the chairman would rather I not be bringing up this sense of the Senate. I will not state where I know he and I agree, and you should not imply we agree; you should not infer from what I say that we agree on this. Many people believe, on both sides of the aisle, that we have to internationalize this effort from the standpoint of the military.

There are two reasons for that. People like me believe we don't have enough firepower there because this is a big country. Let me overstate the point. Let's assume we had 250,000 people there instead of 140,000. We don't have the ability to do that, practically speaking. We would be able to guard more pipelines. We would be able to guard more electric grids. We would be able to have a better chance.

I am not proposing we add American forces. I am proposing we call upon our NATO allies and the coalition of the willing in earnest to provide significant increases in the number of forces we have, allowing us in the near term to draw down some of our forces. We have 10 divisions. Seven of them are tied down in Afghanistan, Iraq, Bosnia and Kosovo. We only have three divisions left.

It seems to me—speaking for myself, but I am confident I speak for a significant number of Republicans and Democrats—this is the time to, as they used to say when my sons were younger, ''get over it.'' Ask NATO. Ask them: Please, come help. Make this a NATO operation with a U.S. commander with a U.S. helmet, with us in charge, but get more firepower in there.

There is a debate about that. Mr. Rumsfeld is saying: We don't need any more. We were over in Iraq. Without identifying their ranks, a number of officers with whom I met—and I suspect the chairman and Senator HAGEL and the delegation from the Armed Services Committee that went over had similar experiences—all thought, we have to change the board here. And the rumors were rife, including on an Air National Guard plane that took us into Iraq that happened to be the Delaware Air National Guard.

Those guys were saying: The rumors are, we are going to get down to 30,000 forces over here by January.

That is foolish. That is absolutely beyond comprehension unless we are saying we are just pulling out; we are just giving up on what we say our objectives were.

I found fascinating—it is almost on point—Secretary Rumsfeld's testimony yesterday about the number of troops needed and whether or not NATO has been asked to participate. Again, I defer to my friend from Massachusetts who was at that hearing. I wasn't at the hearing. But this is actually a news report of it:

When first asked whether the administration had asked France and Germany, whose leaders vigorously opposed the invasion of Iraq, to contribute to postwar peacekeeping, Rumsfeld said, ''I'll have to ask.'' After checking during the break in the hearing, he said that they been asked at least once, last December, which was before the French and German opposition to the war became a major disruption in transatlantic relations. And when asked if a request had been made since then, he said, ''I have no idea.''

This is the Secretary of Defense.

''I'd be happy to run around and try to find out the answer to that.''

As they say in my neighborhood: Give me a break. The Secretary of Defense doesn't know whether or not on his watch, NATO, the French, the Germans have been asked to contribute.

On the same trip only 10 days ago or thereabouts, we started off at a conference, appropriately, at the Dead Sea in Jordan. It was sponsored by the World Economic Forum. I met with a guy we all know well, a guy who has been my friend and acquaintance for almost 20 years, the head of NATO, the Secretary General, Lord Robertson. I pulled him aside. I said: Let me ask you a question: Has NATO been asked to make a significant contribution, other than providing logistical support for the Polish forces going in? Would they go in?

He said: Joe, you have to ask.

Here is the Secretary of Defense who says he doesn't know whether we have asked NATO. And the Secretary General of NATO is saying: You have to ask.

What happens if I ask, George?

He said: They will go.

So the reason I give you that background is, the President, I am confident, is being told by some in his administration: Don't ask the French and don't ask the Germans. They weren't with us in the first place. Don't ask.

I am confident some are further saying: Don't make this a NATO operation. With us, remember, we run the show in NATO, in practical terms and, on the ground, in specific terms.

I am also positive there are other high-ranking administration officials saying: Ask. Ask. Get NATO involved.

So why am I doing this sense of the Congress? I want Congress to go on record weighing in on the side of the administration and saying: Ask.

Is the President still in play? To the best of my knowledge—and I am not a confidant of the President, although he is kind enough to speak to me whenever I ask to speak to him, and occasionally he asks to speak to me when I don't ask—it is my impression that the President is in play on this. He has not made up his mind, in my view—maybe he has—which course to take. I think it is a profoundly important decision he has to make, not only in terms of relieving pressure on American military fighting women and men and providing additional military capacity, but for a second reason. I know my friend agrees with this because he and I started talking about it separately and collectively back in September of last year: It makes a difference whether we are viewed as occupiers or liberators, whether we are the only guys in town. It is kind of hard for extremists to make the case in the Arab world that we are occupiers if there is truly a genuine multinational force headed by Americans as opposed to an American force with a few multinational people helping out.

Remember, we were told that 40 nations were a part of this war effort. Well, maybe a couple sent observers, but there were really only four nations involved—England, Australia, the U.S., and Poland. There were another 36 or so nations that said they supported us, and if they allowed an overflight of American forces, then they were part of the war effort.

That is not what I am looking for. I want, when Iraqis go down the street, to see not just an American soldier at the checkpoint. This is going to sound tough and maybe even unfair, but I don't want every kid that is blown up at a checkpoint being an American soldier. This is the world's problem, not just ours. I want to give the French—as mad as the administration might be at them—the honor and the opportunity to do the same thing as our young men do. I said before this war began—and I supported this war and I voted for it and I helped shape the resolution that allowed it—if we did not internationalize this rapidly, somewhere between 2 and 10 body bags a week would come home for the indefinite future. Unfortunately, it is one of the prophesies I made on this floor and in other places that I wish had never turned out to be correct.

The fact is, we will get a lot more support from the Iraqis who will be a lot less suspect of us if we are not the only game in town. That is the second reason to internationalize.

There is a third piece of this resolution that says it is in the national interest of the United States to remain engaged in Iraq in order to assure a peaceful, stable, and unified Iraq with a representative government.

Look folks, I believe the President has been missing in action in explaining to the American people why it is important that we stay in Iraq. He needs to go on national television just as definitively as he did in making the case to go into Iraq, and explain why it is critically important that we stay in Iraq until it is stable, unified, and has

a representative government. The President must explain that to the American people.

The reason he must is the fear that a number of our military had in Qatar when I visited them with Senator HAGEL in November or December before the war. We had over 100 generals in one room. When I was asked by General Franks if I would speak to them, I asked why. He said just answer their questions. They wanted to know whether or not the American public would be supporting them—not during the war or immediately in the aftermath, but whether they would stick with them in the long haul. These are smart men and women. They knew they were going to be locked down there for a long time.

My answer to them then was very straightforward. I said the one thing I hope we have all learned from the Vietnam experience—whether you were for or against the war and you went to Canada—there is only one thing I know everybody agrees on: a foreign policy, no matter how well thought out, will not and cannot be sustained without the informed consent of the American people before it is initiated. There has been no informed consent. By ''informed,'' I mean the people are not even, to this moment, being told what the administration knows to be true: One, we are going to be there for a long time. We are going to be there with tens of thousands of troops for a long time. Johnny and Jane are not going to come marching home from Iraq any time soon. That is not a criticism on my part, that is the reality. We knew that before we went in. But we did not tell the American people.

The second thing the American people have not been told since the war ended is why it is important to stay in Iraq. I am assuming the reason the President won't go on television and say that is because, if he does, he has to say, prior to that, that we are going to stay in Iraq and have a lot of people stay in Iraq. The chairman called a hearing just after the war. We had expert testimony from the White House that said it costs $2 billion a month to maintain troops there. We had a second hearing and they said it is going to cost $3 billion a month. This is a matter of a week.

At the third hearing, yesterday, they said $3.9 billion. I have been agreeing with the chairman that we should hold more hearings, but I am not sure we should because it may go up to $5 billion. I am not sure I want to hear the answer.

But the truth is that the American people still think Iraqi oil revenues are going to pay for this. Not a shot. Not a shot. When we were in Iraq, we met with a first-rate oil man who was picked by the administration to come over and handle the oil interests of Iraq for the Iraqi people and to get it up and running. He sat with us in the only air-conditioned room I am aware of in probably all of Baghdad. By the way, our people don't work in air-conditioning either. He said: Look, if everything goes well and things don't get sabotaged, Iraq may generate $5 billion worth of profit—in effect, revenues—in 2003. Next year, if everything goes swimmingly well, that number will be $14 billion. Hear that? From now through the whole next calendar year, the next year and a half, there may be, if all goes well, about $19 billion in revenue to reconstruct Iraq. It is going to cost us almost $4 billion a month just to keep American forces in Iraq at the present levels.

I have heard administration witnesses before us. The last administration witness before the Foreign Relations Committee got his skin ripped off by our good friend Senator HAGEL when asked how many folks are going to be needed. He said, ''I have no idea.'' No idea? Everybody has an idea. The idea is that General Shinseki was a heck of a lot smarter than Secretary Rumsfeld and a heck of a lot closer to what the number is likely to be. So at $4 billion a month, we are going to be spending about $70 or $80 billion in the next year and a half just to keep American troops there. Just putting this into perspective, there will be—maybe—$19 billion worth of Iraqi oil reserves in that period.

By the way, we are not going to spend a penny of that to maintain American forces. That is the Iraqi people's money the President said, and rightly so. The World Bank is coming in, and others, to give an estimate of the cost of reconstructing Iraq. But I would bet my life it is going to be more than $19 billion.

Again, why do I mention this? The President has to come forward because I do not want to be on this floor and be one of only several people, along with the chairman and others, who continue to vote whatever is needed to get the job done with my constituents back home saying: What are you doing that for? Why aren't you putting more money in education? Why aren't you putting more money in tax cuts? Why aren't you putting more money in taking care of my roads? Why aren't you putting more money in—whatever. Because the President does not have the political vision and the willingness to go before the American people and say straightforwardly: This is going to cost us tens of billions of dollars beyond what we are spending now. It is going to take tens of thousands of forces, which I support. This is not a cry to pull forces out. It is a cry to say: Please, Mr. President, level with the American people.

The third part of this resolution—I won't go on much longer and I note this is the only time I have spoken on this bill—is also a sense of the Congress:

The President should call on the United Nations to urge its member states to provide military forces and civilian police to promote stability and security in Iraq and resources to help rebuild and administer Iraq.

There are two pieces I have not spoken to yet. I think there is continuing debate within the administration and I would like the Congress to weigh in to try to persuade the President the right way and to reject the suggestions being made by those who have been operating the policy in post-conflict Iraq so far. I do not mean the people in Iraq, I mean here in Washington.

We sat out at a police training academy. I think I have made a dozen visits over 10 years to Bosnia and Kosovo. I believe I have spent more time in those two countries before, during, and after those wars than any Member of Congress. I could be wrong, but I think I have. My son, who is at the Justice Department, got sent over to Bosnia to be the Justice Department coordinator in a Republican administration, not by me, and over to Kosovo to help them set up a criminal justice system and a police force.

We have learned a lot from our experience in setting up and maintaining public order in Bosnia, and we improved it in Kosovo and in Afghanistan. The people who are over there now, appointed by President Bush, are top notch—such as former New York City Police Commissioner Kerik who is respected by everyone. His top people have extensive experience in both Bosnia and Kosovo and we should be proud of the team we have. I just wish the folks in Washington would listen to them.

We spent more than an hour, I believe, at the police academy. And we were told by these first-rate pros that it is going to take at least 1 year to recruit and train a police force of 40,000 people, which they argue would provide only minimal police functions, and 5 years to build a force back up to 75,000 people.

I asked a guy who has extensive experience, in front of my colleagues and in front of all the military there: Who is in charge of the prison system? He said: There is no prison now. There is not a prison in all of Iraq that we would call a prison—maybe the equivalent of a dungeon, but not a prison.

I turned to him and said: If you had all the resources you needed, all the help you wanted, and all the personnel you needed, how long would it take you to set up a prison system in Iraq from this day on? He said 3 years.

It is going to take 3 years minimum to set up, with all the resources, a prison system. It is going to take, according to our own administration experts on the ground, a year to minimally train 40,000 police, and 5 years to build a force up to 75,000.

Then came the kicker. What do you need? They said: We need right away, in addition to the MPs we have, which are stretched beyond limit—because most of the MPs are reserve officers and can you ask Reserves who have been there 6 months to stay another year, year and a half?—we need 5,500 trained, hardnosed European police officers, carabinieri, now to take over

these functions and help us train the Iraqi police force.

I might add parenthetically, our intelligence was abysmal on this point. The 78,000 police officers and the 10,000 or 20,000 member quasi-military—they weren't trained by what we call a trained police officer. An example was given: If there was murder in an apartment building, the police did not go to the apartment building to investigate the murder. They sent a notice to the apartment, and everybody emptied out of the apartment building and went down to the police station.

There is no police force as we think of it. There were none as we think of them in Iraq. So the fact that somebody in the intelligence community did not tell the President that their police force is not our idea of a police force that could help maintain order is an abysmal failure. We have to deal with it.

The third part of this resolution, to promote stability and security, is to have a civilian police force and to ask for the use of diplomacy with our French friends, our German friends, our Spanish friends, our Italian friends who are already sending some police there: Help us now.

There is more to say. If we continue to comprise 80 to 90 percent of our forces on the ground, be sure we will get at least 80 or 90 percent of the blame for everything that happens in Iraq. If it is an American police officer, an American MP, an American soldier who is the one attempting to settle whatever the dispute is, just remember, we are going to take the blame. I would like to share the responsibility a little bit beyond what we have now.

All I have suggested is not prescriptive in the literal sense. It does not require the President to actually find 5,500 police. It does not require him to do anything. But this is for us to weigh in on the side of the voices within the administration that say: We have to get smarter about how we are doing this.

The last point I will make is, we now, in a physical sense, control Iraqi television. We are told by those with whom we visited—and two senior staff members, one Republican and one Democrat, who stayed behind for another week or so in Iraq confirmed this—that what we basically have 4 hours of television a day with Americans talking on it. They're trying to explain our position on television and, though they do not mean it to be, it sounds as if it is propaganda.

With Al-Jazeera in Iraq, with Iranian television flooding in, with all the slant that these guys have, why we do not have the Board of International Broadcasting, why we do not have USI, why we do not have somebody in there setting up that television quickly, finding Iraqi newspeople, Iraqi personalities, explaining what happened, why the lights are not on, why the group of Iraqis under Saddam's former sway have blown up a pipeline or the reason why the grid went out in southern Baghdad is beyond me.

Granted, it is hard to get all of this going, and I end by saying the very prescriptions I have offered, the very proposals or the direction I think we should be going may very well change. It is a fluid situation. One thing I am confident of right now, we do not have enough police to stand up a real force to restore order within the time we need.

We are going to lose the support of the Iraqi people to the extent we have it but, more importantly, and what worries me more, we are going to lose the support of the American people. The American people are going to start to say to us, and maybe even some people who are watching this right now in person or on television are going to say, why is Biden saying we should stay there? We had two more kids killed today, nine kids killed yesterday and four kids the day before—not kids but soldiers, warriors. I do not want to stay there. Bring them home.

The President has to go on the air and say if we bring them home, we will inherent the wind, because if the American people understand why it is critical to stay there, they will be prepared to come up with the money, the time, and the risk to stay there.

The President has to ask them. He has to ask the American people. He has to ask the French, the Germans, NATO. I hope those who are counseling him not to are not doing it out of false pride.

My dad, who passed away a little while ago, used to say, only a big man can bend a considerable distance. We are the big man. We should act like it. Not in terms of taunts, bring them on, but in terms of saying, come on, help us, it is in your interest as much as it is ours.

The President is very popular. He has done some very good things. In my humble opinion, he should use some of that stored-up popularity to make what I acknowledge is an unpopular case: My fellow Americans, we must stay in Iraq because if we do not the following will happen, and if we stay in Iraq, it means this is what I am going to be asking of you, this is the sacrifice I am going to be asking of you, and, by the way, I am asking the rest of the world in a real sense to help us.

I am waiting for that speech. I am waiting for that to happen. If it does not happen, I fear we will lose support in Iraq very quickly, we will lose it at home very shortly, and we will lose it in fact in the near term. That is not why I voted to go into Iraq. That is not why I voted to go into Iraq.

By the way, I sent this amendment up on behalf of myself, Senator LEVIN, and Senator DASCHLE. I now ask unanimous consent that Senator KENNEDY be added as a cosponsor.

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

Mr. BIDEN. Mr. President, as I said, this is a sense-of-the-Congress resolution. It is meant, quite frankly, as the only way I know how to weigh in on the debate that is going on at the White House; to add another collective voice from another branch of the Government as to how we should proceed. It is not meant as a criticism of the President. It is not meant as a criticism of his policy. It is an observation. Just as he stated his initial game plan was not workable and he changed it, I respectfully suggest that unless we change the game plan here, we are going to be in for some real trouble.

I yield the floor.

AMENDMENT NO. 1190, AS MODIFIED

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, could I inquire of the Senator if he would be prepared to modify his amendment in two ways? In the-sense-of-Congress section, the second sentence, ''the President should request formally and expeditiously,'' would the Senator use the word ''consider,'' ''the President should consider formally and expeditiously,'' and in the second one, ''the President should consider calling on the United Nations''? I modify it in that way in that the Senator has suggested the President is weighing these options. We have offered at least some ideas as to what he ought to weigh, clearly for the reasons stated earlier.

My own view is if the Senator would be prepared to modify his sentences in that way, to use the word ''consider'' rather than ''request,'' I would be prepared to accept the amendment and proceed with the Senator at least in a bipartisan statement with which I generally agree.

Mr. BIDEN. Quite frankly, I am much less wedded to the particular verbiage of this resolution than I am to staying bipartisan, because that is what the chairman and I have been trying to do throughout. So I ask unanimous consent that my amendment be modified on page 2, paragraph 2, to say that ''the President should consider requesting,'' adding the word ''consider,'' and I ask unanimous consent to modify my amendment to say ''the President should consider calling on the United Nations.''

The PRESIDING OFFICER. The Senator has that right. The amendment is so modified.

The amendment (No. 1190), as modified, is as follows:

At the appropriate place insert:

SEC. . In appreciation of our armed forces and regarding restoring stability and security in Iraq.

(a) FINDINGS.—The Congress makes the following findings:

(1) The United States, with the support of forces from Great Britain and other countries, historically and courageously liberated Iraq in three weeks;

(2) Conditions on the ground in parts of Iraq continue to pose a grave threat to American troops, thereby complicating efforts to restore law and order and essentially public services for Iraqis and these efforts are further complicated by the absence of effective communications with the Iraqi people;

(3) Ultimately, maintaining law and order in Iraq and preserving its territorial integrity will require the creation of a professionally trained Iraqi police force and a reformed Iraqi military but that will take a significant amount of time and in the meantime international armed forces and police must assume these responsibilities;

(4) Approximately 145,000 U.S. troops are currently deployed in Iraq, meaning that American troops comprise roughly 90% of Coalition forces, and even if, as the Department of Defense has stated, an additional 10,000 international troops join the Coalition effort in Iraq by September, Americans will still comprise roughly 85% of Coalition forces;

(5) Maintaining the existing force level in Iraq currently requires $3.9 billion each month;

(6) The Department of Defense has stated that it will require one year to train a new Iraqi Army of 12,000 soldiers and three years to train 40,000 soldiers;

(7) The Coalition Provisional Authority has stated that it will require at least one year to recruit and train a police force of 40,000 officers capable of assuming minimal policy functions in Iraq, that it will require five years to recruit and train a full force of 75,000 officers, and that at least 5500 additional international police are needed to train, assist and jointly patrol with the existing Iraqi police force;

(8) President Bush has noted that ''The rise of Iraq, as an example of moderation and democracy and prosperity, is a massive and long-term undertaking,'' and it is clear that increasing the number of troops and police from countries other than the United States will reduce risks to American soldiers and the financial cost to the United States;

(9) Secretary Rumsfeld testified that ''We certainly want assistance from NATO and from NATO countries'' and it is clear that involving the North Atlantic Organization, as is being done in Afghanistan and has been done in Kosovo and Bosnia, allows the Coalition to maintain a robust military presence while decreasing the exposure and risk to American troops; and

(10) Rebuilding Iraq's neglected infrastructure and economy and administering Iraq—including providing basic services and paying public sector salaries—is likely to require tens of billions of dollars over several years and projected Iraqi oil revenues will be insufficient to meet these costs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that

(1) It is in the national security interests of the United States to remain engaged in Iraq in order to ensure a peaceful, stable, unified Iraq with a representative government;

(2) The President should consider requesting formally and expeditiously that NATO raise a force for deployment in post-war Iraq similar to what it has done in Afghanistan, Bosnia and Kosovo and the Congress urges NATO allies and other nations to provide troops and police to Coalition efforts in Iraq.

(3) The President should consider calling on the United Nations to urge its member states to provide military forces and civilian police to promote stability and security in Iraq and resources to help rebuild and administer Iraq.

Mr. BIDEN. Mr. President, I ask my friend whether or not he would object, because a number of people on my side, including the major sponsor who helped on this, Senator LEVIN, wanted to have a rollcall vote. Does he have an objection to a rollcall vote on this?

Mr. LUGAR. In response to the Senator, my preference would be that we would not have a rollcall vote; that it could proceed by voice vote. I say this advisedly, but I presume many Members on both sides will generally agree with this. This is very complex language and analysis. I think there is general feeling that the chairman and ranking member have been through this experience, have gone through this together, and our opinions are fairly well understood. I do not want to see a result in which there are a fair number of people who feel constrained because it is requesting the President to consider these things that it might be considered criticism of him or undermining in any way his consideration of this amendment.

Mr. LEVINE. Mr. President, I rise this afternoon in support of the Biden, Levin, Daschle amendment.

The initial military phase of Operation Iraqi Freedom appears to have been thoroughly planned and brilliantly executed. Unfortunately, the transition to post-conflict stability operations and the conduct of those operations appear to be far less so. We must succeed in this endeavor and we need to understand the strategy for ensuring that success. Part of that strategy hopefully would be the attempt to internationalize the security and nation-building efforts. To achieve that end, it is critically important to seek NATO and United Nations support and endorsement. This would facilitate the recruitment of their member nations to our effort—in terms of providing troops, resources, expertise and international legitimacy.

The whole world has a stake in the stability of Iraq. It is a mystery to me why the Administration has not reached out to NATO and to the U.N. as institutions. Their support could bring significant additional forces, such as German and French forces through NATO, and Indian and Egyptian forces through a U.N. endorsement.

At a hearing before the Armed Services Committee yesterday and in response to my question as to whether the administration has formally requested NATO assistance in Iraq, Secretary of Defense Donald Rumsfeld, stated:

whether the Department of State has instructed the U.S. Ambassador to NATO . . . to issue some sort of a formal request, I don't know.

This is too important an issue for that answer to be acceptable.

We should also end the feud with Germany and France. Those countries are major participants with us in Afghanistan and Bosnia and Kosovo. They should be asked to join with us in Iraq. We are going to be in Iraq a long time and a large number of troops are going to be needed as the President finally acknowledged last week.

When I asked Secretary Rumsfeld if Germany and France were on the list of 70 to 90 countries that he said the Department of State had issued requests to provide forces for Iraq, he said ''I'll have to ask. I would suspect they are.'' That is also an unacceptable answer.

There are a number of advantages to having a significant number of additional forces from other countries join in the stability operations in Iraq. First, some U.S. forces, including Reserves, have seen extended combat and other exhausting duty in Iraq and, with U.S. forces stretched thin around the world, increasing the number of non-U.S. forces who can substitute for us in Iraq, would reduce the numbers of and the burden on U.S. forces. As of now, the number of troops of other countries that will be present on the ground will increase from the present number of 12,000 to a total of only about 20,000 to 22,000 by the end of the summer; an increase of a mere 8,000 to 10,000 troops out of about 165,000.

At the hearing before the Armed Services Committee yesterday and in response to my question, General Tommy Franks, who was the commander who led U.S. and coalition forces in Iraq until earlier this week, said that the current force level or ''footprint'' of 145,000 U.S. troops in Iraq would likely remain at that level ''for the foreseeable future.'' That troop level will be difficult to sustain.

Second, I would hope that internationalization would serve to reduce the threat to U.S. forces in more ways than reducing the quantity of our forces on the ground. Up until now, we have been the main target of those Baathists who stand to lose most when democracy is established in Iraq, because the United States is principally the country, along with Britain, which brought down Saddam's regime which provided privileged status to the Baathist minority. It would be harder for those Saddam loyalists to sustain attacks on forces wearing NATO or U.N. patches on their shoulders, because it would be dramatized to the people of Iraq that this is not a U.S.-British occupation, but an international effort to bring stability to the nation and the region.

That is why we are offering this amendment, which expresses the sense of Congress that the United States should remain in Iraq in order to ensure a peaceful, stable, unified Iraq with a representative government; that the President should request formally and expeditiously that NATO raise a force for deployment in Iraq and the Congress urges NATO allies and other nations to provide troops and police to coalition efforts in Iraq; and that the President should call on the United Nations to urge its member states to provide military forces and civilian police to promote stability and security in Iraq.

The United States has taken upon itself the daunting task of nation building in both Iraq and Afghanistan. The administration and Congress must work together to ensure success in those endeavors. I hope that all of my colleagues will vote for this amendment and that the President will follow

through with NATO and the United Nations. It appears that both of those institutions would be responsive to a formal request for assistance and that a number of their member states would provide military forces and civilian police to help the U.S.-led Coalition bring stability and security to Iraq so that reconstruction can take place.

Mr. BIDEN. Mr. President, if my colleague will yield, if he would permit me to go into a quorum call for 3 minutes to confer with the major sponsor of this amendment, I would like to do that and see if we can resolve this quickly. Is that appropriate?

Mr. LUGAR. That would be appropriate. I respond further, part of my thought, likewise, is the hope we might finish the bill.

Mr. BIDEN. I am with you there. I promise this quorum call will not be as long as the vote.

Mr. LUGAR. But, at the same time, the additional debate and the vote will be time consuming.

Mr. BIDEN. I agree.

Mr. LUGAR. I am hopeful we will be able to proceed.

Mr. BIDEN. I tell my colleagues I will be back asking for the quorum call to be lifted within 5 minutes.

Mr. LEVIN. Will the Senator withhold?

Mr. BIDEN. Surely.

AMENDMENT NO. 1192 TO AMENDMENT NO. 1136

Mr. LUGAR. Mr. President, before a quorum call is placed, let me ask that the amendment be temporarily laid aside in order that I propose an amendment on behalf of Senator ENSIGN on which there has been agreement on both sides.

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

Mr. LUGAR. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Indiana [Mr. LUGAR], for Mr. ENSIGN, proposes an amendment numbered 1192.

Mr. LUGAR. 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 fulfill the Administration's request to move towards the goal of achieving a 25 percent UN peacekeeping assessment rate without incurring arrears)

Strike Section 401 and insert the following:

SEC. 401. LIMITATION ON THE UNITED STATES SHARE OF ASSESSMENTS FOR UNITED NATIONS PEACEKEEPING.

(a) IN GENERAL.—Section 404 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended by amending subparagraph (B), added by Section 402 of P.L. 107–228 (FY 2003 Foreign Relations Authorization Act), to amend subparagraph (iv) as follows and add subparagraph (v) at the end:

''(iv) For assessments made during calendar year 2004, 27.1 percent.

''(v) For assessments made during calendar year 2005, 27.1 percent.''

Mr. ENSIGN. Mr. President, I rise today in support of an amendment concerning our U.N. peacekeeping assessment rate. This amendment is very simple. It supports the President's plan to move toward having the U.S. share of U.N. peacekeeping costs fall to 25 percent without incurring arrears.

This history of our financial commitment to U.N. peacekeeping should be a cautionary tale. For instance, from 1988 to 1994, U.N. peacekeeping spiraled out of control as the number of operations more than tripled and costs soared from $268 million to $3.5 billion.

Finally, in 1994 the Democrat-controlled Congress and President Clinton enacted legislation unilaterally reducing the U.S. share of the U.N. peacekeeping budget from 31 percent to 25 percent. This produced arrears, but it also produced badly-needed reforms.

Indeed, combined with the disastrous U.N. peacekeeping operations in Somalia and Bosnia, this drastic action finally helped get the attention of other member states. For instance, the U.N. finally set up a 24-hour-a-day command and control center where military officers participating in peacekeeping operations could call in to discuss the situations in the field. Results were positive.

The annual U.S. peacekeeping bill fell from almost $1 billion to around $300 million in 1997.

With the historic Helms-Biden U.N. agreement we managed to clear up our fair share of arrears in exchange for much needed reforms. Congress later agreed to a glide-path in our peacekeeping assessment rate, still maintaining the 25 percent cap in law but permitting higher authorized levels as we work to achieve that goal.

This amendment continues the glide-path. It authorizes an assessment level of 27.1 percent for the next 2 years, which is the exact level the Bush administration says we need in order to fully fund our obligations.

To permanently raise the cap to 27.4 percent, as the underlying bill seeks to do removes all pressure to reduce the U.S. assessment level and reform U.N. peacekeeping. That is unhealthy for the U.S., which paid $794 million in U.N. peacekeeping costs last year, and unhealthy for the U.N. which is overly reliant on one nation—the U.S.—for financial support.

Let's fully fund the President's request for U.N. peacekeeping and let him keep the necessary tools he needs to ensure that U.N. peacekeeping is as effective as it can be.

One of those tools is the 25 percent assessment rate in current law.

The White House Statement of Administration Policy calls section 401 of this bill, which permanently raises the peacekeeping cap to 27.4 percent, a significant provision that restricts the President's ability to conduct and manage foreign policy. So I hope that my colleagues will join the White House and State Department in supporting my amendment to this bill.

Mr. LUGAR. Mr. President, I ask that the amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment?

The amendment (No. 1192) was agreed to.

Mr. LUGAR. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table is agreed to.

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

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

AMENDMENT NO. 1190

Mr. KENNEDY. Mr. President, I strongly support this amendment. I commend my friend and colleagues, the Senator from Delaware and Senator LUGAR, and Senators DASCHLE and LEVIN, for their support on this amendment.

To minimize the strain on American troops and ensure the stabilization of Iraq, we need to internationalize the presence in Iraq. Today, our policy toward Iraq is adrift and American troops and their families are paying the price. President Bush declared an end to major hostilities on May 1. Since then, more than 70 American service men and women have been killed. For them and their families the war is not over. We have options and we need not go it alone. We have NATO; we have the United Nations. It is time to mend the fences with our allies and work together in order to stabilize Iraq, in order to bring the promise of democracy and to minimize the strain on our own troops. We should ask NATO as an institution to join this extremely important effort.

I welcome the opportunity for the Senate to go on record in support of that request.

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. LUGAR. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BIDEN. I say to my friend from Indiana, I don't have anyone else on this side who wishes to speak to the amendment. I have checked with my leadership, giving people an opportunity to know we will have a vote. I ask unanimous consent we move to a vote on this at 20 minutes of so people have a little bit of notice there will be a vote, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BIDEN. I ask unanimous consent the vote on the Biden-Levin amendment begin at 20 minutes to 5 p.m. with no second-degree amendments.

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

Mr. BIDEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LUGAR. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SMITH). Without objection, it is so ordered.

Mr. LUGAR. Mr. President, is there an order for a rollcall vote at this time?

The PRESIDING OFFICER. There is an order for a rollcall vote.

The question is on agreeing to amendment No. 1190, as modified. The yeas and nays have been ordered.

The clerk will call the roll.

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

I further announce that if present and voting, the Senator from Florida (Mr. GRAHAM) would vote ''yea.''

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

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 271 Leg.]

YEAS—97

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

NOT VOTING—3

Graham (FL)	Lieberman	Miller

The amendment (No. 1190), as modified, was agreed to.

Mr. LUGAR. 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. BYRD. Mr. President, earlier today I spoke about the serious threat to U.S. forces that remain engaged in a volatile situation in Iraq. The same troops that fought and won the war against Iraq are now performing a peacemaking mission with no end in sight.

The United States entered this war virtually alone. But the United States, alone, cannot be expected to carry the burden of providing the vast majority of troops and the nearly endless amounts of funds that will be required to get Iraq back on its feet. We need the help of the international community, and we need it now.

The administration has the obligation to look out for the welfare of our troops by engaging NATO and the United Nations in order to raise a large peacekeeping force that will share the burdens of occupation with the other nations of the world. There are many countries that have the capability to assist in a peacekeeping mission in Iraq, but first the President must make the unambiguous call to NATO and the U.N. to appeal for foreign troops and financial contributions.

I compliment Senator BIDEN for his efforts in introducing the amendment, but the amendment only calls for the President to ''consider'' the issue of whether to appeal to NATO and the U.N. to raise an international peacekeeping force.

I have very strong reservations about another provision in this amendment. The amendment states the sense of Congress that ''it is the national security interests of the United States to remain engaged in Iraq in order to ensure a peaceful, stable, unified Iraq with a representative government.'' Engaged for how long? Surely it is not in the national security interests of the United States to retain a permanent presence as a peacekeeping force in Iraq. This particular statement could well lead us down the path to mission creep.

Moreover, contrary to the assertions by the President of the United States and others in his administration, I have never believed that it was in the ''national security interests'' to go to war with Iraq to begin with. Subsequent events thus far have not shown that Iraq constituted an imminent threat to the security of our country. Tragically, the American people were deceived into believing otherwise.

I voted for this sense of Congress amendment because it draws attention to a critical issue, but the Senate must not wash its hands of internationalizing the occupation of Iraq by passing a nonbinding resolution which does not actually call on the President to do anything.

AMENDMENTS NOS. 1193 THROUGH 1196, EN BLOC, TO AMENDMENT NO. 1136

Mr. LUGAR. Mr. President, I send to the desk a packet of agreed-on amendments.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Indiana [Mr. LUGAR] proposes amendments numbered 1193 through 1196, en bloc.

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

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

Mr. LUGAR. These include an amendment by Senator WARNER to strike section 206 of the pending State Department authorization bill relating to security capital cost sharing; an amendment by Senator FRIST to commend the people of Colombia on the third anniversary of Plan Colombia; an amendment by Senator SCHUMER to express the sense of the Senate regarding reports to Congress on the National Commission on Terrorist Attacks upon the United States; and an amendment by Senators DURBIN, MIKULSKI, and LANDRIEU regarding the Millennium Challenge Act.

I ask unanimous consent that these amendments be agreed to en bloc.

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

The amendments were agreed to en bloc, as follows:

AMENDMENT NO. 1193

(Purpose: To strike section 206, relating to security capital cost sharing)

Strike section 206.

AMENDMENT NO. 1194

(Purpose: To commend the leadership and people of Colombia on the third anniversary of Plan Colombia)

On page 242, between lines 12 and 13, insert the following:

SEC. 2522. COMMENDATION OF THE LEADERSHIP AND PEOPLE OF COLOMBIA ON THE SUCCESSFUL IMPLEMENTATION OF PLAN COLOMBIA.

(a) FINDINGS.—Congress makes the following findings:

(1) July 13, 2003, marks the third anniversary of the enactment of legislation providing initial United States assistance for the Plan Colombia initiative. Since then, the United States has provided over $3 billion in support of Plan Columbia.

(2) During this period, the Government of Colombia, with United States support, has made progress in the eradication and seizure of illegal drugs.

(3) According to reports—

(A) the total area of coca cultivation in Colombia has declined 59.9 percent from 163,289 hectares in 2000 to 102,071 at the end of 2002, with a further additional 65,000 hectares to be sprayed with herbicides in 2003;

(B) 3,300 hectares of poppy crop have been sprayed with herbicides in 2002, and an additional 1,658 hectares to be sprayed in 2003; and

(C) between January 2002 and May 2003, 100 tons of pure cocaine and 850 kilos of heroin have been seized, with a street value of approximately $3,000,000,000.

(4) The armed forces of Colombia have 60 percent more combat-ready troops than in 1999, including three United States-trained counterdrug brigades and five riverine brigades.

(5) The armed forces of Colombia are taking steps against the drug traffickers and terrorists in Colombia, as demonstrated by the capture, as of July 2003, of some 3,553

guerrillas and 1,336 members of paramilitaries and the surrender of an additional 1,138 members of illegal groups, the destruction of more than 1,000 coca laboratories, the confiscation of solid and liquid chemicals used for manufacturing cocaine, and the seizure of weapons from guerrillas and drug traffickers.

(6) In the past several years, the Government of Colombia has extradited 78 persons to the United States to face trial on narcotics and terrorism charges.

(7) The Government of Colombia is working to establish law and order in Colombia—

(A) homicides have reportedly declined in Colombia during the first months of 2003, as compared to the same period in 2002; and

(B) kidnappings have reportedly declined during the first months of 2003, as compared to the same period in 2002.

(8) The Government of Colombia is training and equipping during 2003, thousands of new police officers who will be stationed in hundreds of rural towns where there is little or no police presence.

(9) The Government of Colombia plans to increase defense spending from 3.5 percent of its gross domestic product in 2002 to 5.8 percent of its gross domestic product by 2006, and to enlarge its armed forces by 126,000 troops.

(10) It is in the national interests of the United States to continue to support the efforts of President Alvaro Uribe Velez of Colombia, and the Government and people of Colombia, to stop narcotics trafficking, end terrorism, strengthen democracy, and protect human rights.

(b) COMMENDATION.—The Senate—

(1) commends President Alvaro Uribe Velez of Colombia and the Government and the people of Colombia on the third anniversary of Plan Colombia and for their efforts in fighting illegal drugs and terrorism; and

(2) supports and encourages the efforts of President Uribe and the Government and people of Colombia to preserve and strengthen democracy, protect human rights, and provide economic opportunity in Colombia.

AMENDMENT NO. 1195

(Purpose: To express the sense of the Senate that President Bush should require all executive agencies to provide full and timely cooperation with the National Commission on Terrorist Attacks Upon the United States so that the Commission can provide the best possible analysis of how the Nation can prevent future acts of terrorism)

At the end of title VIII, add the following:

SEC. 815. SENSE OF SENATE ON EXECUTIVE BRANCH COOPERATION WITH THE NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES.

(a) FINDINGS.—The Senate makes the following findings:

(1) On November 15, 2002, Congress passed legislation by a wide bipartisan margin to establish the National Commission on Terrorist Attacks Upon the United States to determine the facts surrounding the attacks of September 11, 2001, and to help the Nation prevent any future terrorist attacks. On November 27, 2002, President Bush signed the legislation into law as title VI of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat. 2408; 6 U.S.C. 101 note).

(2) There was broad bipartisan consensus that the work of the Commission was of national importance and of particular significance to the families of the victims of the attacks of September 11, 2001.

(3) The work of the Commission is essential to discovering what weaknesses and vulnerabilities were exploited to successfully perpetrate the deadly attacks of September 11, 2001.

(4) The Commission is required to ''ascertain, evaluate, and report on the evidence developed by all relevant governmental agencies regarding the facts and circumstances surrounding the attacks'' and to complete its work by May, 2004.

(5) Both the Chairman and Vice Chairman of the Commission have recently announced that many of the relevant agencies—most notably the Department of Defense, the Department of Justice, the Department of Homeland Security, and the Central Intelligence Agency—have failed to provide the bulk of the documents the Commission has requested and some of those agencies have prevented the Commission from conducting independent interviews with officials who may have important information about the tragic events of September 11, 2001.

(6) Members of the Commission have also acknowledged that if this cooperation is not forthcoming in the next several weeks, the Commission will not be able to meet the May 2004 statutory deadline to conclude its investigation and report its findings to Congress and the President.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) President Bush should immediately and publicly require all executive branch agencies, especially the Department of Defense, the Department of Justice, the Department of Homeland Security, and the Central Intelligence Agency, to provide their fullest and most timely cooperation to the Commission, and permit the Commission unfettered access to agency officials for interviews, so that the Commission can complete its mission in the time allotted by law;

(2) the Department of Defense, the Department of Justice, the Department of Homeland Security, and the Central Intelligence Agency should submit to Congress, by August 15, 2003, and quarterly thereafter for the life of the commission, a report on the actions taken by each such department or agency to comply with the requests of the Commission; and

(3) the Commission should submit to Congress and the President, by August 15, 2003, and quarterly thereafter, a report assessing the compliance of each department and agency referred to in paragraph (2) with the requests of the Commission.

AMENDMENT NO. 1196

(Purpose: To ensure that the benefits under the Millennium Challenge Assistance program are available for the intended beneficiaries, including women and girls)

On page 250, line 19, strike ''Such'' and insert ''In recognition of the essential role of women in developing countries, the CEO shall ensure that such indicators, where appropriate, take into account and assess the role of women and girls. The approved''.

Mr. LUGAR. Mr. President, I ask unanimous consent that Senator STEVENS be added as a cosponsor to amendment No. 1185 which establishes a parliamentary exchange program with the People's Republic of China.

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

AMENDMENT NO. 1194

Mr. FRIST. Mr. President, I rise to introduce an amendment to the foreign assistance authorization bill regarding Colombia.

Colombia is one of the oldest democracies in our hemisphere. It is under threat by narcotics traffickers, leftwing guerrillas and rightwing paramilitaries. We have been working with the government for several years to combat the twin threats of narcotics and terrorism and to strengthen democracy.

President Uribe and the Republic of Colombia have made great strides in implementing Plan Colombia, eradicating the production of illegal drugs, providing alternatives to coca and poppy cultivation for impoverished Colombians, establishing law and order, and taking steps to protect human rights and to administer justice.

The total area of coca cultivation in Colombia has declined markedly in the past 3 years, while drug seizures are up. The armed forces of Colombia are better trained than four years ago. Colombia is also training and equipping 78,000 new police officers who will be stationed in hundreds of rural towns where there is currently little or no police presence.

The Armed Forces are defeating the narcotics traffickers and terrorists in Colombia by capturing to date a total of 3,553 guerillas and 1,336 members of paramilitaries; destroying more than 1,000 coca laboratories; confiscating billions of gallons of solid and liquid chemicals used for manufacturing cocaine; and seizing more than 4,000 weapons from guerillas and traffickers.

Colombia has extradited 78 individuals to the United States to face trial for narcotics and terrorist charges.

The government of Colombia has made progress in combating crime; during the first months of 2003, homicides have declined 20 percent and kidnappings by 40 percent when compared to the same period in 2002.

The government of Colombia is committed to increased defense spending from 3.5 percent of GDP in 2002 to 5.8 percent by 2006, thereby enlarging the armed forces by 126,000 troops.

The government of Colombia is taking steps to protect the human rights of the people of Colombia by establishing the national early warning system to prevent forced displacement and human rights violations; and by providing protection for 2,731 human rights workers, labor leaders, journalists, and local government officials.

The government is establishing a judge advocate general center and Military Penal Justice Corps with U.S. assistance. It is also creating human rights units under the Colombian Attorney General's Office, the armed forces, and the national police.

The government of Colombia is taking steps to ensure the fair administration of justice in Colombia by establishing 31 Casas de Justicia that have handled 1.6 million cases to date; by creating 19 oral trial courtrooms and training 3,400 judges to administer justice; and by training Colombian law enforcement personnel judges, and prosecutors in anticorruption, money-laundering, and antikidnapping measures.

The United States should continue its strong support of the efforts of President Uribe, the government, and people of Colombia to stop narcotics trafficking, end terrorism, strengthen democracy, and protect human rights.

AMENDMENT NO. 1196

Mr. DURBIN. Mr. President, I thank the chairman and ranking member for accepting my amendment, cosponsored by Senators MIKULSKI, LANDRIEU, SNOWE, and HUTCHISON, regarding the Millennium Challenge Account and considering the role of women and girls in the development process.

The Millennium Challenge Account has great potential to make a significant difference in some of the poorest countries of the world by incorporating the best practices that are known to accelerate economic development. The account will create incentives for countries to engage in these practices, and builds them into the design of development projects.

According to the bill before us, the Millennium Challenge Corporation will use indicators to see which poor countries meet criteria on good governance, economic freedom, and investing in health care and education. My amendment adds consideration of the role of women and girls in those indicators.

Why is this important? Why should women be singled out?

One of the strongest lessons we have learned over the last 30 years is that when development efforts address the different needs of women and the specific barriers they face, countries are more likely to succeed. When the needs of women are not addressed, development assistance projects are more likely to fail. It is one of the core lessons of development effectiveness.

Women are the vast majority of the world's poor. We cannot succeed in reducing poverty unless we ensure that women are fully integrated into our efforts. Around the world, social, economic, and political barriers inhibit women's access to opportunities. If we address these barriers, we can unleash women's potential to contribute to their families, their communities, and their economies.

Empowering women is a smart investment because it will help us achieve many of our other goals. Research has shown that: HIV infection rates are higher when the gap between men and women in literacy is larger. In agriculture, women have less access to education and to labor, fertilizer, and other inputs than men do in developing countries. When women receive equal access to these inputs, their yields for food such as maize, beans, and cowpeas increases by 22 percent. According to the World Bank, increased progress in closing the gap between men and women in schooling would accelerate economic growth. Increases in women's education accounted for 43 percent of the total reduction in child malnutrition in developing countries. In Egypt, increasing the education level of mothers from none or less than primary, to completion of primary school reduces the proportion of the population below the poverty line by 33.7 percent. The probability that a child will survive in urban Brazil is almost 20 times greater when women accumulate income rather then men.

Lack of understanding of women's roles lowers returns on development investments. Women participate directly or indirectly in virtually every sector of life in developing countries, from agricultural production to high-tech manufacturing, but their roles can be ''invisible''. For example, women in rural Africa are responsible for 80 percent of agricultural production. However, research shows that, even where we can show that women perform the majority of agricultural labor and are responsible for the most food production, agriculture extension services seldom reach women. According to a study in Kenya, yields among women farmers could increase 7 percent if they were given the same tools, training, and education as male farmers.

One of the greatest successes in recent years is microcredit programs, which have targeted women. People in the microcredit movement realized that many poor women have creative ideas and the willingness to work hard to improve their economic well-being. What they do not have is access to credit to make those ideas happen. When women cannot own property, or travel outside of their villages, they cannot access credit from banks. Microcredit programs bring credit to women, and they have worked. Most microcredit programs have over 95 percent repayment rates and have helped many women change their own lives and those of their families. Unless we ensure that this type of thinking is part of the MCA, we will not succeed.

Secretary of State Colin Powell has said that countries that treat women with dignity and afford them a choice in how they live their lives, give them equal access to essential services and an equal opportunity to contribute to public life are the countries that are the most stable and viable.

The amendment that I have proposed is modest, but it addresses an important gap to ensure that the MCA achieves its overall purpose. We must address the different needs, roles, barriers, and potential of women in our development interventions.

My amendment would create incentives to developing countries to do so by taking into account and assessing the role of women in eligibility criteria.

We must ensure that we are doing what we know works to create a better, more stable world. Unless we ensure that women's roles, as well as men's, are fully integrated into the design of the Millennium Challenge Account from the outset, we will not succeed.

AMENDMENT NO. 1197 TO AMENDMENT NO. 1136

Mr. LUGAR. Mr. President, I send an amendment authored by Senator DURBIN 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 Indiana [Mr. LUGAR], for Mr. DURBIN, Mr. ROBERTS, Mr. ROCKEFELLER, Ms. MIKULSKI, Mr. WARNER, Mr. LOTT, Ms. SNOWE, Mr. CHAMBLISS, Mr. HAGEL, Mr. DEWINE, Mr. LUGAR, Mr. LEVIN, and Mr. BOND, proposes an amendment No. 1197.

Mr. LUGAR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of Congress on an investigation into assertions that Iraq attempted to obtain uranium from Africa)

On page 94, between lines 17 and 18 insert the following new section:

SEC. 815. SENSE OF CONGRESS ON AN INVESTIGATION INTO ASSERTIONS THAT IRAQ ATTEMPTED TO OBTAIN URANIUM FROM AFRICA.

(a) FINDINGS.—Congress makes the following findings:

(1) In the State of the Union address in January 2003, the President asserted that ''[t]he British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa''.

(2) It has been determined that the claim regarding the efforts of Iraq to obtain uranium from Africa cannot be substantiated.

(3) In May 2003, the Chairman and Vice Chairman of the Select Committee on Intelligence of the Senate requested that the Inspector General of the Department of State and the Inspector General of the Central Intelligence Agency work jointly to investigate the handling and characterization of the underlying documents behind the assertions regarding the efforts of Iraq to obtain uranium from Africa.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress supports the thorough and expeditious joint investigation by the Inspector General of the Department of State and the Inspector General of Central Intelligence Agency into the documents or other materials that the President relied on to conclude that Iraq had attempted to obtain uranium from Africa;

(2) the findings and conclusions of the joint investigation should be completed not later than September 12, 2003; and

(3) such findings and conclusions should be unclassified to the maximum extent possible, while fully protecting any intelligence sources or methods.

(4) the findings and conclusions of the joint investigation should be sent to the House and Senate Select Committees on Intelligence and the Senate Foreign Relations Committee and the House International Relations Committee.

Mr. LUGAR. Mr. President, the amendment has been cleared on both sides. I ask unanimous consent that it be passed.

The PRESIDING OFFICER. Is there further debate? If not, without objection, the amendment is agreed to.

The amendment (No. 1197) was agreed to.

Mr. DURBIN. Mr. President, in his State of the Union message in January of this year, the President discussed the threat posed by Iraq's nuclear weapons development program. The President went on to make the following statement: ''The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.''

After numerous concerns being raised about the veracity of this last statement, the administration has recently

acknowledged that the President should not have made this claim. In a statement authorized by the White House, a senior Bush administration official said on Monday, July 7: ''Knowing all that we know now, the reference to Iraq's attempt to acquire uranium from Africa should not have been included in the State of the Union speech.''

In May of this year, Chairman PAT ROBERTS and Vice Chairman JAY ROCKEFELLER of the Senate Select Committee on Intelligence requested that the Inspectors General of the Department of State and the Central Intelligence Agency work jointly to investigate the handling and characterization of the underlying documents behind the President's statement.

I would note that earlier this year, the International Atomic Energy Agency, IAEA, determined that some of the intelligence documents provided to it by the United States are forgeries. These documents were provided to the IAEA as evidence of Iraqi efforts to procure uranium from the Republic of Niger. In March of this year, Senator ROCKEFELLER requested that the FBI investigate this issue as well.

I want to thank the bill managers for accepting the amendment I planned to offer today a ''Sense of the Congress'' amendment to the State Authorization Bill which, 1, expresses support for the thorough and expeditious joint investigation into this matter by the Inspectors General of the Department of State and the CIA; 2, that the findings and conclusions of this joint investigation should be completed by September 12, 2003; and, 3, that the findings and conclusions of this joint investigation should be unclassified to the fullest extent possible, consistent with the protection of intelligence sources and methods.

I am a member of the Senate Select Committee on Intelligence which is conducting a review of pre-war intelligence on the existence of, and the threat posed by, Iraq's weapons of mass destruction, WMD, as well as other matters related to pre-war intelligence reporting related to Iraq.

The reported existence of Iraq's WMD and support for international terrorism, al-Qaida in particular, were the primary justifications put forward for military action against Iraq by the Bush Administration to the Congress, the American public and the international community.

There is no more serious undertaking for our government than to take our Nation to war. Such a momentous decision must be made on the basis of the best intelligence available—and intelligence analysis must be objective and not influenced by policymakers or other outside pressures.

As this issue demonstrates, the administration's intelligence-derived assertions about Iraq's level of WMD-related activity raises increased concerns about the integrity of the U.S. intelligence community and the credibility of the U.S. Government—both here and around the world. These concerns are all the more troubling because of the administration's new national strategy of military pre-emption—which places a premium on timely, accurate and non-political intelligence assessments of the threats to our country.

Mr. LUGAR. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

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

AMENDMENT NO. 1198 TO AMENDMENT NO. 1136

Mr. LUGAR. Mr. President, I send an amendment on behalf of Senator DORGAN to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Indiana [Mr. LUGAR], for Mr. DORGAN, proposes an amendment numbered 1198.

Mr. LUGAR. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . EMERGENCY FOOD AID FOR HIV/AIDS VICTIMS.

(a) FINDINGS.—The Senate finds the following:

(1) Whereas the Centers for Disease Control and Prevention found that ''For persons living with HIV/AIDS, practicing sound nutrition can play key role in preventing malnutrition and wasting syndrome, which can weaken an already compromised immune system.''.

(2) Whereas there are immediate needs for additional food aid in sub-Saharan Africa where the World Food Program has estimated that more than 40,000,000 people are at risk of starvation.

(3) Whereas prices of certain staple commodities have increased by 30 percent over the past year, which was not anticipated by the President's fiscal year 2004 budget request.

(4) The Commodity Credit Corporation has the legal authority to finance up to $30,000,000,000 for ongoing agriculture programs $250,000,000 represents a use of less than 1 percent of such authority to combat the worst public health crisis in 500 years.

(b) COMMODITY CREDIT CORPORTATION.—

(1) IN GENERAL.—The Secretary of Agriculture shall immediately use the funds, facilities, and authorities of the Commodity Credit Corporation to provide an additional $250,000,000 in fiscal year 2003 to carry out programs authorized under title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.) to assist in mitigating the effects of HIV/AIDS on affected populations in sub-Saharan Africa and other developing nations, and by September 30, 2003, the Administrator of the United States Agency for International Development shall enter into agreements with private voluntary organizations, non-governmental organizations, and other appropriate organizations for the provision of such agricultural commodities through programs that—

(A) provide nutritional assistance to individuals with HIV/AIDS and to children, households, and communities affected by HIV/AIDS; and

(B) generate funds from the sale of such commodities for activities related to the prevention and treatment of HIV/AIDS, support services and care for HIV/AIDS infected individuals and affected households, and the creation of sustainable livelihoods among individuals in HIV/AIDS affected communities, including income-generating and business activities.

(2) REQUIREMENT.—The food aid provided under this subsection shall be in addition to any other food aid acquired and provided by the Commodity Credit Corporation prior to the date of enactment of this Act. Agricultural commodities made available under this subsection may, notwithstanding any other provision of law, be shipped in fiscal years 2003 and 2004.

Mr. LUGAR. The amendment has been agreed to on both sides.

The PRESIDING OFFICER. Is there further debate?

Without objection, the amendment is agreed to.

The amendment (No. 1198) was agreed to.

Mr. LUGAR. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 1135

Mr. BIDEN. Mr. President, I ask unanimous consent that the pending amendment, which I believe is the Lautenberg amendment No. 1135, be agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1135) was agreed to.

Mr. BIDEN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LUGAR. Mr. President, I submit to the desk a list of pending amendments.

The PRESIDING OFFICER. Is the Senator asking that these amendments be called up?

Mr. LUGAR. I am asking that this be the finite list of amendments. I understand that clerical work is being done as I speak. For the moment——

Ms. LANDRIEU. Reserving the right to object.

Mr. HARKIN. Reserving the right to object, what is the list?

Ms. LANDRIEU. Reserving the right to object, I just need to clarify something.

The PRESIDING OFFICER. No consent has been asked for.

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

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

AMENDMENT NO. 1199 TO AMENDMENT NO. 1136

Mr. BIDEN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN] proposes an amendment numbered 1199.

Mr. BIDEN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 131, after line 2, insert the following:

''(d) CLINTON SCHOLARS.—Of the amounts authorized to be appropriated under section 532(a) of the Foreign Assistance Act of 1961 (as amended by this act), $3,000,000 is authorized to be appropriated for scholarships to Palestinians who are future private and public sector leaders and managers for Graduate-level education in the United States. Such program shall be known as the ''Clinton Scholarship Program.''

Mr. BIDEN. Mr. President, I will briefly explain the amendment. It provides for $3 million for a Palestinian scholarship program referred to as the Clinton Scholarship Program. Inadvertently, it was dropped from the bill. I believe there is no objection on the part of the chairman. I urge its immediate adoption.

The PRESIDING OFFICER. Is there further debate?

Without objection, the amendment is agreed to.

The amendment (No. 1199) was agreed to.

Mr. BIDEN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER (Mr. SMITH). Without objection, it is so ordered.

Mr. LUGAR. I ask unanimous consent to make a modification to a previously agreed to amendment that I offered, amendment No. 1158. I send the modification to the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The amendment is so modified.

The amendment (No. 1158), as modified, is as follows:

AMENDMENT NO. 1158, AS MODIFIED

On page 182, line 16, insert ''**AND THE UNITED KINGDOM**'' after ''**AUSTRALIA**''.

On page 182, beginning on line 22, strike ''The requirements'' through ''into force.'' on page 183, line 4, and insert the following:

''(A) AUSTRALIA.—Subject to the provisions of section 2233(c) of the Foreign Affairs Act, Fiscal Year 2004, the requirements for a bilateral agreement described in paragraph (2)(A) of this subsection shall not apply to such a bilateral agreement between the United States Government and the Government of Australia with respect to transfers or changes in end use within Australia of defense items that will remain subject to the licensing requirements of this Act after the agreement enters into force.

''(B) UNITED KINGDOM.—Subject to the provisions of section 2233(c) of the Foreign Affairs Act, Fiscal Year 2004, the requirements for a bilateral agreement described in paragraphs (1)(A)(ii), (2)(A)(i) and (2)(A)(ii) of this subsection shall not apply to the bilateral agreement between the United States Government and the Government of the United Kingdom for an exemption from the licensing requirements of this Act, or any other form of agreement between the United States Government and the Government of the United Kingdom to gain an exemption from the licensing requirements of this Act.''.

On page 183, between lines 9 and 10, insert the following:

(c) ADDITIONAL CERTIFICATIONS FOR THE UNITED KINGDOM AND AUSTRALIA.—Not later than 14 days before authorizing an exemption from the licensing requirements of the Arms Export Control Act in accordance with any bilateral agreement entered into with the United Kingdom or Australia under section 38(j) of the Arms Export Control Act (22 U.S.C. 2778)(j), the President shall certify to the appropriate congressional committees that such agreement—

(1) is in the national interest of the United States and will advance the non-proliferation and export control interests of the United States;

(2) does not adversely affect the ability of the licensing regime under the Arms Export Control Act to provide consistent and adequate controls for items not exempt under such agreement from the licensing regime; and

(3) will not adversely affect the duties or requirements of the Secretary under such Act.

(d) REPORT ON ISSUES RAISED IN CONSULTATIONS PURSUANT TO BILATERAL AGREEMENTS WITH AUSTRALIA AND UNITED KINGDOM.—Not later than one year after the date of the enactment of this Act and annually thereafter for each of the following 5 years, the President shall submit to the appropriate congressional committees a report on issues raised during the previous year in consultations conducted under the terms of the bilateral agreement with Australia, or under the terms of the bilateral agreement or any other form of an agreement with the United Kingdom, for exemption from the licensing requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.). Each report shall contain detailed information—

(1) on any notifications or consultations between the United States and the United Kingdom under the terms of the agreement with the United Kingdom, or between the United States and Australia under the terms of the agreement with Australia, concerning the modification, deletion, or addition of defense items on the United States Munitions List, the United Kingdom Military List, or the Australian Defense and Strategic Goods List;

(2) listing all United Kingdom or Australia persons and entities that have been designated as qualified persons eligible to receive United States origin defense items exempt from the licensing requirements of the Arms Export Control Act under the terms of such agreements, and listing any modification, deletion, or addition to such lists, pursuant to the requirements of the agreement with the United Kingdom or the agreement with Australia;

(3) on consultations or steps taken pursuant to the agreement with the United Kingdom or the agreement with Australia concerning cooperation and consultation with either government on the effectiveness of the defense trade control systems of such government;

(4) on provisions and procedures undertaken pursuant to—

(A) the agreement with the United Kingdom with respect to the handling of United States origin defense items exempt from the licensing requirements of the Arms Export Control Act by persons and entities qualified to receive such items in the United Kingdom; and

(B) the agreement with Australia with respect to the handling of United States origin defense items exempt from the licensing requirements of the Arms Export Control Act by persons and entities qualified to receive such items in Australia;

(5) on any new understandings, including the text of such understandings, between the United States and the United Kingdom concerning retransfer of United States origin defense items made pursuant to the agreement with the United Kingdom or any other form of agreement with the United Kingdom to gain exemption from the licensing requirements of the Arms Export Control Act;

(6) on consultations with the Government of the United Kingdom or the Government of Australia concerning the legal enforcement of these agreements;

(7) on United States origin defense items with respect to which the United States has provided an exception under the Memorandum of Understanding between the United States and the United Kingdom and the agreement between the United States and Australia from the requirement for United States Government re-export consent that was not provided for under United States laws and regulations in effect on June 30, 2003; and

(8) on any significant concerns that have arisen between the Government of Australia or the Government of the United Kingdom and the United States Government concerning any aspect of the bilateral agreements between such country and the United States or of any other form of agreement between the United Kingdom and the United States to gain exemption from the licensing requirements of the Arms Export Control Act.

(e) SPECIAL REPORTS ON UNAUTHORIZED END-USE OR DIVERSION.—The Secretary shall notify the appropriate congressional committees, in a manner consistent with ongoing efforts to investigate and bring civil or criminal charges regarding such matters, not later than 90 days after receiving any credible information regarding the unauthorized end-use or diversion of United States exports made pursuant to any agreement with a country to gain exemption from the licensing requirements of the Arms Export Control Act. Such notification may be made in classified or unclassified form and shall include—

(1) a description of the good or service;

(2) the United States origin of the good or service;

(3) the authorized recipient of the good or service;

(4) a detailed description of the unauthorized end-use or diversion of the good or service, including any knowledge by the United States exporter of such unauthorized end-use or diversion;

(5) any enforcement action taken by the Government of the United States; and

(6) any enforcement action taken by the government of the recipient nation.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate

congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

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

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

Mr. LUGAR. Mr. President, I ask unanimous consent that the substitute amendment, as amended, be agreed to and be considered original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Reserving the right to object, I want to clarify that the amendments that were adopted, including the Reid amendment this morning, would be included as part of this text. Is that the understanding?

Mr. LUGAR. Yes.

Mr. DASCHLE. Again, I ask if my understanding is his as well.

Mr. LUGAR. That is my understanding.

Mr. DASCHLE. I have no objection.

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

The amendment (No. 1136), as amended, was agreed to.

ISLAMIC YOUTH EXCHANGE PROGRAM

Mr. KENNEDY. Mr. President, one of the important steps we took in the aftermath of September 11 was to encourage the Muslim and American worlds to do more to understand each other.

The State Department initiated a new academic year high school students exchange program between the United States and the Islamic world to do so, and initial funding was provided in the Fiscal Year 2002 Supplemental Appropriations Act. The program will bring 138 Muslim students to the United States this fall for an academic year of study, and 365 more students are expected next fall.

The program is modeled on the highly successful program for students in the former Soviet Union, and Senator LUGAR and I worked together to create the new program for students from Islamic countries. I understand that my distinguished colleague has current information on its progress.

Mr. LUGAR. Mr. President, it is clear, especially in the aftermath of the war in Iraq, that we have to redouble our efforts to improve perceptions about America in the Islamic world. Addressing this urgent priority should be high on the State Department's public diplomacy agenda.

We have heard reports that the program is off to an excellent start. Despite the many cultural and political obstacles, recruiting for the first year has proceeded successfully. Substantial applicant pools appeared even in countries where difficulty in attracting applicants was expected. Students are currently being recruited in 12 countries: Indonesia, Egypt, Turkey, Nigeria, Tunisia, Lebanon, Morocco, Jordan, Kuwait, Yemen, United Arab Emirates, Syria, and in West Bank/Gaza as well. Six additional countries—Algeria, Afghanistan, Bangladesh, Malaysia, Nigeria, and Saudi Arabia—will be added to the program next year. From an applicant pool of 3,000 in Indonesia, 20 have been selected. In Turkey, 200 students applied and 20 were chosen. Over 300 applications have been received in Jordan. Gender distribution varies by country, but we expected that as many as 40 percent of the program participants will be female.

Mr. KENNEDY. Unfortunately, although the State Department requested $10 million in its fiscal year 2004 budget to continue the program, I understand that the Office of Management and Budget did not include that request in the administration's final budget. Would the chairman agree that this program should be a high priority for the State Department?

Mr. LUGAR. Absolutely. It is vital that once this program gets underway, it proceed with adequate funding to continue its outreach and education efforts. This funding will allow for program growth by expanding participation to other priority countries and by increasing access from the large applicant pools we expect from countries who are already participating. Most importantly, sustainable funding will allow the program to set realistic growth benchmarks, conduct meaningful evaluation of outcomes, and add program improvements.

There are no better representatives of American values than Americans themselves, and student exchange programs are no effective means of reaching out of the next generation of leaders. I look forward to working with the Administration to ensure that this program will receive strong continued support.

Mr. JEFFORDS. Mr. President, I am pleased to note that the Foreign Relations Committee has included a very important provision on global climate change in S. 925, as reported. This provision, section 813, expresses the sense of Congress that the United States should take responsible action to ensure significant and meaningful reductions in emissions of greenhouse gases from all sectors. I strongly support this provision. Its inclusion in this legislation should be a signal to all the conferees on this bill and to the world that the Senate strongly supports such reductions.

The findings preceding the articulation of the sense of Congress in section 813 are also very important. They clarify that it is Congress' position that evidence continues to demonstrate that increases in atmospheric concentrations of man-made greenhouse gases are contributing to global climate change.

This assertion is supported by reports from the National Academy of Sciences, the International Panel on Climate Change, and testimony before various Senate committees, including the Senate Environment and Public Works Committee of which I am the ranking member. We have heard repeatedly that increasing greenhouse gas emissions increase the risks associated with global climate change and warming.

I believe it is prudent and practicable to manage these risks now by reducing our emissions as swiftly as possible. Based on the work of many highly respected scientists, I believe we must endeavor to prevent a doubling of atmospheric concentrations of carbon. That means dramatic changes in the way we use, produce and consume fossil fuels in the next 10 to 15 years.

Nearly every single climate expert and scientist believes that the facts require us to take prudent actions now to reduce emissions and thereby reduce the risks of climate change. In a December 2002 resolution, the American Geophysical Union said the following: ''AGU recommends the development and evaluation of strategies such as emissions reduction, carbon sequestration, and adaptation to the impacts of climate change. AGU believes that the present level of scientific uncertainty does not justify inaction in the mitigation of human-induced climate change and/or the adaptation to it.''

As much as some people would like to continue debating whether or not global warming is occurring and whether or not man-made emissions are contributing to that warming, there is not a real debate on this matter in the scientific community. They have moved on, as Congress and the Administration should, to trying to define the magnitude of the probable disruption to earth and human systems, and to designing emissions reductions and adaptation programs to avert the negative effects of that disruption to our quality of life, the environment, and the economy.

I ask unanimous consent that four short documents be printed in the RECORD following my remarks.

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

LEADING CLIMATE SCIENTISTS REAFFIRM VIEW THAT LATE 20TH CENTURY WARMING WAS UNUSUAL AND RESULTED FROM HUMAN ACTIVITY

WASHINGTON.—A group of leading climate scientists has reaffirmed the ''robust consensus view'' emerging from the peer reviewed literature that the warmth experienced on at least a hemispheric scale in the late 20th century was an anomaly in the previous millennium and that human activity likely played an important role in causing it. In so doing, they refuted recent claims that the warmth of recent decades was not unprecedented in the context of the past thousand years.

Writing in the 8 July issue of the American Geophysical Union publication Eos, Michael Mann of the University of Virginia and 12

colleagues in the United States and United Kingdom endorse the position on climate change and greenhouse gases taken by AGU in 1998. Specifically, they say that ''there is a compelling basis for concern over future climate changes, including increases in global-mean surface temperatures, due to increased concentrations of greenhouse gases, primarily from fossil-fuel burning.''

The Eos article is a response to two recent and nearly identical papers by Drs. Willie Soon and Sallie Baliunas of the Harvard-Smithsonian Center for Astrophysics, published in Climate Research and Energy & Environment (the latter paper with additional co-authors). These authors challenge the generally accepted view that natural factors cannot fully explain recent warming and must have been supplemented by significant human activity, and their papers have received attention in the media and in the U.S. Senate. Requests from reporters to top scientists in the field, seeking comment on the Soon and Baliunas position, lead to memoranda that were later expanded into the current Eos article, which was itself peer reviewed.

Paleoclimatologists (scientists who study ancient climates) generally rely on instrumental data for the past 150 years and ''proxy'' indicators, such as tree rings, ice cores, corals, and lake sediments to reconstruct the climate of earlier times. Most of the available data pertain to the northern hemisphere and show, according to the authors, that the warmth of the northern hemisphere over the past few decades is likely unprecedented in the last 1,000 years and quite possibly in the preceding 1,000 years as well.

Climate model simulations cannot explain the anomalous late 20th century warmth without taking into account the contributions of human activities, the authors say. They make three major points regarding Soon and Baliunas's recent assertions challenging these findings.

First, in using proxy records to draw inferences about past climate, it is essential to assess their actual sensitivity to temperature variability. In particular, the authors say, Soon and Baliunas misuse proxy data reflective of changes in moisture or drought, rather than temperature, in their analysis.

Second, it is essential to distinguish between regional temperature anomalies and hemispheric mean temperature, which must represent an average of estimates over a sufficiently large number of distinct regions. For example, Mann and his co-authors say, the concepts of a ''Little Ice Age'' and ''Medieval Warm Period'' arose from the Eurocentric origins of historic climatology. The specific periods of coldness and warmth differed from region to region and as compared with data for the northern hemisphere as a whole.

Third, according to Mann and his colleagues, it is essential to define carefully the modern base period with which past climate is to be compared and to identify and quantify uncertainties. For example, they say, the most recent report of the Intergovernmental Panel on Climate Change (IPCC) carefully compares data for recent decades with reconstructions of past temperatures, taking into account the uncertainties in those reconstructions. IPCC concluded that late 20th century warmth in the northern hemisphere likely exceeded that of any time in the past millennium. The method used by Soon and Baliunas, they say, considers mean conditions for the entire 20th century as the base period and determines past temperatures from proxy evidence not capable of resolving trends on a decadal basis. It is therefore, they say, of limited value in determining whether recent warming in anomalous in a long term and large scale context.

The Eos article started as a memorandum that Michael Oppenheimer and Mann drafted to help inform colleagues who were being contacted by members of the media regarding the Soon and Baliunas papers and wanted an opinion from climate scientists and paleoclimatologists who were directly familiar with the underlying issues.

Mann and Oppenheimer learned that a number of other colleagues, including Tom Wigley of the University Corporation for Atmospheric Research (UCAR) in Boulder, Colorado; Philip Jones of the University of East Anglia's Climatic Research Unit in Norwich, United Kingdom; and Raymond Bradley of the University of Massachusetts in Amherst were receiving similar media requests for their opinions on the matter. Their original memorandum evolved into a more general position paper jointly authored by a larger group of leading scientists in the field.

Mann says he sees the resulting Eos article as representing an even broader consensus of the viewpoint of the mainstream climate research community on the question of late 20th century warming and its causes. The goal of the authors, he says, is to reaffirm support for the AGU position statement on climate change and greenhouse gases and clarify what is currently known from the paleoclimate record of the past one-to-two thousand years and, in particular, what the bearing of this evidence is on the issue of the detection of human influence on recent climate change.

CLIMATE CHANGE AND GREENHOUSE GASES—ADOPTED BY AMERICAN GEOPHYSICAL UNION COUNCIL DECEMBER, 2002

Atmospheric concentrations of carbon dioxide and other greenhouse gases have substantially increased as a consequence of fossil fuel combustion and other human activities. These elevated concentrations of greenhouse gases are predicted to persist in the atmosphere for times ranging to thousands of years. Increasing concentrations of carbon dioxide and other greenhouse gases affect the Earth-atmosphere energy balance, enhancing the natural greenhouse effect and thereby exerting a warming influence at the Earth's surface.

Although greenhouse gas concentrations and their climatic influences are projected to increase, the detailed response of the system is uncertain. Principal sources of this uncertainty are the climate system's inherent complexity and natural variability. The increase in global mean surface temperatures over the past 150 years appears to be unusual in the context of the last few centuries, but it is not clearly outside the range of climate variability of the last few thousand years. The geologic record of the more distant past provides evidence of larger climate variations associated with changes in atmospheric carbondioxide. These changes appear to be consistent with present understanding of the radiative properties of carbon dioxide and of the influence of climate on the carbon cycle. There is no known geologic precedent for the transfer of carbon from the Earth's crust to atmospheric carbon dioxide, in quantities comparable to the burning of fossil fuels, without simultaneous changes in other parts of the carboncycle and climate system. This close coupling between atmospheric carbon dioxide and climate suggests that a change in one would in all likelihood be accompanied by a change in the other.

Present understanding of the Earth climate system provides a compelling basis for legitimate public concern over future global- and regional-scale changes resulting from increased concentrations of greenhouse gases. These changes are predicted to include increases in global mean surface temperatures, increases in global mean rates of precipitation and evaporation, rising sea levels, and changes in the biosphere. Understanding of the fundamental processes responsible for global climate change has greatly improved over the past decade, and predictive capabilities are advancing. However, there are significant scientific uncertainties, for example, in predictions of local effects of climate change, occurrence of extreme weather events, effects of aerosols, changes in clouds, shifts in the intensity and distribution of precipitation, and changes in oceanic circulation. In view of the complexity of the Earth climate system, uncertainty in its description and in the prediction of changes will never be completely eliminated.

Because of these uncertainties, there is much public debate over the extent to which increased concentrations of greenhouse gases have caused or will cause climate change, and over potential actions to limit and/or respond to climate change. It is important that public debate take into account the extent of scientific knowledge and the uncertainties. Science cannot be the sole source of guidance on how society should respond to climate issues. Nonetheless, scientific understanding based on peer-reviewed research must be central to informed decision-making. AGU calls for an enhancement of research to improve the quantification of anthropogenic influences on climate. To this end, international programs of research are essential. AGU encourages scientists worldwide to participate in such programs and in scientific assessments and policy discussions.

The world may already be committed to some degree of human-caused climate change, and further buildup of greenhouse gas concentrations may be expected to cause further change. Some of these changes may be beneficial and others damaging for different parts of the world. However, the rapidity and uneven geographic distribution of these changes could be very disruptive. AGU recommends the development and evaluation of strategies such as emissions reduction, carbon sequestration, and adaptation to the impacts of climate change. AGU believes that the present level of scientific uncertainty does not justify inaction in the mitigation of human-induced climate change and/or the adaptation to it.

HOT WORDS—A CLAIM OF NONHUMAN-INDUCED GLOBAL WARMING SPARKS DEBATE

(By David Appell)

In a contretemps indicative of the political struggle over global climate change, a recent study suggested that humans may not be warming the earth. Greenhouse skeptics, pro-industry groups and political conservatives have seized on the results, proclaiming that the science of climate change is inconclusive and that agreements such as the Kyoto Protocol, which set limits on the output of industrial heat-trapping gases, are unnecessary. But mainstream climatologists, as represented by the Intergovernmental Panel on Climate Change (IPCC), are perturbed that the report has received so much attention; they say the study's conclusions are scientifically dubious and colored by politics.

Sallie Baliunas and Willie Soon of the Harvard-Smithsonian Center for Astrophysics reviewed more than 200 studies that examined climate ''proxy'' records—data from such phenomena as the growth of tree rings or coral, which are sensitive to climatic conditions. They concluded in the January Climate Research that ''across the world, many records reveal that the 20th century is probably not the warmest nor a uniquely extreme

climate period of the last millennium.'' They said that two extreme climate periods—the Medieval Warming Period between 800 and 1300 and the Little Ice Age of 1300 to 1900—occurred worldwide, at a time before industrial emissions of greenhouse gases became abundant. (A longer version subsequently appeared in the May Energy and Environment.)

Scientists skeptical of human-induced warming applaud the work. ''Soon et al. have done a service to the science community,'' remarks Gary Sharp of the Center for Climate/Ocean Resources Study in Monterey Bay, Calif., ''which is in serious threat of losing all credibility via the IPCC's media management and oversell of the dangers of global warming.''

In contrast, the consensus view among paleclimatologists is that the Medieval Warming Period was a regional phenomenon, that the worldwide nature of the Little Ice Age is open to question and that the late 20th century saw the most extreme global average temperatures. Many of these scientists argue that Soon and Baliunas produced deeply flawed work—and they have criticized it in unusually strident language. ''The fact that it has received any attention at all is a result, again in my view, of its utility to those groups who want the global warming issue to just go away,'' comments Tim Barnett, a marine physicist at the Scripps Institution of Oceanography, whose work Soon and Baliunas refer to. Similar sentiments came for Malcolm Hughes of the Laboratory of Tree-Ring Research at the University of Arizona, whose work is also discussed: ''The Soon et al. paper is so fundamentally misconceived and contains so many egregious errors that it would take weeks to list and explain them all.''

Rather than seeing global anomalies, many paleoclimatologists subscribe to the conclusions of Phil Jones of the University of East Anglia, Michael Mann of the University of Virginia and their colleagues, who began in 1998 to quantitatively splice together the proxy records. They have concluded that the global average temperature over the past 1,000 years has been relatively stable until the 20th century. ''Nothing in the paper undermines in any way the conclusion of earlier studies that the average temperature of the late twentieth century in the Northern Hemisphere was anomalous against the background of the past millennium,'' wrote Mann and Princeton University's Michael Oppenheimer in a privately circulated statement.

The most significant criticism is that Soon and Baliunas do not present their data quantitatively—instead they merely categorize the work of other primarily into one of two sets: either supporting or not supporting their particular definitions of a Medieval Warming Period or Little Ice Age. ''I was stating outright that I'm not able to give too many quantitative details, especially in terms of aggregating all the results,'' Soon says.

Specifically, they define a ''climate anomaly'' as a period of 50 or more years of wetness or dryness or sustained warmth (or, for the Little Ice Age, coolness). The problem is that under this broad definition a wet or dry spell would indicate a climatic anomaly even if the temperature remained perfectly constant. Soon and Baliunas are ''mindful'' that the Medieval Warming Period and the Little Ice Age should be defined by temperature, but ''we emphasize that great bias would result if those thermal anomalies were to be dissociated'' from other climatic conditions. (Asked to define ''wetness'' and ''dryness,'' Soon and Baliunas say only that they ''referred to the standard usage in English.'')

Moreover, their results were nonsynchronous: ''Their analysis doesn't consider whether the warm/cold periods occurred at the same time,'' says Peter Stott, a climate scientist at the U.K. is Hadley Center for climate Prediction and Research in Bracknell. For example, if a proxy record indicated that a drier condition existed in one part of the world from 800 to 850, it would be counted as equal evidence for a Medieval Warming period as a different proxy record that showed wetter conditions in another part of the world from 1250 to 1300. Regional conditions do not necessarily mirror the global average, Stott notes: ''Iceland and Greenland had their warmest periods in the 1930s, whereas the warmest for the globe was in the 1990s.''

Soon and Baliunas also take issue with the IPCC by contending that the 20th century saw no unique patterns: they found few climatic anomalies in the proxy records. But they looked for 50-year-long anomalies; the last century's warming, the IPCC concludes, occurred in two periods of about 30 years each (with cooling in between). The warmest period occurred in the late 20th century—too short to meet Soon and Baliunasis selected requirement. The two researchers also discount thermometer readings and ''give great weight to the paleo data for which the uncertainties are much greater,'' Stott says.

The conclusion of Soon and Baliunas that the warming during the 20th century is not unusual has engendered sharp debate and intense reactions on both sides—Soon and Baliunas responded primarily via e-mail and refused follow-up questions. The charges illustrate the polarized nature of the climate change debate in the U.S. ''You'd be challenged, I'd bet, to find someone who supports the Kyoto Protocol and also thinks that this paper is good science, or someone who thinks that the paper is bad science and is opposed to Kyoto,'' predicts Roger Pielke, Jr., of the University of Colorado. Expect more of such flares as the stakes—and the world's temperatures—continue to rise.

[From the Atlanta Journal-Constitution, June 1, 2003]

NONPROFITS PUSH CONTROVERSIAL CLIMATE STUDY

(By Jeff Nesmith)

WASHINGTON.—Nonprofit organizations with ties to energy interests are promoting a controversial climate study as proof that prevailing views of global warming are wrong.

The scientists who authored the new study contend that the global warming of recent decades is not without precedent during the past 1,000 years, as other scientists have claimed. In fact, they say the Earth was even warmer during what is known as the ''medieval warm period'' between 900 and 1300 A.D.

The paper has touched off a worldwide storm of e-mail among climate scientists, some of whom have proposed organizing a research boycott of two journals that published the study.

The links among authors of the new study, the nonprofit groups and the energy interests illustrate a three-way intersection of money, science and policy. Energy interests underwrote the study and help finance the groups that are promoting it.

The study also illustrates a strategy adopted by some energy companies in the late 1980s to attack the credibility of climate science, said John Topping, president of the Climate Institute.

''They saw early on that what they had to do was keep the science at issue,'' said Topping, a former Republican congressional staffer who founded the institute in 1986.

By relying on the news media's inclination to include both sides of a story, the industries were able to create the impression that scientists were deeply divided over climate change, Topping said.

''It was all very shrewdly done,'' he added.

The Climate Institute takes the position that climate change threatens the global environment and promotes international cooperation on the issue. Less then 1 percent of its funding has come from oil industry sources, Topping said, with the rest coming from foundations.

To measure long-term climate patterns, scientists rely on ''proxy'' indicators, such as the content of air bubbles trapped centuries ago under the ice packs in Greenland and Antarctica, the chemical makeup of ancient ocean sediments, and the relative widths of old tree rings.

These natural records have been used to portray a global climate that has been largely stable until the late 1980s, when temperatures started rising sharply.

A millennium of these temperature records presents what has been called a ''hockey stick'' graph, depicting centuries with little relative change, then a sharp and sudden rise during the past two decades.

Most climate scientists think the rise results from the atmosphere buildup of heat-trapping ''greenhouse gases,'' especially carbon dioxide released by the combustion of fossil fuels such as coal and petroleum.

Industry-backed groups claim the new study challenges the validity of this view by presenting evidence of global warming at a time when fossil fuels were not being burned in appreciable quantities.

The new study, ''Reconstructing Climatic and Environmental Changes of the Past 1,000 Years: A Reappraisal,'' was published several weeks ago in a British scientific journal, Energy and Environment.

The authors contend in the 65-page paper that their reanalysis of data from more than 200 previous climate studies provides evidence of global temperature shifts that are more dramatic than the current one, including during the ''medievel warm period.''

The research was underwritten by the American Petroleum Institute, the trade association of the world's biggest oil companies.

Two of the five authors are scientists who have been linked to the coal industry and have received support from the ExxonMobil Foundation.

Two others, who are affiliated with the Harvard-Smithsonian Center for Astrophysics, also have the title of ''senior scientists'' with a Washington-based organization supported by conservative foundations and ExxonMobil Corp.

The organization, the George T. Marshall Institute, is headed by William O'Keefe, a former executive of the American Petroleum Institute.

O'Keefe also was at one time the president of the Global Climate Coalition, a now-defunct organization created by oil and coal interests to lobby against U.S. participation in climate treaties, such as the Kyoto Protocol.

''Statements made about the warming trend of the 20th century and the 1990s do not withstand close scrutiny,'' O'Keefe declared at a recent luncheon held in the Dirksen Senate Office Building here.

The purpose of the luncheon was for Willie Soon, a physicist and astronomer with the Harvard-Smithsonian Center, to present a summary of the new research.

Promotion of the scientists' arguments began with a news release issued by the public affairs office of the Harvard-Smithsonian Center shortly after the paper was published. Headlined ''20th Century Climate Not So Hot,'' the release declared that the scientists had ''determined'' that the current warming trend is neither the hottest nor the most dramatic change in the past 1,000 years.

DIDN'T PUBLISH THE RELEASE

Major news organizations failed to publish the news release. However, it was picked up

by the Discovery Channel Online, which declared that the 20th century may have been ''just another bump in the climate road.''

The Discovery Channel Online article was immediately copied and distributed by the staff of the Senate Environment and Public Works Committee, headed by Sen. James Inhofe (R-Okla.), an outspoken skeptic about climate change.

The committee also circulated a statement by the Committee Enterprise Institute declaring that ''the hockey stick theory has effectively been dismanted'' and ''the margin of error is so large that nearly any temperature trend could be drawn to fit within it.''

The principal target of the paper by Soon and his co-authors was Michael Mann of the University of Virginia, whose landmark compilation of thousands of ''proxy'' indicators led to the conclusion that the last two decades have been unusually warm and to the first depiction of the ''hockey stick'' graph.

Mann said last week that the Soon study does not even attempt to reconstruct global average temperatures but simply highlights anecdotal evidence of isolated warming trends.

In a statement issued jointly with environmental scientists Michael Oppenheimer of Princeton University, Mann said that when all of these indicators are compiled and averaged, the ''medical warming period'' fits within the long-range global trend. He said this was done not only in his study but also in nearly a dozen that have followed it.

Soon acknowledged during a question period at the Senate luncheon that his research does not provide such a comprehensive picture of the Earth's temperature record. He questioned whether that is even possible, and said he did not see how Mann and the others could ''calibrate'' the various proxy records for comparison.

''Then he needs to educate himself on several decades of very careful, painstaking research,'' Mann snapped.

The energy industry provides significant funding for groups that employ some of the authors or promote their new study.

Soon's four co-authors were Sallie Baliunas, also from the Harvard-Smithsonian center; Sherwood Idso and his son, Craig Idso, both of Tempe, Ariz.; who are the past president and the current president of an organization called the Center for the Study of Carbon Dioxide and Global Change; and David R. Legates, a climate researcher of the University of Delaware.

The Idsos, who have previously been linked to Western coal interests, do not reveal the sources of financial support for their center, which on its Web site presents summaries of scientific studies purporting to raise questions about prevailing climate change theories.

The center had a budget of nearly $400,000 in 2001, the most recent year for which nonprofit statements to the Internal Revenue Service are available.

It operates from a post office box and offices in the homes of Craig and Sherwood Idso and a second son of Sherwood Idso, Keith Idso.

Identities of the four donors who provided the organization's $397,000 contributions in 2001 are blanked out of the Internal Revenue Service filing, and Sherwood Idso declined to name them.

''We generally do not stay anything about our funding,'' he said. ''The feeling is that what we produce there should be evaluated on its own merit, not where any funding comes from.''

Records filed with the IRS by ExxonMobil Foundation show that it provided a grant of $15,000 to the Arizona center 2000. These records and others show that ExxonMobil Foundation and ExxonMobil Corp. also have contributed $160,000 to the George T. Marshall Institute in the past three years and more than $900,000 to the Competitive Enterprise Institute.

In a telephone interview, Soon declined to say how much he is paid to serve as a ''senior scientist'' with the George T. Marshall Institute. Both he and Baliunas have that title.

The institute was organized in the 1980s and is chaired by Robert Jastrow, a retired scientist from the National Aeronautics and Space Administration who was an early and vocal supporter of former President Reagan's ''Star Wars'' missile defense initiative.

OTHER BOARD MEMBERS

Other members of the organization's board include O'Keefe; Baliunas; techno-suspense novelist Thomas Clancy Jr.; newspaper columnist Charles Krauthammer; Dr. Bernadine Healy, former director of the National Institutes of Health; and Frederick Seitz of Rockefeller University in New York, a former chairman of the National Academy of Sciences.

O'Keefe declined to identify the Marshall Institute's funding sources, but acknowledged it received money from ExxonMobil and the Sarah Scaife Foundation, headed by conservative Pittsburgh billionaire Richard Mellon Scaife.

He volunteered that it also receives funds from the Bradley Foundation, a large Milwaukee foundation known for its support of conservative causes.

Ross Gelbspan, once a Boston Globe reporter and editor whose 1997 book, ''The Heat Is On,'' details industry efforts to discredit climate change science, said conclusions that greenhouse gases are causing the planet to heat up are the result of ''the largest and most rigorously peer-reviewed scientific collaboration in history.''

''The contradictory statements of a tiny handful of discredited scientists, funded by big coal and big oil, represent a deliberate—and extremely reckless—campaign of deception and disinformation,'' Gelbspan declared.

Mrs. BOXER. Mr. President, I highlight an important provision in the State Department Authorization bill that is now before the Senate. It is a provision that resulted from an amendment I offered in the Senate Foreign Relations committee to insure the inclusion of women in the reconstruction of Iraq.

The Boxer amendment states that it is the policy of the United States to ensure the full and active participation of women in the reconstruction of Iraq. It specifically states that the U.S. should work to promote the involvement of women in all levels of the Government of Iraq and decision-making bodies; the planning and distribution of assistance, including food aid; and job promotion and training programs.

Three years ago, the U.N. Security Council passed Resolution 1325 which reaffirmed the important role of women in peace-building and called attention to the special needs of women during post-conflict resolution. Iraqi women are among the most highly educated in the region and should play a significant role in rebuilding Iraq.

The head of the U.N. Development Fund for Women recently wrote that, ''As groups of Iraqi people meet to prepare for the creation of an interim Iraqi authority, it is essential to know that a way to achieve consensus and compromise, amid the divisive complexities of Iraqi society, is to ensure the extensive participation of women. Indeed, the perspectives of women offer the best promise of meaningful reconstruction and the development of a working democracy.''

My amendment is designed to ensure that the perspectives of women are taken seriously as we work to help Iraq rebuild. I appreciate the support of my colleagues on this issue and hope that this provision is included in the final version of the bill.

Mr. ENZI. Mr. President, the managers' amendment includes a provision that will help solidify the strong friendship that exists between the United States and the United Kingdom. The provision is a result of a great deal of work between the chairman, the ranking member of the Foreign Relations Committee, and the Department of State. They are to be commended for helping to strengthen the partnership between our two countries, a partnership we have relied on for many years.

The provision will allow the U.S. to finalize a bilateral agreement with the United Kingdom and provide a licensing exception to the UK for certain defense-related items. Such an agreement will pave the way for enhancing both our defense capabilities as it promotes cooperation with our coalition partners, especially on matters of defense.

Enhancing our defense capabilities and the industrial and economic cooperation that exists between our two nations is critical if we are to continue to have the ability to promote peace, freedom and democracy throughout the world. As we have seen for many years, and through many international conflicts, the United States and the United Kingdom are steadfast allies who have come to the aid of each other whenever it was necessary to preserve the peace. Our troops fought together in the deserts of Iraq and the United Kingdom has demonstrated time and time again that we can always count on them in a time of crisis.

Another important objective of this agreement is the improvement of the industrial cooperation between our countries. Industries of all types are consolidating in the face of economic downsizing and globalization so that research and development of new products and new technologies can be pursued. This consolidation has only further highlighted the need for effective export control measures.

The United States must now work with our Allies, especially our friends in the United Kingdom, to improve the flow of information and increase the level of cooperation in the areas of export control reform, multilateral control regime participation, and improvements in licensing procedures.

I thank the distinguished chairman and ranking member for working with me on this issue during both the committee markup and in recent days. This provision means a great deal to both our long-term interests and to our continued friendship with the United Kingdom.

The United Kingdom has consistently proved their support for our common cause of peace. Most recently, by their efforts in Iraq. Prime Minister Tony Blair took a great deal of heat for his position, but he held fast to it because our cause was just. We will recognize him for his efforts when he speaks at a Joint session of Congress on July 17. I believe our action here today is also a strong and very welcome show of support for his and his country's efforts.

Mr. ALEXANDER. I rise to speak in support of the managers' amendment and its inclusion of the President's proposal for Millennium Challenge Accounts, or MCA.

MCA is a new approach for foreign aid. Instead of providing aid based solely on need, as is largely the approach under our current system, Millennium Challenge Account assistance will go only to those countries which meet certain criteria for good governance, free markets, and educational and health support. MCA will not replace foreign aid to countries in need; need-based assistance will continue. Nor will MCA be a subsidy for wealthy democracies—it will only go to poorer nations that qualify.

MCA, once implemented will be the first time foreign aid is provided based on a country's efforts to improve itself. This is important for two reasons. First, by investing in countries that are already showing a commitment to sound development principles, MCA assistance is far more likely to make a positive difference in improving conditions in that county. Second, by clearly delineating the criteria used for selecting countries to receive MCA funding, the proposal will provide strong incentive for other countries to make changes so they will also qualify.

I am particularly excited about another aspect of the MCA proposal: how the funds will be used. Because a limited number of countries will qualify for MCA assistance, the aid will go a long way. The Millennium Challenge Corporation, or MCC, which will manage the accounts, will work with government and citizens in the recipient country to ensure funded projects will make a significant contribution toward helping a country move to a new level in its economic growth.

I hope recipient governments, in working with the MCC, will select projects that emphasize their strengths. By focusing on their strengths, recipient countries will not only improve their comparative advantage economically, but also strengthen and build new institutions, and cultivate national pride.

When I was Governor of my State, that was the approach we took to helping cities grow economically. In Chattanooga, for example, the people and local government chose to focus on one of their strengths: the riverfront. State government joined in this effort which resulted in major renovations including a new aquarium that is the envy of the region. In Memphis, State government joined with citizens and local government to focus on improving Beale Street—the home of the Blues. Again, the area became a major attraction and highlight of the city. In both cases, the projects resulted not only in economic growth but a renewed sense of pride in their homes for both Memphians and Chattanoogans.

I also want to take this opportunity to commend Chairman LUGAR, Senator BIDEN, and Senator HAGEL for the compromise language reached in the managers' amendment for authorizing the Millennium Challenge Corporation. My distinguished colleagues have worked out an approach for authorizing a separate agency, as the President proposed, but having it report to the Secretary of State—much as USAID does—in order to maintain continuity in our Nation's foreign policy. This is an excellent compromise, and I am fully supportive of it.

Millennium Challenge Accounts represent the most significant change in our approach to foreign aid in years, perhaps ever. I urge all my colleagues to support it and look forward to watching its implementation, particularly with African countries in my role as chairman of the Subcommittee on African Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to address the Millennium Challenge Account and the importance of providing full funding for foreign assistance initiatives.

I had intended to offer an amendment to the State Department authorization bill to authorize an additional $300 million to the Millennium Challenge Account, MCA, to match the President's request of $1.3 billion for fiscal year 2004.

I believe it is critical for the United States to provide full funding for the MCA at its inception to demonstrate our commitment to those in the developing world who seek a better life and our fellow citizens at home who deserve a safe and secure future free from terror.

Nevertheless, I understand Senator LUGAR has worked closely with Senator BIDEN on a bipartisan bill and that an amendment to increase funding for the MCA is not appropriate at this time. I will not offer an amendment, but I want to take this time to emphasize the need for the United States to take a leadership role in combating global poverty and provide the necessary resources to do so.

Let us not forget that 1.2 billion people live on less than $1 a day and nearly 3 billion live on less than $2 a day; 1.2 billion people lack access to safe drinking water, 2.9 billion have inadequate access to sanitation, and 1 billion people in developing nations are unemployed or underemployed.

In March, 2002, the President announced an initiative to increase foreign aid by $5 billion over the next 3 years through the creation of the Millennium Challenge Account.

These funds would be available on a competitive basis to a few countries based on their records in three areas; ruling justly, investing in people, and pursuing sound economic policies.

Over the past few years, I and several of my colleagues have worked hard to raise awareness about the importance of a robust international affairs budget as a central component of advancing the U.S. foreign policy agenda and protecting our national security interests.

We simply can not afford to rely on our military might alone to fight terror and provide safety and security for our citizens.

The fiscal year 2004 Defense authorization bill passed by the Senate authorized $400.5 billion for national defense.

Over the past 10 years, the Defense appropriations bill has risen from $261 billion in fiscal year 1994, to $355 billion in fiscal year 2003, to $400 billion this year.

Given the multitude of threats our country faces and the commitments of our troops all around the world, I fully support giving the men and women of our Armed Forces the tools they need to do their job at the highest level.

On the other hand, in fiscal year 1994, the foreign operations appropriations bill totaled $17.9 billion falling to $16.3 billion in fiscal year 2003. This authorization provides for $15.3 billion for foreign operations for fiscal year 2004 and $1 billion for the MCA. The United States spends less than 1 percent of our budget on foreign aid which is barely 0.1 percent of GDP.

Thus, I applauded President Bush's initiative to begin to restore the foreign aid budget to the high water mark of the cold war years and increase foreign assistance spending by $5 billion over the next 3 years.

The fiscal year 2004 budget resolution passed out of the Budget Committee, however, cut $1.1 billion—including $1 billion to the MCA—from the President's request for the International Function 150 Account. So, Senator LUGAR and I introduced, and the Senate passed, an amendment to restore those funds.

National security is not just about ensuring we have the most advanced weapons and the best trained personnel. We must make the same commitment to our international affairs budget and use all the tools at our disposal to prevent terror and avoid more costly military interventions in the future.

I, for one, believe that we should provide additional resources beyond the President's request; $5 billion over 3 years is a good start but, in my view, not near enough.

But I felt we should at least match what the President himself has requested for his own initiative in its first year of existence. Now is not the time to take steps backwards or shy away from larger commitment.

In addition, we should provide full funding for our existing foreign aid programs which have been proven to reduce poverty and increase economic

development. Many countries will fall outside the bounds of the MCA, and we can not afford to leave them behind.

I believe the MCA and our overall international affairs budget will help us attack the conditions that foster terrorism in the developing world: poverty, hunger, illiteracy, and illness.

Terrorists prey on the hopelessness, anger, fear, and alienation of the poor and provide an easy way out of the misery of the developing world. The MCA and the international affairs budget, by providing education, health care, shelter, and food, will help promote tolerance, understanding, and political stability.

We send the wrong message when we devote billions of dollars for national defense but fail to provide the resources for a new, significant foreign assistance initiative.

We must demonstrate to the world that the United States is serious about reducing global poverty through a robust and substantive foreign aid budget. I urge my colleagues to join with me in making full funding for all of our foreign assistance initiatives a priority.

Mr. NELSON of Florida. Mr. President, the Senate Foreign Relations Committee included in S. 925 an authorization for $2 million for the Dante B. Fascell North South Center.

The Dante B. Fascell North South Center at the University of Miami is a public policy studies center that is dedicated to the analysis of complex global problems, with special emphasis on the Western Hemisphere. The center's research encompasses key areas such as trade and economic policy, migration, democratic governance, security, corruption, the environment, and information technology. Since its inception in 1984, the Center has become a valuable national and hemispheric resource, a focal point for cooperative study and an adept coordinator of international projects. It will remain so, and I hope it will continue to be a prominent focal point of Western Hemisphere studies.

Congressman Fascell dedicated his career to improving relations with countries in the western hemisphere, lifting the people of these nations up. He understood how the culture of South America, Central America and the Caribbean is embedded in Florida culture, and embraced it. It is in this spirit that we honor his memory by providing resources to this Center.

Mr. LUGAR. 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.

Mr. FRIST. Mr. President, the leadership on both sides of the aisle have been in conversation. For the benefit of our colleagues, so they can plan for tonight and I guess begin to plan for tomorrow, I will state where we are.

It is important that we move to the appropriations bills. The intent was to do everything possible to finish the bill we have been on for the last 2 days, but we have not been successful, although very close. We plan on moving to the legislative branch appropriations bill shortly. We have been working over the last hour to put together—which we have done successfully—a finite group of amendments from both sides of the aisle. We have them written on a piece of paper and have made a decision to work off that list once we return to the bill we have been discussing today.

The intent very shortly is to set the current bill aside, go to the legislative branch appropriations bill—Chairman STEVENS will be doing that shortly—followed by the military construction appropriations bill. Following that, we will return to the State Department authorization.

In terms of voting tonight, we likely will be voting later tonight, although until we get on the legislative branch appropriations bill, I cannot say for certain that we will. The intent is to be voting tonight to complete that bill and to go on to military construction tonight as well. That is the intent.

For planning purposes, over the next 2½ hours we expect to have no rollcall votes and ask people to stay in touch with their respective sides in terms of plans after about 8:30 tonight for rollcall votes.

I do hope we will be able to return to the State Department authorization bill as soon as we complete the other two. Until we address the issues and see how many amendments we have on legislative branch and military construction, I cannot say with certainty whether or not we will be returning to that tomorrow, but that is the intent. The intent will be to finish that bill tomorrow.

That is the general understanding as to what the plan will be tonight.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. First, with regard to the State Department authorization bill, I think we have made a lot of progress this afternoon. In defining more explicitly the list of amendments that are likely to be offered, it is not a lengthy list and I think we can work through them. I appreciate the cooperation of so many of our Senators.

I will repeat what I have indicated to the majority leader, that many of our colleagues who have submitted their amendments for this list do so with an expectation that they will have an opportunity to have a vote on or in relation to their amendment. Obviously, we are going to have to attempt to accommodate that expectation as we work through the list.

I think this is a wise decision and a wise course of action with regard to setting the bill aside temporarily because I know the time constraints under which the Appropriations Committee is working.

I will say we have very significant reservations on the part of some of our colleagues—I know Senator BYRD has expressed more than once on the Senate floor his frustration with late night sessions and votes, and I am sure, were he here, he would express that frustration again. I do believe we have to continue our work, and perhaps we can arrange ways in which to address that concern.

As I understand it, we have a handful of amendments to be offered to the legislative appropriations and supplemental bill. I think definitively there are four amendments at this point. So we ought to be able to work through those reasonably quickly. I know of no amendments to the military construction bill at this point.

So we ought to be able to work through these, perhaps even stacking the votes for tomorrow morning.

In any case, I hope that Senators who have amendments will come to the floor to accommodate the consideration of these bills in a timely way. We want to finish our work so that we can move on.

I appreciate the work that has been done and the effort that has been made to get us to this point. I hope we can have a productive evening.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, to review, the plan will be to shortly go to legislative branch appropriations. We will not have any rollcall votes over the next 2½ hours.

Mr. STEVENS. Will the majority leader yield for a question? Could we get an agreement now that the amendments that are to be presented to the legislative branch bill be presented tonight, the debate finish tonight, and we will vote tomorrow on them—not have any rollcall votes tonight but have all the amendments be brought before us tonight and the arguments start and we will schedule the votes for tomorrow morning?

I know there are several Members who have talked to me and they have other events. This is sort of surprise. We are trying to get the bill finished by tomorrow. If the leader would agree, we would get consent that all amendments must be filed and we will debate them tonight—however late it takes—and vote on them tomorrow.

Mr. DASCHLE. Mr. President, I am quite sure we would be able to enter into such an agreement, but I want to check with those Senators who have amendments to offer. That is a very wise course of action and with a little checking, I think we can enter into such an agreement, but we would have to check.

I also note I have been asked the question, Will there be votes tomorrow morning? I assume there will be votes tomorrow morning, so Senators should be prepared to come tomorrow. I defer

to the majority leader for a definitive answer to that question.

Mr. FRIST. Mr. President, as I have said since Monday, our intention is to vote tomorrow morning. As you can tell from the comments in the last few minutes, there are a lot of people who do not want to vote tonight. They do not want to vote tomorrow. We have a lot of work to do. The appropriations bills are critical to address. The plan will be to vote tomorrow for sure. I don't know how late in the day it will be. The intention would be to finish as soon as reasonable tomorrow.

With that, in terms of the request, we will consider as to whether or not we would be able to lay over the votes tomorrow morning and have all the debate tonight. We will consider that. I don't want to commit to that although I will commit to having no votes in the next 2½ hours. We will work together, and if at all possible be able to stack those votes in the morning.

Ms. LANDRIEU. Will the leader yield for a question?

Mr. FRIST. I am happy to yield.

Ms. LANDRIEU. There was a very important discussion that took place earlier today on the emergency appropriations bill. The chairman has been very cooperative in working through some of the amendments we might have. I know we are on short time and we want to move the bills.

Is it the leader's understanding we will get an opportunity to debate and offer amendments on the emergency appropriations bill, perhaps not voting tonight, but in the morning?

Mr. FRIST. That would be the intention for tonight. We will be able to continue tonight, and as to whether or not we will be voting in the morning we will discuss among ourselves.

Ms. LANDRIEU. And perhaps even in the morning because there is an issue very important to Louisiana that needs to get resolved.

Mr. FRIST. We will work with both sides of the aisle. My objective is to get to the supplemental as soon as possible so we can address these issues. Once we get to it, no commitments have been made at this juncture in terms of the number of amendments and as to whether or not we will finish all debate tonight, which would be nice, so we can vote in the morning, or continue debating tomorrow.

Ms. LANDRIEU. I thank the leader.

Mr. SESSIONS. Will the majority leader yield for a question? I don't know where we are on what is being propounded before I got here, but I am concerned about the supplemental; some of the items that have been made part of that I do not think qualify—in my judgment, at least—as emergency. Will we have opportunities with any proposal being floated here that would eliminate the opportunity to have votes on that matter?

Mr. FRIST. No, we will not and there is no unanimous consent being propounded. We have had discussions and we will have.

Right now my only intent is to move off the State Department authorization and get to the bill the Senator is concerned about. We can have discussions about that.

Now, so we can move off of the State Department authorization, we have a statement?

Mr. DASCHLE. I know Senator DORGAN has been waiting patiently to make some comments with regard to an amendment he had offered. I think that is the only remaining piece of business we have on the State Department authorization bill today.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 1198

Mr. DORGAN. Mr. President, earlier we cleared an amendment on the State Department authorization bill that I want to talk about briefly. The reason I want to do it is I especially want to read some passages from the Wall Street Journal today, an article by a man named Roger Thurow. We are deeply indebted to the article he has written about famine in Africa.

The amendment passed today provides the requirement for the Commodity Credit Corporation to authorize another $250 million, which the Senate had previously done, incidentally, on the supplemental bill previously. We authorized $500 million in food aid to Africa to respond to the desperate famine that is occurring there. That was cut in conference to the $250 million. This additional $250 million will reach, then, the same level that we previously agreed to in the Senate.

It will mean additional food, grain will move from America's family farms to Africa, to those in desperate need of food. I think it is very important to do this. It does respond to famine, to starvation, to the needs of people who are in desperate straits, and does so by using what is an asset in this country, something of significant value, food that is produced on our family farms.

We are told these days as farmers drive their trucks to the elevator with a load of wheat, barley, or other grain, that food has no value; prices are collapsing. In a hungry world, it has substantial value. We ought to be using the Commodity Credit Corporation to help respond to the famine and starvation that is occurring in Africa.

I will read just a part of this article. There are some 11 million people at risk at this point who do not have enough to eat, who go to bed with an ache in their belly, some of whom are dying every day. Let me read part of this article because it is such a gripping firsthand description of what it is we are trying to do. Myself, Senator DASCHLE, and Senator LEAHY offered the amendment that was accepted just a bit ago. I say thanks to the chairman and the ranking member for doing so because I think it addresses this in a very real way.

The article begins:

[From the Wall Street Journal, July 10, 2003]

(By Roger Thurow)

Their father died in 1999, their mother in 2000, both of them from what social workers and village officials believe were complications from AIDS. Since then, Makhosazane Nkhambule, now 16 years old, has been caring for her four younger brothers and sisters in their one-room mud-brick shack.

They sweep the floor of the house and the dirt yard with homemade straw brooms. They try to patch holes in the thatched roof and plug cracks in the mud walls. They fetch water from a well nearly a mile away. They scavenge wood for the fire. They go to an informal school in a neighbor's house.

Makhosazane says they can do everything they need to do, except feed themselves. ''I would like to plant corn and vegetable, but we have no money to buy seeds or tools,'' she says. Her parents' cattle could have helped with plowing, but they have also died. The garden beside the hut and the two-acre field behind it haven't been planted since their mother died.

For two years, the orphans scrounged what they could, asking neighbors for scraps of food and waiting for relatives in distant villages to bring something to eat. Last year, the United Nations' World Food Program came to Swaziland to distribute food to those suffering from the drought that has gripped southern Africa. Although the Nkhambule children had no crops to be killed by drought, they began receiving the food aid. So, too, did thousands of other households where the adults who had been tending the fields have died. Most of the victims likely died of HIV/AIDS, which, according to government estimates, infects more than one-third of adults in this tiny, hilly kingdom.

The Nkhambule siblings, barefoot and wearing dirty, shabby clothes, embody what is being called an entirely new variety of famine. It breaks the historical mold of food crises, according to people who are studying it. It isn't caused by weather, war, failed government policy or crop disease, all of which prevent or discourage farmers from bringing in a harvest. Rather, this is a food shortage caused by a disease that kills the farmers themselves. Recovery won't come with weather improvement, new government policies, a peace treaty or improved hybrid crops. Once the farmers die, there is no rain that will make their empty fields grow. * * *

Now, I have heard testimony of people who have been to this part of the region who say they find old ladies, old women, climbing trees to forage for leaves to eat because it hurts to be hungry. People are dying every single day. The question is, What can we do about it?

Every day, as more and more die, with 11 million people at risk, 11 million orphans currently living in Africa at risk of severe malnutrition, even as people die, our farmers are told the food they produce in such abundance has no value. That is why the Commodity Credit Corporation has the authority for $30 billion worth of food to be moved to places in the world where it is needed.

This amendment would simply provide for less than 1 percent of it to be added to that which is already on the way, to provide some assistance and relief to those who are suffering.

It is easy, I suppose, for some to ignore this. But when millions of people face famine and illness, the world—and

especially our country—cannot turn its head. We know what we produce in great abundance has value. It has value to help people around the world who are starving.

Again, thanks to Roger Thurow, a reporter who is in Swaziland, for telling us specifically about the ravages of this famine, what it is doing.

We just talked about AIDS in legislation we passed recently. President Bush is in Africa talking about AIDS. The fact is, this famine relates directly to AIDS. These children are hungry. These children are starving—not because it didn't rain but because they have nothing to eat. Their parents are dead. The cattle are dead.

So if we can do this small amount through this amendment I have offered for myself, Senator DASCHLE, and Senator LEAHY, if we can add to this $500 million, half of which was taken out in conference—if we can add the money to make that whole once again, there will be bags of food going to these villages to feed hungry people and our country will do something, again, that not only makes us proud but represents the best of this great country of ours.

I thank Senator LUGAR and Senator BIDEN and my colleagues, Senators DASCHLE and LEAHY. We deeply appreciate this amendment being accepted by the Senate today.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COLEMAN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CAMPBELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

LEGISLATIVE BRANCH APPROPRIATIONS, FISCAL YEAR 2004

Mr. CAMPBELL. Mr. President, I ask unanimous consent we turn to consideration of H.R. 2657, the legislative branch appropriations bill; that the text of the bill relating solely to the House remain; that all other parts of the text be stricken; and the text of the Senate bill, S. 1383, be inserted; and that no points of order be waived by this order.

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

The clerk will report the bill.

The assistant legislative clerk read as follows:

A bill (H.R. 2657) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2004, and for other purposes.

Mr. CAMPBELL. Mr. President, I am pleased to bring to the full Senate the legislative branch spending bill for fiscal year 2004. I appreciate the support of the Full Committee Chairman Senator STEVENS and Ranking Member Senator BYRD, and assistance of my ranking member, Senator DURBIN, in this process.

This is my first year as chairman of this subcommittee, and I believe Senator DURBIN and I have done our best to craft this bill to meet the highest priorities of the legislative branch with an allocation that is $190 million below the request level. Chairman STEVENS knows I am not complaining about the allocation—he has been very generous in this allocation given the very tight constraints the committee faces.

The bill totals the allocation level of $3.6 billion in budget authority.

Most agencies and programs have been kept to current staffing levels, with full funding recommended for normal pay and price level increases.

Increases above the current level have been provided in a few key areas, particularly security.

I would like to review the highlights of the bill for my colleagues. For the Capitol Police, funding totals $240 million. The amount recommended would enable them to have on board by the end of the year 1,771 police officers, in keeping with security recommendations made by law enforcement experts. I believe this is prudent and necessary to ensure adequate security for the Capitol complex.

Having been in law enforcement myself, I am keenly interested in making the U.S. Capitol Police the premiere law enforcement agency in this country, and the funds we have recommended help move them in this direction with resources directed at not only increasing the force size, but improving the administrative infrastructure of the agency to ensure it is managed properly, and adding important new programs such as a mounted horse unit.

For the Architect of the Capitol, funds total $358 million, which is $89 million below the request, owing to the deletion of several major projects which should be deferred until completion of the Capitol Visitor Center—the highest Architect of the Capitol priority at this time.

Our recommendation includes $47.8 million for the Capitol Visitor Center, which represents the General Accounting Office's estimate—in conjunction with an independent consultant with expertise in construction cost estimating—of the cost to complete the project.

Some have called for cutting corners on the project rather than appropriating the funds needed to get the job done right. I don't agree. I am new to this project but I am a big supporter. It promises to enhance security for the Capitol complex, while also ensuring a much better educational experience for visitors who come to the Capitol.

This Visitor Center was planned and preliminary work was done before 9/11. No one could have predicted that changes would have to be made after 9/11 because of an increase in the security requirements.

While there have been some problems with this project to date, and some cost overruns due to unforeseen site conditions and unexpected costs related to utility work, we plan to monitor the project closely to ensure that costs are kept under control, the schedule is adhered to, and quality is not jeopardized.

Moving on to the Library to Congress, there is a total of $523 million included in the bill, $19.6 million above the FY03 level but $17 million below the request. Funds are reduced from several program areas slated for increases, owing to budget constraints, but the Veterans History Project is fully funded at the increased level of $1.3 million and no program is cut below current levels.

For the Senate, a total of $718 million is recommended, $27.9 million below the request. Reductions are primarily from the Sergeant at Arm's projects which can be deferred until FY05.

To my knowledge, there have been no amendments filed on either side of the aisle for titles I and II.

Mr. STEVENS. Mr. President, we are awaiting the Senator from Nevada.

Let me state for the Senate that it would be my intention to move to close debate and consideration of any further amendments to title I and title II following the statements of the two managers of the bill. We have no notice of any amendments by any Member wishing to offer to title I or title II. Title III is the portion of the bill that contains the supplemental provisions and that will be open to debate.

We will later ask consent that all amendments and all motions to title III be offered tonight and debated tonight with the votes to occur on any matters which will be brought to a vote tomorrow morning. That is not the agreement yet but that is the agreement we will seek.

I yield the floor.

Mr. REID. Mr. President, I would be happy to agree to that at this time. I agree that titles I and II be closed and I be allowed to give a statement in support of the bill itself with no amendments in order to titles I and II.

Mr. STEVENS. Mr. President, if the distinguished Senator from Nevada would allow us, we just put out the hotline on both sides. I want to make sure no one has objections until we get final consent.

Mr. REID. Mr. President, one of the most pleasurable times of my Senate career was the 4 years that I served as chairman of the Appropriations Subcommittee on Legislative Branch. Working with Senator NICKLES and Senator SLADE GORTON of Washington, we were able to accomplish that which really had a meaningful impact on this body.

When Senator DURBIN, who is tied up, as he should be, in the most important asbestos legislation now before the Judiciary Committee, asked me if I would cover this bill for him today, I am doing it with pleasure because it brings back memories of working on this bill.

We did good things for the Library of Congress. I still have a very close personal relationship with Jim Billington

as a result of what we were able to accomplish in some very difficult times for the Library of Congress.

The Library of Congress is the greatest library in the history of the world. Today, the Library of Congress is the greatest library in the history of the world. It is as a result of what we as a Congress did. We provide money for that.

The General Accounting Office, which is funded through this bill, is the watchdog of Congress for the American people. It has done remarkable things. It is a nonpartisan organization that does so much good. Yet we have cut back the money I think they need. I wish we had more money to give them.

Much of the work is done directly through the committee chairman and the subcommittee chairman. Previously, it was effectively by all Members of Congress.

I think the work I was able to do with my counterparts for the Capitol Police was very important. I don't know, there may be another Member of Congress who was a Capitol policeman. I don't know of one. But I was a Capitol policeman. I worked a swing shift. I came at work at 3 or 4 in the afternoon. I worked 6 days a week. I went home after midnight every night. That is how I put myself through law school. I acknowledge that I wasn't as well trained and the times were not as difficult as they are now. But I was still a Capitol policeman. I am proud to have in my office up on the third floor in the Capitol my badge, No. 236. But I am very proud to be an alumni of U.S. Capitol Police Force.

I am pleased to do this for my friend, the distinguished Senator from the State of Illinois, who is such a good Senator and who has done a remarkably good job in his tenure on this committee, this his second go-around as chairman of this committee.

I echo the thoughts of the chairman of the Subcommittee on Legislative Branch, my friend from the State of Colorado, Senator CAMPBELL.

The bill before us today is comprehensive, thorough, and fair, especially in light of the tight funding constraints we are under this year. This is one of the 13 subcommittees. I wish we had more money. It could be used. There are many things that we need to do that we are not able to do.

As has been pointed out, there are a number of things that this subcommittee is doing and has done.

I want the RECORD to reflect and I want the chairman of the subcommittee to know how much I support the work on the Visitor Center. The record is quite clear that I started supporting this when I was chairman of the Legislative Branch Subcommittee. I am sorry to say, I, alone, was unable to get this done. The real impetus for accomplishing this was the tragic death of two Capitol Police officers. But for their deaths, we would not have been able to be in the position we are now in with this Capitol Visitor Center. But we are here.

We have had complaints from some of my friends, as a matter of fact, who serve in the Congress of the United States, who complain about the funding for this not being adequate, the original number. Well, any one of us who drives through here sees the tremendous engineering feat that is taking place in the front of this historic building. It is a huge job. I go out at least once a week and watch them. I suggest every Member of Congress go out and watch what they are doing out there.

Why are they doing it? To make this Capitol safer than it was before this facility began to be built. To make it more convenient for people who want to visit the Capitol. In the summer and winter, when people want to come to this building, they stand outside. There is no place for them to go to the bathroom. There is no place for them to get a drink of water or have a snack.

The Visitor Center is going to provide that. It will also allow security checks to be made so people don't come into the Capitol carrying things they shouldn't carry and doing bad things to people they shouldn't do.

So I want the chairman of this subcommittee to know that I am on board. I will defend, in any way I can, the work that is being done in front of this building. It is important for our country.

When I first got this subcommittee, I could not believe the east front of the Capitol of the United States was a parking lot, a blacktop parking lot. We were able to do a few things and get the cars moved off slowly but surely. That was a struggle. But I will do whatever I can to make sure this Capitol Visitor Center is completed and is as nice as the Capitol itself. We want the Visitor Center to be as nice as the Capitol itself.

If the people in charge—namely, the Architect of the Capitol—are allowed to go forward, it will be as nice as the rest of the Capitol. It will be something of which we can all be proud. And people coming here, who will be able to walk into this beautiful Capitol, will be able to see films of the Capitol itself. They will be able to pick up tour guides there. There will be a place for them to go to the bathroom or have a sandwich, if they want one, buy souvenirs. And they will not be asking: The Capitol of the United States, this ugly blacktop with cars parked all over it? That is going to change. So I am happy to lend my voice as a cheerleader for the Capitol improvement we will have out front.

I am glad to see this bill includes $33 million over last year's level for the Capitol Police. Again, that probably isn't enough, but by the end of fiscal year 2004, the Capitol Police will have 500 more officers than they did on September 11, 2001—not enough but certainly a step forward.

So, Mr. President, I am talking far longer than I should have. But I really do have some sentimental attachment to this bill. It is not often I think of it, but the subway we ride from the Hart Building over to here is something I was able to work on when I was chairman of this Legislative Subcommittee. And we did not do it all at once. In fact, we put a little bit here and a little bit there, and pretty soon we had enough money to take care of the subway. It was $16 million.

The reason I worked so hard on that: I can remember the old cars you can still see going to the Russell Building. A man in a wheelchair tried to get in that old subway car. He couldn't do it. They brought him up there and put his legs—he was having spasms in his legs. They couldn't do it. They couldn't put him up there, no matter how hard they tried. Now someone in a wheelchair just moves into the subway car, no problem at all.

So, again, Mr. President, I have talked too long on this most important legislation we have before us. But I am proud of the years I spent working on the Legislative Branch Subcommittee. And I say to my friend from Colorado, he has been a member of the Appropriations Committee for some time, and I know he has been involved in other subcommittees, and there have been some changes made, and this is the first year he has been chairman of this subcommittee.

I say to the Senator, I hope you will look back on your service on this subcommittee with feelings as I have for what I really believe is the good that comes from this subcommittee. It was—I repeat for probably the third time—a joy to work on this subcommittee. I look back with such fond memories at the time I was able to spend on it. And, frankly, I am kind of glad Senator DURBIN was tied up so I could reflect on my service as a Senator working on this subcommittee.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. CAMPBELL. Let me say, in closing, I certainly appreciate my friend's support. We have a great deal in common. We both have sports backgrounds. We are both westerners. We both have law enforcement backgrounds. So we have worked on a good number of things together. And his voice in support of this bill is really appreciated.

I guess he recognizes, as I do, that although many people in America do not know very much about this bill, everyone who comes to the United States Capitol, sooner or later, is affected by the money that is in this bill.

I know, as my friend knows, there were many times we came to the Capitol—before that hole was in the ground out there—in the wintertime, with drizzling rain, drizzling freezing rain, and there would be people lined up out on the tarmac, the blacktop, shivering, freezing, just waiting for a chance to get in to watch these proceedings. That is not right.

When we get done with this Capitol Visitor Center, as my friend and colleague from Nevada said, they are

going to have a place to learn a lot more about their Capitol and the institution in which we now serve. I think we will all be better served by finishing this Visitor Center.

I just want to tell the Senator from Nevada how much we appreciate his support.

I have no further comments, Mr. President, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, we have not had any response to the request concerning title I and title II. So at this time, I ask unanimous consent that title I and title II be considered closed and not be available for amendments or motions or points of order or any action at all as we consider the rest of this bill. That leaves title III which is the supplemental portion available completely for consideration of the Senate.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, without objection, it is so ordered.

Mr. STEVENS. Mr. President, I call to the attention of the Members of the Senate that in this bill we have before us now—the House bill, as amended by the Senate bill—we have title III which deals with supplemental emergency appropriations for 2003.

In this bill is $1.550 billion for the Department of Homeland Security for disaster response. It is estimated that the disaster relief fund will exhaust its current funding by the end of this month, July 2003, in part due to the higher than expected costs for disaster relief, including funding for tornadoes and winter storms. These additional resources are needed to continue to provide necessary emergency assistance.

There is also a NASA provision that provides an additional $50 million for the National Aeronautics and Space Administration. These funds will cover additional and unanticipated costs associated with the recovery and investigation of the Space Shuttle Columbia accident, such as collection and reconstruction of the orbiter Columbia, and computer analyses of potential failure scenarios and impact testing of space shuttle wing components.

We also have an amount in this bill for firefighting. We ask the Senate to provide an additional $253 million to the Forest Service for wildland fire suppression and emergency rehabilitation of burned areas to ensure sufficient funding for the 2003 fire season.

We also ask for an additional $36 million for the Bureau of Land Management for wildland fire suppression and emergency rehabilitation of burned areas to assure that sufficient funding is available for the 2003 fire season.

These funds will bring the total fiscal year 2003 funding available for wildlife suppression to a level equal to the 10-year average, which includes the severe 2002 fire season.

I am on notice there are several amendments we will be considering. I ask my friend and colleague from West Virginia if he has any opening statement to make concerning the supplemental request in this bill?

Mr. BYRD. I have none.

Mr. STEVENS. I thank the Senator.

I know the Senator from Nevada has an amendment I join in offering. I remarked today at the hearing that we had in the Appropriations Committee on the Interior appropriations bill, 2.2 million acres of my State burned last year. We have a series of very devastating fires going already. One of the worst problems we have is the infestation of insects in trees that now have been dead for a couple of years. If a fire starts in those areas now, we will have a catastrophe of unknown size. I join the Senator from Nevada in offering an amendment to provide additional funds to deal with fire prevention as well as the firefighting amendments we have in the bill already.

I yield to the Senator from Nevada.

The PRESIDING OFFICER. The assistant Democratic leader.

AMENDMENT NO. 1201

Mr. REID. Mr. President, the distinguished President pro tempore of the Senate is very kind. I send an amendment to the desk on behalf of Senators STEVENS and REID for Senator FEINSTEIN and Senator DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mrs. FEINSTEIN, Mr. DASCHLE, and Mr. STEVENS, proposes an amendment numbered 1201.

The amendment is as follows:

(Purpose: To appropriate an additional $25,000,000 for emergency actions to reduce the threat to human safety arising from the threat of catastrophic fire in dead and dying trees)

At the appropriate place, insert the following:

SEC. ___. (a) ADDITIONAL AMOUNT FOR COOPERATIVE FORESTRY ASSISTANCE.—The amount appropriated by title __ of this Act under the heading ''_____'' is hereby increased by $25,000,000.

(b) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title __ of this Act under the heading ''_____'', as increased by subsection (a), $10,500,000 shall be available for emergency actions to reduce the threat to human safety in areas declared under a State of Emergency by the Governor of any State due to the danger of catastrophic fire from dead and dying trees including—

(1) clearing of evacuation routes;

(2) clearing around emergency shelter locations;

(3) clearing around emergency communication sites; and

(4) clearing buffer zones around highly populous communities in order to prevent fire sweeping though such communities.

Mr. REID. Mr. President, I am confident and hopeful that the committee can work something out on this matter before final passage. Senator FEINSTEIN is heavily engaged. She is an important member of the Judiciary Committee. She has been involved in that every step of the way. This is legislation that involves so many very important issues. It really would have been very hurtful to the committee and the movement of that legislation not to have Senator FEINSTEIN come over here and offer this amendment. As a result of that, during the last vote, she spoke to Senator DASCHLE and me and asked if we would cover her. This is something I am very happy to do, knowing how strongly she feels about this and the difficult problems that exist in California with the beetle problem. Senator STEVENS has indicated that exists all over the country. This amendment will maybe not take care of everything but will take care of a lot of it. I hope the committee would strongly consider the amendment prior to final passage of the bill.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the Senator from Nevada for sending the amendment of Senator FEINSTEIN at my suggestion. The amendment will make money available for a fund that is depleted. That fund is available under this amendment to fulfill the request or attempt to fulfill the request of the Governor of any State to deal with the trees that are dead or dying because of infestation of these beetles. They are not all the same types of beetles but the result is the same. Dead timber is nothing but fuel for an enormous fire, if one gets started in the area of that. That happened in what we call the Millers' Reach fire north of Anchorage. I personally watched it from a helicopter. The sinuosity of that fire just followed right through the dead areas. Then it came back to burn the whole area. Once it started, the fire just kept burning out.

I think the answer is to try to deal with the dead trees as quickly as possible and protect particularly the developed areas as much as possible from these areas. This amendment will allow Governors of any State to request funds to deal with that. Again, this is 2003 money. We are not talking about an enormous sum. This is money for the balance of this year. We hope the bills for 2004 that will come before the Senate later will adequately cover all those items. I join the Senator from Nevada and hope the Senate will approve this amendment. I ask for its consideration.

The PRESIDING OFFICER. Is there further debate?

The Senator from Louisiana.

Ms. LANDRIEU. Reserving the right to object, Mr. President, I want to be very helpful here on Senator FEINSTEIN's amendment because I am sure it is going to a very worthy cause. But I want to ask the chairman, since it is attempting to put money into an account that is depleted, the amendment I am going to be offering will also put money into an account that is depleted, that is empty, for a different purpose but for the same effort, because there is a real problem of levee

rates in Louisiana. I hesitate to object to the amendment or to even oppose it, because I don't oppose what we are trying to do. But I do oppose adding money to a depleted account when we don't seem to be able to add money for an account that is depleted.

Mr. STEVENS. If the Senator would check with her staff, I have already cleared her amendment with regard to moneys to go into that account in a similar way we have done for this beetle problem.

Ms. LANDRIEU. I thank the Senator.

Mr. STEVENS. I ask for adoption of the amendment.

Mrs. FEINSTEIN. Mr. President, there are now as many as 415,000 acres of dead and dying trees on the San Bernardino and Cleveland National Forests and surrounding private lands as the result of drought, decades of fire suppression, and a bark beetle infestation.

Jack Blackwell, the Regional Forester for California, has described this situation as an unprecedented threat to public safety.

There are large mountaintop communities with over 90,000 people total, communities that are completely surrounded by thousands and thousands of deed trees. In addition, the only escape routes are narrow winding mountain roads which are themselves surrounded by dead and dying trees.

The result is that thousands of lives are at risk.

There is some good news, in that San Bernardino National Forest and California Department of Forestry staff agree on the four highest priority tasks to reduce the threat to public safety.

First, they want to clear evacuation routes from the mountain communities. This involves clearing a corridor on either side of major escape roads so people can escape from their communities without being blocked by fallen trees, or the radiant heat of the fire.

Second, they want to clear trees around safety zones like elementary schools and camps. This gives people a place to go if they can't get out of the community.

Next they want to clear brush around communication sites in the forest to communicate with the public and emergency responders.

Finally, they want to clear buffer zones around populous communities, protecting thousands of lives.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 1201) 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.

AMENDMENT NO. 1200, AS MODIFIED

Mr. HARKIN. Mr. President, I call up amendment No. 1200 and send a modification to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself and Ms. MIKULSKI, proposes an amendment numbered 1200, as modified.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To transfer education funds that would otherwise lapse to the Title I Grants to LEAs program)

At the appropriate place, insert the following:

Notwithstanding any other provision of law, during the period from September 1 through September 30, 2003, the Secretary of Education shall transfer to the Education for the Disadvantaged account an amount not to exceed $4,353,368 from amounts that would otherwise lapse at the end of fiscal year 2003 and that were originally made available under the Department of Education Appropriations Act, 2003 or any Department of Education Appropriations Act for a previous fiscal year: *Provided,* That the funds transferred to the Education for the Disadvantaged account shall be obligated by September 30, 2003: *Provided further,* That the Secretary shall notify the Committees on Appropriations of both Houses of Congress of any such transfer.

Provided further, Any amounts transferred to the Education for the Disadvantaged account pursuant to the previous paragraph shall be for carrying out subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965, and shall be allocated, notwithstanding any other provision of law, only to those States that received funds under that subpart for fiscal year 2003 that were less than those States received under that subpart for fiscal year 2002: *Provided further,* That the Secretary of Education shall use these additional funds to increase those States' allocations under that subpart up to the amount they received under that subpart for fiscal year 2002: *Provided further,* That each such State shall use the funds appropriated under this paragraph to ratably increase the amount of funds for each eligible local educational agency in the State that received less under that subpart in fiscal year 2003 than it received under that subpart in fiscal year 2002: *Provided further,* That the Secretary shall not take into account the funds made available under this paragraph in determining State allocations under any other program administered by the Secretary in any fiscal year.

Mr. HARKIN. Mr. President, this is a very simple, fully offset amendment that will restore a cut in title I funding to three States without harming or hurting any other State.

The fiscal year 2003 Labor-HHS appropriations bill that Congress passed in February included a 13 percent increase for title I, the most important Federal program in the No Child Left Behind Act. At the time the Congressional Research Service projected every State would receive a sizable increase over the previous year. But 4 months after the bill was passed, new data from the 2000 census showed that three States would actually get less title I money in fiscal year 2003 than they did in fiscal year 2002. Those three States are Iowa, Maryland, and Michigan. Their total cut in title I funding is $4.4 million.

The Congress did not intend for any State to get a cut in title I. I recently had a meeting with Secretary Paige about this matter. We had a full and frank discussion. He agreed to find an offset from Education Department funds that would otherwise lapse at the end of the fiscal year. Again, let me make it clear, none of the title I money in this amendment will come from any other State. It is fully offset by Education Department funds that will not otherwise be spent. Secretary Paige has signed off on the amendment. So has Senator SPECTER, chairman of the Labor-HHS Appropriations Subcommittee. I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I am informed this amendment has been discussed with the Department of Education and at this time, the best I can say is I am willing to accept the amendment and take it to conference. This is the first time we have seen the amendment, and it is somewhat complicated. But it goes to a point I understand Secretary Paige has discussed with the Senator from Iowa and it does affect three States. I cannot commit that it will absolutely come out of conference, but I will do my best to hold it. Right now, not having any further information than I have just received, I believe it is worthy of the Senate adopting the amendment so we can take it to conference. And we will work with the Senator from Iowa if there are any comments that come from the administration in the meantime.

The PRESIDING OFFICER. Is there further debate?

Mr. STEVENS. I urge that the amendment be accepted.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 1200), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous to speak as in morning business to pay tribute to some Californians who were killed in Iraq. It will probably take no more than about 7 minutes.

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

(The remarks of Mrs. BOXER are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I ask the managers if I may speak for a moment about pending amendment. I don't want to call it up at this point. I would like to talk about it for a few minutes.

The PRESIDING OFFICER. The Senator has a right to discuss any matter she wants to.

Ms. LANDRIEU. Mr. President, as we are still working on the amendment, I hesitate to call it up at this point. I

want to talk for a moment about why this amendment is so important. I think what the Senator from Alaska is doing is extremely important, and I commend the administration for putting forth a bill that really helps to address some very serious problems in our Nation because the emergency accounts are depleted.

There are many emergencies occurring in our Nation, from fires to tornadoes. People's lives and homes are at risk. If the Federal Government doesn't act and do it quickly and appropriately, tremendous hardships and difficulties can result. So I am 100 percent supportive, and so are the people in my State, just as is every State that suffers from natural disasters.

I am having a difficult time understanding why there is some hesitation—and the chairman has been very cooperative—to fund or to ask for money to fund the emergency fund—not a nonemergency fund, but an emergency fund that is completely empty. There is no money left in this account. It is a very important account not just for Louisiana, but for Mississippi, Alabama, Florida, Georgia, California, and for all the States in the Union. It is the only account in the Federal Government that allows the Corps of Engineers to fix the levees when they are damaged in anticipation of a great storm that might come, and to prevent the loss of property damage. So we can save money in the bill by providing a little bit of maintenance on these levees. This account is empty.

I am asking for whatever the chairman and the Members of the Senate think we can afford—whether it is $20 million, $30 million, $40 million—to get us through the end of the year so we are prepared when the storms come. And they will come, hurricanes will come.

We just had a pretty tough storm last weekend. There is one out in the gulf as we speak. If I had time, I could put up a chart that shows where it is. There will be storms, and it is predicted to be a very difficult season. We hope and pray and prepare. But the account that helps us to prepare is empty. There is not a dime in this account. Let me repeat. The account that helps the Corps of Engineers prepare levee systems for the whole country—not just Louisiana—is empty.

We are getting ready to pass a bill to protect us from emergencies. Yet this account is empty. I am asking the Senate to not pass this bill without putting some money into this account so that we can build up the levees in anticipation of storms—not after a storm has come through and wreaked hundreds of millions of dollars of damage, but before the storm hits, to be able to repair the levees that have been weakened by rain or by storms that are not hurricanes, tropical storms, or storms that don't rate to be a hurricane, and to prepare the levees to prevent the taxpayers from having to pick up a bigger tab.

That is why I want to spend a few minutes talking about this issue and asking the Senate for its attention. If we can find $25 million to help fund disasters that occur because of dead trees, I think we can find at least half of that money somewhere to preserve the levy system in the country that protects billions and billions of dollars of infrastructure everywhere, not just in Louisiana.

As the chairman and staff are considering what to do, I hope we can find a certain amount of money to make sure we get through the end of the fiscal year or get through a period where on another bill, perhaps energy and water appropriations, we can add some money.

Whether $10 million or $20 million is enough, I do not know. Perhaps the Corps of Engineers which is engaged in this debate can give us some idea, based on weather predictions and patterns, determine what amount will be enough to help us.

This is a huge issue for Louisiana, and it is a big issue for all the States. My people are afraid. They are frightened. The phone has been ringing off the hook because of the storm from last week. When I called the Corps of Engineers, which I typically do after a storm, and said, Could you please send some crews to help us with the levees, the people are very frightened, they said to me: Senator, there is no more money. We would love to send the crews, but there is no money in the account.

I said: Do not worry about it; there is a bill coming through the Senate for this exact purpose—only to find out maybe the bill is not for this purpose. That is why I am going to offer this amendment in a few minutes, sometime tonight, and hopefully we can get it resolved.

The Senator from Nevada, because he is the ranking member on the Energy and Water Development Subcommittee which funds the Corps of Engineers, knows how important this particular fund is for the regular maintenance of a levee system, not after the Governor calls it a disaster. This is for maintaining the levees before the storms hit to prevent damage, to minimize damage, and save people's lives and property.

There are other accounts that kick in once something is declared an emergency. That is not what I am talking about. There is no money in the account right now as we speak to prevent and repair the levee.

The Senator from Alabama on the floor. I know he is going to speak on another subject. But there is no money to repair levees in Alabama, which is a coastal State, or any State. The account is zeroed out.

I yield the floor and reserve the right to offer my amendment later tonight.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, there is still $330,000 left in this account. It is a strange account. There has been extraordinary activity in this account because of the tornadoes that hit the Midwest this year. That is why it is now depleted. There is $60 million in the 2004 bill which will be coming before the Senate next week.

We are dealing with a question of how much money might be needed for prevention in the period between the time this bill is enacted and signed, which we hope will be sometime before the end of this month. At most, we are dealing with 8 weeks of money that might be called upon on the basis of a Governor's request and a Presidential declaration of disaster in taking preparatory steps to prevent further damage.

Again, I am on notice that at least two other Senators intend to ask for similar money. I am told by the people who handle this money that the most that could be used is $10 million. I am prepared to offer an amendment—I will do it or ask the Senator from Louisiana to offer it—that will put $10 million in this fund to remain available for expenditure. That means, if it is not used in 2003, it will carry over to 2004.

Right now there are no demands, obviously, because there is still some money in the account. In order to be safe, we are willing to ask for an additional amount of $10 million for this fiscal year, 2003.

I inquire, does the Senator want to offer an amendment for $10 million or shall I offer it?

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I am happy to let the Senator offer that amendment. I will support the amendment, but the last telephone call I made to the Corps emptied their fund of $600,000, and if there was $300,000 in that account this morning, it should be empty now because the money is heading to Louisiana to fix some levies.

I thank the Senator for his help.

AMENDMENT NO. 1206

Mr. STEVENS. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes an amendment numbered 1206.

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

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

The amendment is as follows:

(Purpose: Making emergency appropriations to the Corps of Engineers for emergency assistance)

At the appropriate place, insert the following:

": *Provided further,* That for an additional amount for "Flood Control and Coastal Emergencies," for emergency expenses due to flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act of August 16, 1941, as amended (33 USC 701n), $10,000,000, to remain available until expended:"

Mr. STEVENS. Mr. President, this is for the Corps of Engineers flood control

and coastal emergencies fund. It will be available immediately upon the signature of the President.

This bill does have a clause that makes funds in this bill, title III, immediately available to the President for disbursing.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to be added as a cosponsor.

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

If there is no further debate on the amendment, without objection, the amendment is agreed to.

The amendment (No. 1206) 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.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. REID. Mr. President, while the Senator from Louisiana is here, I say to her, I think she did the right thing. I am the ranking member on the Energy and Water Development Subcommittee. The President requested $75 million for this account this year. Senator DOMENICI and I are going to mark that bill up and pass it out shortly.

As the Senator from Alaska said, if, in fact, there is an emergency, we have this money in there, of course. Also, if anything goes wrong within the next 60 days before the 2004 bill passes, money can always be used from FEMA if there is an emergency. For the people of Louisiana, I hope there is no natural disaster but if there is, it is not as if there is no way of helping them.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 1202

Mr. SESSIONS. I thank the Chair. Mr. President, I appreciate the opportunity to make some remarks. I thank Senator STEVENS for his courtesy in allowing me to have this time.

I ask that the pending business be set aside, and that the amendment I previously filed, No. 1202, be called up for debate.

The PRESIDING OFFICER. There is no amendment that needs to be set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 1202.

Mr. SESSIONS. 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 eliminate the additional amount for programs under the National and Community Service Act of 1990)

In title III, strike the following: ''*Provided further,* That for an additional amount for 'Corporation for National and Community Service, National and Community Service Programs Operating Expenses', for grants under the National Service Trust program authorized under subtitle C of title I of the National and Community Service Act of 1990 (the 'Act') (42 U.S.C. 12571 et seq.) (relating to activities including the AmeriCorps program) and for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601), $100,000,000, with funds for grants to remain available until September 30, 2004, and funds for educational awards to remain available until expended:''.

Mr. SESSIONS. Mr. President, the amendment I have offered will remove the $100 million that is contained in the emergency supplemental section. I think it is wrong to include it in the emergency supplemental appropriations bill. It apparently is not an emergency, and I wish to talk about that a little bit. It is certainly not good public policy for us to do this.

There are people in this Congress who support AmeriCorps and there are those who oppose it. My concern at this point deals with how this money has been added and whether or not it should be properly added.

The emergency supplemental that has been made part of the legislation moving forward tonight involves the expenditure of Federal money outside the budget we approved. I serve on the Budget Committee. We worked hard to develop a budget of which we felt proud and on which we could agree. Frankly, with the deficits we are facing, I thought the budget was a little higher than I would have liked to see but it had a modest growth across the board in all areas.

We agreed on it, and it passed in this Senate. We understand that legitimate emergencies occur during the year. We understand that when those emergencies occur, it is appropriate for Congress to appropriate emergency funding for them. This emergency funding agreement has some valuable items in it. We have a number of emergencies today but there has been a tendency—and I would say it is not a good tendency—to add to the emergency supplemental general items of appropriation that people would like to see be passed and be paid for.

I remember talking with a senior member of the House of Representatives. We wanted to get a bill passed that would help Alabama. I talked to him about how we might do this. He said: Jeff, we need to look for a supplemental.

I said: Well, good.

He said: Do you know why?

I said: No.

He said: The reason you want a supplemental is it does not count against the deficit.

Well, I thought that was kind of amusing. I said: What do you mean it does not count against the deficit? It is money we spend.

He said: I do not know. It is just money that does not get counted against the deficit.

What he really meant was it does not count against the budget. If you spend something extra, under a normal appropriations bill and you exceed the budget, or you should stay within your budget, the appropriators try to do so and if they spend money on one item they have to save money on something else. They have more requests than they can fund so they take the money and they reduce it to fund what they want. Some things do not get funded. One great way to get something done that one wants done in their district, that they believe in, that is easy to do, that requires no offsets, no competing against any other appropriations, is to tack it on to an emergency supplemental. Of course, it does add to the deficit. It adds to our debt. It increases our debt. It is real money and it is a real expenditure. It just circumvents the budget process and the integrity of the budget process.

Frankly, a lot of these supplementals ought to be offset anyway. We could find $1.9 billion to offset these emergencies we are funding. I know we did not. We do not have to. This is the kind of emergency bill that we normally face and we normally pass without offsetting. So that is the circumstance we are in.

I would like to go into that a little bit further. I want to say this before we get into the details of this amendment: Tomorrow is cost of government day. Cost of government day is a day in the calendar year when Americans have paid their share of Federal, State, local tax, and regulatory burdens. This year cost of government day is 4½ days later than last year. This means that from the beginning of this year, Americans have been working for the Government and will not stop working for the Government to pay their taxes until tomorrow. That is a big deal.

One of the best ways we have to maintain some control over spending is the budget process. This supplemental is outside the budget process. So I am concerned about it. So $100 million, that makes us work just a little bit longer this year than we would have otherwise. By passing this amendment, we work a little less for the Government this year than would otherwise be the case.

I will go a little further. The AmeriCorps appropriation does not belong in title III to an emergency bill. Let me say why. Look at the bill itself. Here are the legitimate emergency fundings that are in this bill: $1.55 billion for disaster relief and emergency assistance for fires and those kinds of events. That is important. That is a legitimate emergency, I think. At least historically we have considered it so. There is $50 million to cover expenses for responding to the Space Shuttle *Columbia* accident. NASA has incurred some substantial costs as a result of that. This will not fully reimburse them for that but it will be a help. There is $289 million for wildlife fire suppression and emergency rehabilitation activities. So I can understand those. Those are legitimate designations. While I would like to see us have offsets for that within the budget, that is not going to happen.

However, during the markup of this supplemental, without any real debate the committee agreed to an amendment to provide $100 million in emergency supplemental funds for AmeriCorps not requested by the President. The President requested emergency funding for these other items. His budget people reviewed them carefully. The funds and numbers they asked for were subject to some scrutiny there. So in this emergency category, we have disaster relief, space shuttle accident, wildfires, and AmeriCorps. I do not think it belongs on this list.

I see the value in AmeriCorps but I have been concerned about it for some time as not being a well run agency. I have not led a fight against it on the Senate floor but I have had some serious concerns. They have been shared by a very knowledgeable person who cares about AmeriCorps and who cares about helping people in need.

I want to read from a press release from Congressman JIM WALSH, who is chairman of the House Appropriations Subcommittee on VA/HUD and Independent Agencies with oversight over AmeriCorps, the national service program.

This is a committee where this ought to be dealt with. It ought to be dealt with in our appropriations bill from our committee that deals with these very agencies. I want my colleagues to listen to the extraordinary comments that Congressman WALSH makes. Frankly, when I raised my objection to this addition to the emergency bill, it was based primarily on the process concerns and my generalized concern about the efficiency of AmeriCorps. I did not realize AmeriCorps had misbehaved as badly as it has. This is what Congressman WALSH said:

I have been a strong and consistent supporter of the AmeriCorps program throughout my tenure in the United States Congress. Hundreds of volunteers have accomplished some amazing things in communities across my home State of New York. As a returned Peace Corps volunteer—

He is talking about himself—

I recognize and appreciate the value of this service program for local communities, program participants and our Nation at large. In fact, I was a supporter of its mission and opportunity the day the program was signed into law by President Clinton, and remain a steadfast supporter today.

Now I would like to share the concerns of this strong supporter. He says this:

However, AmeriCorps has been sadly plagued by poor management and weak financial oversight by program managers in Washington since its inception. Repeatedly, AmeriCorps administrators have overestimated capacity and underestimated available resources. This Congress has repeatedly instructed AmeriCorps to reform its management and to improve its accounting procedures, all the while working to live up to the commitments to its current participants.

Most recently, just two months ago this Congress appropriated an additional $64 million in supplemental funding to close another budget gap, this time to cover agency overspending of funds clearly designated to cover existing volunteers' educational stipends.

So he says just 2 months ago we appropriated another $64 million to cover overspending by this program. Why do we need extra money? Because they overspent. They mismanaged and they came back 2 months ago and got $64 million. That is not enough. They want another $100 million.

Quoting Congressman WALSH, this supporter of AmeriCorps:

In the fiscal year 2003 bill—

That is the bill we are operating under this year—

Congress provided necessary funding to cover the enrollment of 50,000 volunteers nationwide. Federal law set that as the enrollment limit, and AmeriCorps administrators agreed to it. In response, those same administrators went out and contracted with grantees and local agencies for 70,000 volunteers without the money or the authorization to do so.

I am just quoting Congressman WALSH.

He goes on to say:

My opposition to the Senate's supplemental AmeriCorps appropriation proposal comes down to an issue of accountability. We shouldn't reward an agency that violates federal law and mismanages taxpayer dollars by providing additional funding until clear and consistent reforms have been enacted. Should these requested funds be appropriated, I have little faith that the existing operation could get the funding out of Washington to local community grantees effectively or equitably by the end of this fiscal year on September 30th.

The positive impact AmeriCorps volunteer programs have across the country makes this a difficult decisions to make, but I truly believe that this action is necessary if true reform is to occur and the agency's long-term stability secured.

At the same time, I look forward to constructing an FY '04 appropriations bill that adequately meets the growing role AmeriCorps volunteers have been asked to play by increasing ranks and expanding opportunities should agency leaders be able to demonstrate their commitment to improving management practices, reforming financial operations, and strengthening grant procedures.

So we are being asked to tack on to an emergency bill an AmeriCorps supplemental of $100 million in addition to the $64 million in supplemental funding added to close another budget gap earlier this year, and we still do not have reform and an understanding that we are going to fix the out-of-control agency. This is an important matter.

I note that Mr. Thomas Schatz, the president of Citizens Against Government Waste, has written. He strongly supports this amendment. He notes that:

. . . striking anomaly about AmeriCorps is that it is not a volunteer program at all. Rather, it recruits college-age students for paid positions and then uses taxpayer dollars to subsidize the organizations that hire these recruits. Those hired by AmeriCorps participants cost taxpayers a bundle. An August 1995 GAO audit of 93 AmeriCorps grantees found that programs operated by nonprofit, state, and local agencies received about $25,800 in cash and in-kind contributions per participant.

I don't know whether the program is worth it in the long run or whether it can be affirmed in the long run, but what I would say is that it is unlikely the money can be gotten out before the next fiscal year. Why not have the money go through the normal legislative process and be in next year's budget? It is really for scholarships for these people who work; they promise to give them scholarships in the future. They won't be drawing the scholarships down for 2 years more. I don't think we have to do it this year.

The situation with their management is worse than I thought. It should not be on this emergency bill.

If we are going to get serious about spending, this is the kind of thing on which we all ought to be agreed. This is the kind of thing to which we have to say no. If we have to give more to AmeriCorps, let's do it in the appropriations account where we have a budget cap and it will compete against other items in that cap. If it merits additional funding, so be it. If it does not merit it, so be it. Let us not tack it on to the debt. This will be paid for in no other way but by increased debt. I don't think we ought to do it. I feel strongly about it.

I thank the Chair and I yield the floor.

Mr. STEVENS. Mr. President, I shall in a moment make a motion to table the Senator's motion to strike. I want to make sure, before the Senator leaves, that we have an understanding that after having made that motion to table, I shall move to set that motion aside until tomorrow morning, at which time I will ask for 10 minutes equally divided on my motion to table, to be divided in the usual form, which would mean that the Senator from Alabama would have half that time.

Mr. SESSIONS. I thank the distinguished chairman for his courtesies, as always.

Mr. STEVENS. I do not make that motion yet because the Senator from Maryland wishes to speak.

Ms. MIKULSKI. First to the chairman of the Appropriations Committee, will I have time tomorrow morning?

Mr. STEVENS. There would be 5 minutes. I am opposed, so I would be in control of 5 minutes, and I would be sure to allow the Senator from Maryland to have a portion. I would think Senator BOND might have a portion. I would have a minute, and you each would have 2 minutes. You can speak at length tonight.

Does the Senator wish more than that time tomorrow morning?

Ms. MIKULSKI. Of course, I first of all thank our colleague from Alabama for offering this amendment earlier this evening. I would like about 3 minutes.

Mr. STEVENS. We will assure the Senator has 3 minutes.

Ms. MIKULSKI. But I want to make sure my reform-minded colleague, Senator BOND, can speak.

Mr. STEVENS. We will do that.

Ms. MIKULSKI. I understand my colleague from Alabama, who offered this amendment, is in an armed services conference. I say to the Senator I appreciate the demands on his time. I will say some things and have a more elaborate statement, but I thank the Senator for leaving the conference and I thank the Senator for offering this amendment earlier in the evening.

Mr. SESSIONS. I thank the Senator for her comments. I will have to depart.

Ms. MIKULSKI. I state to the Senator from Alabama some facts. First of all, the reason this is being declared an emergency is that if this $100 million is not in this appropriation, 20,000 volunteers will lose their slots. I want to speak about the debacle and the bureaucratic boondoggle at the national corporation.

I say to my colleague from Alabama, he is absolutely right, but what he should know is that the VA–HUD subcommittee chaired by Senator BOND has been in the forefront of reform. I say to our colleague that our April 15 hearing was when we found out that AmeriCorps, National Corporation, had enrolled 70,000 volunteers when we had given them money for 50,000 volunteers. I want the Senator to know that we went ballistic. Also, the Senator should know we called the board the Enron corporation of nonprofits. I later wrote to the President asking for more money, a better board and the resignation of Mr. Lenkowsky.

The criticisms are there, but when you talk about the need for accounting reform and transparency and all of the excellent things, the Senator should know that our colleague, Senator BOND from Missouri, chairman of the committee, has been a leader in shaking up the agency and I have been his very able partner. We have insisted on a new CFO. We have insisted on better procedures. We have been doing this, and I might add, we were doing it, sir, when the House wasn't paying one bit of attention.

It was our oversight hearing that found under this rock were a lot of other rocks, and under those rocks were worms.

We know that. We agree with that. What we do not want to do, though, is punish these volunteers and the communities they serve because of the overenrollment. In all honesty, what you should know is that if this supplemental does not occur, 20,000 volunteers will lose their slots, like in Teach America. There will be 395 in my State. I am sure my colleague will see them in his State.

So while we want to really throttle the bureaucracy—throttle the bureaucracy—we do not want to punish the volunteers and the communities we serve.

We are at a pivotal point—actually a crisis point. So that is why this is in the supplemental. The Senator is well within his rights to raise some of the questions he does. But from the standpoint of the communities and these 20,000 volunteers, this is a pivotal point.

I could go on and tell you about the merits of AmeriCorps. I will not keep you. I will have more things printed in the RECORD. I am very mindful of your time.

But I wanted to say to my colleague from Alabama, his call for reform? We issued it even years ago. We have really been pressing. Actually, I think with this new CFO, you would like him very much.

But I really have to defend Senator BOND's efforts in moving for administrative reform. I want to say these administrative problems also predate President Bush's time. I do not know if the Senator would like to comment on that. My next set of remarks will be about AmeriCorps and the consequences of this. But I wanted to share those facts with the Senator.

Mr. SESSIONS. I thank my colleague. The Senator from Maryland is one of our exemplary Members. She manages details and watches things better than most. I am glad she made some strong efforts to reform this program.

I have two concerns about it. My original comments, when I saw the supplemental on this bill, went to the fact I did not think it should be on this bill. I did not realize the program had really gotten as far off course as it has, and been mismanaged as badly as the Senator just has stated. So it seems to me what we are doing is, by having this on the emergency supplemental, as the subcommittee in charge of oversight over the program that admits it has been out of control, that subcommittee will be able to get extra money to finance that mismanagement without it coming out of its appropriated, allocated amount by shifting it purely to debt, which is what the supplemental is going to be funded by, additional debt. I think it would be better frugal management if we could put it on next year's bill that you probably are already beginning to work on. That would be accountable under the budget.

I am delighted the Senator is working on accountability. I know there is no Senator here who has a deeper commitment to integrity in the process than the Senator from Maryland.

Ms. MIKULSKI. Mr. President, I would say on a bipartisan basis we were working for very strong administrative management and fiscal reform. We have worked. It was our committee that uncovered this fiasco in April. We have been, since, working with OMB on management improvement as well as accounting flexibility to get them over the hump. Remember, it is volunteers who will be penalized. It will be volunteers and communities that will be penalized, not the bureaucracy. The bureaucracy gets to keep their jobs. They get to move papers around. It is the volunteers who are going to be punished.

So we have a difference of opinion about how you can get reform. But we did move in accounting flexibility, when this Senate passed it 100 to nothing. We did it in 1 day, the House the next day. The President was able to sign it. But flexibility without funds was a hollow victory. So we need the $100 million to cover the rest of the quarter so these 20,000 volunteers do not lose their slots.

That is why this is in this supplemental. It was our original intent, Senator KENNEDY and I were going to offer this amendment on the floor. But we understood there was sympathy for our position at the White House no commitments, no guarantees, but sympathy. I must say, the President, in his State of the Union, called for a spirit of voluntarism. The outpouring has been tremendous. What happened was they ended up overenrolling. But we are now going to snuff out the spirit of America, snuff out the call to service the President himself requested. We are going to trample on the very ideals these young people want to bring to their communities.

We cannot trample on their idealism. We should not snuff out this opportunity because there is a bureaucratic boondoggle. The ''boon'' ought to go to the ''dogglers,'' not to the volunteers.

So we believe this modest amount of money, in the overall trillion dollar budget, would be a bridge to get AmeriCorps over troubled waters and would ensure these volunteers would have their jobs.

In Maryland, 395 volunteers would be cut from civic work which remodels and rehabilitates homes, tutors kids, works in a variety of ways in these very poor neighborhoods. I personally know what they have done to rehabilitate boarded-up houses.

The Baltimore Reads program, the Teach America program—I could list them. But it is not about programs; it is about people helping.

I am going to tell you the story of a young man named Mark who was an AmeriCorps volunteer who came to Baltimore and went into one of our poor schools where kids were performing at the 25th percentile. When he left after his 3-year stint, they were performing at the 70th percentile. And, because of the voucher he had earned, he was able to pay down his student debt and therefore be free to get a master's in teaching, and he is now a full-time teacher in Baltimore schools because he so loved what he had come to, the sense of accomplishment that had come from being a volunteer in Teach America.

We believe this is $100 million in an emergency supplemental that will help these volunteers do what they want. They will answer the call for service of our own President. The communities and the volunteers will not be punished for bureaucratic mismanagement. We have worked on reform. The reform efforts have been a bipartisan effort. The leadership for greater accountability has been led by our colleague from Missouri and we think we have real momentum now. The White House is

watching over this program. The board is now engaged. I believe a new CEO is on the way. We have the right CFO to help us with the financing accountability. There needs to be this bridge to get these 20,000 volunteers over the troubled waters. This is why I believe it should stay in the supplemental and I hope the majority of the Senate would concur with that.

Mr. NICKLES. Will the Senator from Maryland yield for a question?

Ms. MIKULSKI. To the Senator? Of course.

Mr. NICKLES. I thank my friend from Maryland. I am looking at the language. It says the funds for AmeriCorps, on page 54:

. . . with the funds for grants to remain available until September 30, 2004, and funds for educational awards to remain available until expended. . . .

Correct me if I am wrong. Almost none of this money will be spent in 2003, and this basically is an appropriation for 2004. Why don't we do this in the 2004 bill instead of now? It doesn't seem to me to fit into the definition of assistance. We only have 2½ months left in fiscal year 2003. I don't know why we are doing this amendment on this urgent supplemental. I don't think it fits that definition.

Could you tell me, is any of this money going to be spent in 2003, and why isn't this really an appropriation for 2004?

Ms. MIKULSKI. I see what the Senator is saying: ''To remain available until.'' That means if for some reason they don't use this, it would expire. That doesn't mean it begins in 2004. It means that it will be available through 2004.

Mr. NICKLES. Madam President, I want to make a statement, if my colleague from Maryland is finished. I want to speak on the amendment.

Ms. MIKULSKI. Let me doublecheck this. We have a little disagreement. I will be right here.

Mr. NICKLES. Madam President, I inform my colleague from Maryland that CBO estimates that there will be zero money spent in 2003.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Oklahoma.

Mr. NICKLES. Madam President, I wish to compliment my colleague, Senator SESSIONS from Alabama, for raising this amendment. I urge our colleagues to support it.

I tell my friend and colleague, the chairman of the Appropriations Committee, that I understand the publicity that AmeriCorps has received because it has not been managed properly. But this does not belong in this bill. The urgent supplemental for 2003 is to help pressing needs which has to be done now and that can't wait until the 2004 appropriations process.

I have great confidence that the Senator from Alaska and our colleagues in the House are going to finish appropriations bills on time. They will be done by the end of September.

But this particular provision says there is $100 million and it will be available to be spent through the end of 2004.

Incidentally, the educational awards granted after people provide voluntary paid services—kind of a contradiction in terms—but after they provide their public service, they are entitled to reap educational awards equaling about $5,000 per year; that is, for future—that should be dealt with in the 2004 bill. It shouldn't be dealt with now. It doesn't belong on this bill.

In April, we gave AmeriCorps $64 million. There has been some mismanagement, obviously. But we knew about that in April. We gave them $64 million in April. How much is enough?

If this is not going to be spent in 2003 and the Congressional Budget Office, which is our budget arm, says this money isn't going to be spent in 2003—they say most of it won't be spent in 2004.

I think what has happened is some people have read some articles and got excited, saying we will be able to slip this in and we will have an extra $100 million to spend for next year and we will do it under the guise of an emergency. That requires 60 votes. We just gave them $64 million additional money in April. If we find out that this money is available to be spent anytime up through the end of next year, it is really a 2004 appropriation. It doesn't belong in a 2003 urgent supplemental bill that we use for fire, for FEMA, and for real emergencies. It doesn't fit that definition. It wasn't requested by the administration.

I will make a couple of other comments on the program.

When we talk about wanting to encourage and help volunteers, this program costs about $18,000 per year per participant. That is a lot of money. When we talk about volunteers, we are talking about a cost that is very high. It has payments to the individual, it has payments for daycare, it has payments for health care, and it has educational assistance of about $1,000 per year. It ranges from $20,000 to $18,000 per person. That is a lot of money to be paying for ''volunteers'' to do a lot of services that, frankly, most people do for free or most people donate for charity. Most people volunteer and are not paid.

I just make these comments. This is a program that has run amuck and that has not been well managed. Now we are rewarding that poor management and doing it under the guise of emergency in 2003 when we only have 2½ months left in this fiscal year and we are going to add $100 million. CBO estimates that every single dollar of this will be spent not in 2003 but in 2004 or 2005 or later.

To try to stick it in under the guise of emergency for 2003 is very inappropriate. I think it violates the whole spirit of what we call an ''emergency.''

I urge my colleagues to vote for the amendment of Senator SESSIONS.

I might also mention this jeopardizes some things. I want us to be very frugal when we use emergency designations because we shouldn't be doing that.

When we say it is an emergency, we are saying that basically the budget doesn't fly, we don't need a budget, and we are going to have emergencies. But we have a higher threshold of 60 votes for emergency spending. This is thrown in the same category of emergencies, FEMA and firefighting. I don't think that is correct. I don't think that is right.

The best way to solve it would be to adopt Senator SESSIONS' amendment. I urge our colleagues to do so when we vote on his amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, I now move to table the motion to strike filed by the Senator from Alabama. I ask unanimous consent that my motion be temporarily set aside and that the Senate resume consideration of my motion on Friday at a time to be determined by the majority leader after consultation with the Democratic leader.

I further ask unanimous consent that there then be 15 minutes for debate equally divided in the usual form with not less than 3 minutes of that time being available to the Senator from Maryland and that there be no other amendments in order.

I ask for the yeas and nays on the motion to table.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Without objection, it is so ordered.

Mr. STEVENS. Madam President, I know of no future amendments, unless there is one that has come from the other side. I inquire if there are any other amendments to be filed this evening.

The inquiry is, Why can't we finish tonight? We can't finish tonight because we have a large number of Senators involved in the Judiciary Committee consideration of the asbestos problem. We have been asked not to have the votes. But we have agreed to have them tomorrow morning as early as possible. That would be determined by the leader.

Mr. REID. Madam President, I have been dealing with military construction. Are we about finished with this bill?

Mr. STEVENS. We are at the place where I am inquiring whether there are any further amendments to be offered.

AMENDMENT NO. 1201, AS MODIFIED

Mr. REID. Madam President, I ask unanimous consent that amendment No. 1201 offered by Senator FEINSTEIN be modified. When the chairman and I corrected it, we put the number only in one place and we need to put it in two places.

Mr. STEVENS. I saw that myself. I was about ready to do that.

Mr. REID. I ask unanimous consent that it be modified with the language that is at the desk.

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

The amendment (No. 1201), as modified, is as follows:

At the appropriate place, insert the following:

SEC. ___. (a) ADDITIONAL AMOUNT FOR COOPERATIVE FORESTRY ASSISTANCE.—The amount appropriated by title III of this Act under the heading ''Department of the Interior, Bureau of Land Management, Wildland Fire Management'' is hereby increased by $25,000,000.

(b) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title III of this Act under the heading ''Department of the Interior, Bureau of Land Management, Wildland Fire Management'', as increased by subsection (a), $25,000,000 shall be available for emergency actions to reduce the threat to human safety in areas declared under a State of Emergency by the Governor of any State due to the danger of catastrophic fire from dead and dying trees including—

(1) clearing of evacuation routes;

(2) clearing around emergency shelter locations;

(3) clearing around emergency communication sites; and

(4) clearing buffer zones around highly populous communities in order to prevent fire sweeping though such communities.

Mr. REID. Madam President, I have an amendment also for the Senators from Utah, Idaho, and Nevada dealing with the problem that I talked to the Senator from Alaska about. Crickets have eaten up parts of their States.

Mr. STEVENS. Madam President, it is my understanding that the amendment is offset completely and it would be appropriate to consider it at the present time.

Mr. REID. That is true.

AMENDMENT NO. 1210

Mr. REID. Madam President, I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1210.

Mr. REID. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for the use of funds of the Commodity Credit Corporation for the suppression and control of the Mormon cricket infestation on public and private land in Nevada, Utah, and Idaho)

At the appropriate place, insert the following:

SEC. ___. MORMON CRICKET CONTROL.

The Secretary of Agriculture shall use $20,000,000 of the funds of the Commodity Credit Corporation, to remain available until expended, for the suppression and control of the Mormon cricket infestation on public and private land in Nevada, Utah, and Idaho, that amount to be expended in equal amounts among the 3 States.

The PRESIDING OFFICER. Is there further debate?

Mr. STEVENS. Madam President, it is my understanding that this amendment is offset by transferring money from the Commodity Credit Corporation.

Mr. REID. That is true.

Mr. STEVENS. I have no objection.

Mr. REID. Madam President, Mormon crickets eat nearly anything in their path. They can grow to 3 inches long and travel a mile a day as they eat sagebrush, lawns and crops.

Over the course of the last several years, Mormon cricket infestations have doubled each year in Nevada, and have seen similar rapid growth in Utah and Idaho.

More than 2 million acres of northern Nevada were crawling with these pests last year, the worst infestation in the State for 40 years.

It was an even larger infestation than the 1990–91 infestation that briefly shut down I–80 as the crickets made the road greasy and caused car accidents.

This year, the crickets are hatching three weeks earlier than normal and could more than double from last year's record-setting infestation in Nevada.

While some Federal funding to try to control Mormon crickets has been made available, it falls far short of what is needed.

While State officials understandably spend funds to try to control existing outbreaks, little funding is available to take preventive measures necessary to end this plague of the Great Basin.

My amendment would provide $20 million to be equally divided among Nevada, Utah and Idaho to get this plague under control and eradicated.

The funds would be provided from the Commodity Credit Corporation and would remain available until spent.

Mr. NICKLES. Madam President, I take this opportunity to inform the members of this distinguished body about S. 1383, the Legislative Branch Appropriations bill for fiscal year 2004, as reported by the Senate Committee on Appropriations.

The pending bill provides $3.7 billion in new budget authority and $3.1 billion in new outlays for fiscal year 2004 to fund the operations of the Senate and House of Representatives; the Architect of the Capitol; the U.S. Capitol Police; and the Library of Congress. With outlays from prior years and other completed actions, the Senate bill totals $3.7 billion in budget authority and $3.7 billion in outlays.

For discretionary spending, which represents the bulk of the funding in this bill, the Senate bill is $37 million below the subcommittee's 302(b) allocation for budget authority, and it is $43 million in outlays below the 302(b) allocation. The Senate bill is $227 million in BA and $0.9 billion in outlays below the President's budget request.

In addition to providing appropriations for fiscal year 2004 for the legislative branch, the committee-reported bill contains various supplemental appropriations for fiscal year 2003. The fiscal year 2004 concurrent resolution on the budget, H. Con. Res. 95, established levels for fiscal year 2003 and provided an allocation (pursuant to section 302(a) of the Congressional Budget Act of 1974) to the Committee on Appropriations for fiscal year 2003 in the joint explanatory statement accompanying the resolution, see page 103 of H. Rpt. 108–71.

The committee has designated all the appropriations for fiscal year 2003 as an emergency requirement pursuant to section 502 of H. Con. Res. 95. As a result, these emergency appropriations do not count against the committee's allocation.

As a point of information, I would like to call my colleagues' attention to section 302(c) of the Congressional Budget Act. Section 302(c) provides that it is not in order to consider a bill making appropriations for a fiscal year until the Committee on Appropriations has made the sub allocations required by section 302. It appears that the Committee on Appropriations has yet to file 302(b) allocations for 2003. This point of order may be waived, or a ruling of the Chair appealed, with 60 votes.

The fiscal year 2003 supplemental funding in this bill includes $1.889 billion requested by the President as an emergency requirement, and an additional $100 million added by the Senate appropriations committee. I am concerned that very little of the President's request or the additional $100 million is worthy of the emergency designation provided for in section 502 of the H. Con. Res. 95, the fiscal year 2004 budget resolution. The criteria for designation as an emergency are that the funding is 1. necessary, essential, or vital (not merely useful or beneficial); 2. sudden, quickly coming into being, and not building up over time; 3. an urgent, pressing, and compelling need requiring immediate action; 4. unforeseen, unpredictable, and unanticipated; and 5. not permanent, temporary in nature.

While some of this funding may be necessary, it is not ''sudden'' or ''urgent.'' The President requested and Congress approved a $78.5 billion fiscal year 2003 supplemental just 3 months ago, and there is no reason why these requests could not have been considered at that time. Further, the Congressional Budget Office reports that only $37 million of the $2.0 billion in emergency budget authority in this bill will actually be spent in the 3 months remaining in this fiscal year. All of this $37 million is attributable to the budget authority provided for wildfire suppression and the space shuttle. Thus, the balance of this funding could instead be addressed in the regular fiscal year 2004 spending bills.

Therefore, I strongly urge the President and the conferees on this legislation to consider carefully if all of this emergency supplemental funding should be retained in the final version of this bill.

I ask unanimous consent that two tables displaying the Budget Committee

scoring of the bill be printed in the RECORD at the conclusion of my remarks.

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

CURRENT STATUS OF FY 2003 APPROPRIATIONS

[Fiscal year 2003, in millions of dollars]

	General purpose	Mandatory	Total
Enacted to date:			
Budget authority	844,986	391,344	1,236,330
Outlays	846,706	378,717	1,225,423
Emergencies in the Senate-reported Legislative Branch Bill: [1]			
Budget authority	1,989	.....	1,989
Outlays	37	.....	37
Total that counts against 302(a) allocation to Appropriations Committee:			
Budget authority	844,986	391,344	1,236,330
Outlays	846,706	378,717	1,225,423
302(a) allocation to Appropriations Committee: [2]			
Budget authority	844,986	391,344	1,236,330
Outlays	846,706	378,717	1,225,423
Difference between total and 302(a) allocation:			
Budget authority	.....	.....	.....
Outlays	.....	.....	.....

[1] Section 502(c)(2) of H. Con. Res. 95, the Concurrent Resolution on the Budget for FY 2004, states that any provision designated as an emergency requirement shall not count for purposes of section 302 of the Congressional Budget Act of 1974 and section 504 (relating to discretionary spending limits in the Senate) of H. Con. Res. 95.

[2] H. Con. Res. 95, the 2004 Budget Resolution, set out budgetary aggregates not only for 2004, but for 2003 as well. As a result, the joint statement of the conference committee on H. Con. Res. 95 (page 130 of H. Rpt. 108–71) included the allocations that are required by law (section 302 of the Congressional Budget Act) for 2003 to the Committee on Appropriations.

S. 1383, LEGISLATIVE BRANCH APPROPRIATIONS, 2004—SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal year 2004, in millions of dollars]

	General purpose	Mandatory	Total
Senate-reported bill: [1]			
Budget authority	3,575	109	3,684
Outlays	3,637	109	3,746
Senate Committee allocation:			
Budget authority	3,612	109	3,721
Outlays	3,680	109	3,789
2003 level:			
Budget authority	3,468	104	3,572
Outlays	3,332	103	3,435
President's request:			
Budget authority	3,802	109	3,911
Outlays	4,495	109	4,604
House-passed bill:			
Budget authority	3,480	109	3,589
Outlays	3,599	109	3,708
SENATE-REPORTED BILL COMPARED TO:			
Senate 302(b) allocation:			
Budget authority	(37)	.....	(37)
Outlays	(43)	.....	(43)
2003 level:			
Budget authority	107	5	112
Outlays	305	6	311
President's request:			
Budget authority	(227)	.....	(227)
Outlays	(858)	.....	(858)
House-passed bill:			
Budget authority	95	.....	95
Outlays	38	.....	38

[1] This total includes an adjustment for House-only items (from the House-passed bill) that were not considered in the Senate. In accordance with Section 502(c)(2) of H. Con. Res. 95, the Concurrent Resolutions on the Budget for FY 2004, this total also excludes $714 million in emergency outlays from the FY 2003 supplemental appropriations in Title III of the bill.

NOTE: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

MITIGATION FROM DEVASTATING FLOODS IN WEST VIRGINIA AND THE UPPER PENINSULA OF MICHIGAN

Mr. LEVIN. Madam President, Senators BYRD, STABENOW, and I would like to engage in a colloquy with Senator REID, the ranking member of the Energy and Water Development Subcommittee and TED STEVENS, Chairman of the Full Committee.

Mr. BYRD. In West Virginia, torrential flooding is becoming an annual event—since 1993, the State has had 11 federally declared disasters. In this year alone, the State has had two federally declared disasters. In the latest round of devastating flooding in the State last month, 12 counties were declared Federal disaster areas. Homes were damaged or destroyed, and the severe impact on the infrastructure in the southern part of the State—from roads, bridges, water and sewer, to power sources—has brought a normal way of life to a screeching halt once again.

Ms. STABENOW. In May of this year, unusually heavy rainfall occurred in four countries of the Upper Peninsula of Michigan causing rivers and streams throughout the area to swell out of their banks, inflicting severe and widespread damages. The greatest damages occurred in Marquette County where an earthen dike at Silver Lake Basin failed, sending and estimated 8 billion gallons of water cascading downstream through the city of Marquette toward Lake Superior.

The floodwaters destroyed or damaged numerous public and private structures and caused unprecedented environmental and ecological damage within the Dead River Basin and into Lake Superior in Marquette County. Two power generation facilities were damaged. One of the power generation facilities, the Presque Isle plant in the city of Marquette, resulted in shutdown for more than 30 days.

Without power, two iron ore mines, which produce about 20 percent of our Nation's annual iron ore output, were shut down, idling 1,200 workers. Dozens of other area businesses, institutions and private homeowners were also seriously impacted. Three of the four counties affected are impoverished, with a majority of the population over 65 years of age. Local governments simply do not have the capital to pay for the public damages. Without an infusion of Federal aid, Marquette and the other three counties will have a difficult, if not impossible, task of recovering from this disaster.

Mr. LEVIN. Normally, our States would be able to rely on the operations and maintenance account for the corps to help repair damages to public facilities, such as obstructive deposits in flood control streams, bank erosion threatening public facilities, damages to other public infrastructure such as water and sewer facilities. Additionally, funds provided will allow the Army Corps to repair weather-related damages that have occurred to Federal infrastructure. However, it is our understanding that the fund has been depleted for this year.

Mr. REID. Unfortunately, your understanding is correct.

Mr. BYRD. It is our hope that you and Senator DOMENICI, when drafting the Fiscal Year 04 Energy Water Development Act will be able to address these emergencies in these two States, as well as others that have experienced massive flooding in this exceptionally wet spring.

Mr. REID. Senator DOMENICI and I will be marking up the Energy and Water Development Act for Fiscal Year 04 next week in both subcommittee and full committee. We recognize the needs of both States for flood mitigation, including stream and river restoration, bank stabilization, infrastructure repair and restoration, water and sewer repairs, and fresh drinking water in some areas. We will do everything we can to address these needs in the Fiscal Year 04 bill.

Mr. STEVENS. I, too, will do everything I can to support this critical work as we draft the Fiscal Year 04 Energy and Water Development Act.

Mr. LEVIN. We thank the Senator.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 1210) was agreed to.

Mr. REID. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. STEVENS. Madam President, at this time, I think that completes the amendments we know exist for this bill. And I ask the bill be temporarily set aside now so we may move to——

Mr. REID. If the Senator will yield, the only amendment we know of——

Mr. STEVENS. Madam President, I do ask unanimous consent that no further amendments be in order to the pending bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. Madam President, I ask unanimous consent that the bill be temporarily set aside so we may proceed to the consideration of the military construction bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

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

N O T I C E

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.

ORDERS FOR TOMORROW

Mr. STEVENS. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:15 a.m., Friday, July 11. 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 resume consideration of H.R. 2657, the legislative branch appropriations bill, as provided under the previous order.

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

PROGRAM

Mr. STEVENS. Madam President, for the information of Senators, tomorrow morning following 15 minutes of debate, the Senate will vote on the motion to table the Sessions amendment regarding AmeriCorps. Following that vote, the Senate will vote on the passage of H.R. 2657, the legislative branch appropriations bill, which will be immediately followed by a vote on passage of H.R. 2559, the military construction bill. Therefore, the first vote in tomorrow's session will occur at 9:30 a.m., and that vote will be the first in a series of three consecutive votes.

Madam President, I ask that the second and third votes be limited to 10 minutes.

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

ADJOURNMENT UNTIL TOMORROW AT 9:15 A.M.

Mr. STEVENS. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:31 p.m., adjourned until Friday, July 11, 2003, at 9:15 a.m.