

country. And, this legislation expands the definition of service-connected disability to include symptoms associated with “Gulf War syndrome” thereby enabling those veterans suffering from Gulf War-related symptoms to receive the compensation and care they deserve. Our nation’s veterans have served our country with distinction and have sacrificed in the defense of our country. These veterans deserve benefits commensurate to their service to our country. In many ways, this legislation recognizes the sacrifices and commitment of our nation’s veterans, and rightfully rewards their service and valor.

I wanted to take some time to talk about a very important aspect of this legislation—Section 502—which is a provision pertaining to providing VA grave markers for deceased veterans. On December 7, 2001, the Senate unanimously passed S. 1088, the Veterans’ Benefits Improvement Act of 2001. This legislation included a provision which is based on legislation that I introduced this year and in the 106th Congress. It has the support of every major veterans group and a wide array of organizations including the Veterans of Foreign Wars, the American Legion, Disabled American Veterans, Paralyzed Veterans of America, the Air Force Sergeants Association, and the National Funeral Directors Association. It also has strong bipartisan support and enjoys the support of 21 of my Senate colleagues who cosponsored this legislation. The cosponsors include Senators BINGAMAN, BYRD, CONRAD, CRAIG, DEWINE, DORGAN, FEINGOLD, JOHNSON, KENNEDY, KERRY, KOHL, LEAHY, LEVIN, LIEBERMAN, LINCOLN, MILLER, SANTORUM, SESSIONS, STABENOW, STEVENS, and VOINOVICH.

Section 402 of S. 1088 would authorize the Secretary of Veterans Affairs to furnish a grave marker for the grave of a deceased veteran, irrespective of whether the grave has already been marked privately by the family. Current law—which dates back to the Civil War—does not allow the Department of Veterans Affairs to provide such a marker to already-marked graves. This arcane provision of federal law effectively precludes an estimated 25,000 families each year from appropriately commemorating their loved one’s service to our country. Sadly, this number will only increase as our nation’s veteran population ages. Indeed, according to the Department of Veterans Affairs, some 1,500 American World War II veterans will pass away each day. With our aging population of veterans and with our nation’s armed forces currently in harm’s way in the war against terrorism, it is critically important to act promptly to secure this final tribute to suitably recognize the service of past and future veterans.

This archaic law was originally intended to ensure that our fallen soldiers were not buried in unmarked graves. Of course, in today’s age rarely, if ever, does a grave go unmarked.

Prior to 1990, the surviving family of a deceased veteran could receive from the VA, after burial or cremation, partial reimbursement for a private headstone, a VA headstone, or a VA grave marker. The choice was solely up to the deceased veteran’s family. However, budgetary tightening measures enacted in 1990 eliminated the reimbursement component and prevented the VA from providing an official headstone or grave marker when the family had already done so privately. This change in law precludes veterans’ families from receiving an official VA grave marker if the family has already made private funeral arrangements.

Suffice it to say, this provision of law is a major source of frustration for veterans families as they seek to honor their deceased loved one’s service to our nation. At the time of a veteran’s death, grief stricken family members invariably concern themselves with making necessary funeral arrangements and providing comfort and support to loved ones, not investigating the complexities of VA regulations. Nonetheless, for veterans’ families that make private funeral arrangements prior to contacting the VA—such as purchasing a private headstone or marker—these families unwittingly forfeit their right to receive an official marker to honor their loved one’s military service. This inequity in current law is unfair to those veterans who have served our country. Indeed, the denial of this benefit to veterans’ families is one of the major sources, if not the major source, of complaints lodged with the VA.

One of the countless families negatively effected by this provision of federal law is the Guzzo family of West Hartford, Connecticut. Back in the summer of 1998, I was approached by a young man named Tom Guzzo whose father Agostino Guzzo had recently passed away. While Agostino’s service in the Army in the Philippines during World War II entitled him to full military honors from the VA, he was not eligible for an official VA marker because the family had already purchased a private marker.

I became involved in this matter to correct what I believed to be a bureaucratic error, and I wrote to the then-Secretary of Veterans Affairs to resolve this matter. However, when the Secretary informed me that he was unable to furnish a VA grave marker to the Guzzos because of federal law, I introduced legislation to correct this inequity. Last year, the VA headstone and grave markers legislation that I authored unanimously passed the Senate as an amendment to the FY 2001 Department of Defense Authorization bill. However, the House-passed version of the Department of Defense Authorization bill did not include a comparable VA grave marker provision, and regrettably this measure was stripped in conference committee. Last week, once again, the Senate passed a provision based on legislation that I in-

troduced in the Senate that would authorize the Secretary of the VA to furnish grave markers to deceased veterans, regardless of whether the grave is privately marked. And, once again, the House failed to adopt this reasonable provision, and this important measure was the subject of negotiations between the House and Senate to resolve this matter.

The legislation before us today allows grave markers for veterans who pass away after the date of enactment. This is good news for veterans today. However, I continue to be concerned about the more than 5 million veterans who passed away over the past decade and whose families have tried in vain to obtain an official commemoration from the VA. My legislation was retroactive and would have assisted all affected veterans families back to 1990—when the aforementioned change in federal law occurred. As part of the compromise agreement between the Senate, House, and the Administration, this legislation would allow for the Secretary of Veterans Affairs to “implement this provision in a flexible manner in light of requests for grave markers pre-dating this provision.” While I am pleased that this compromise will allow for the Secretary of Veterans Affairs to help the Guzzo family and may help other families who have struggled to receive official recognition for their deceased loved one’s service through administrative means, this problem should have been addressed by a change in law—not through an ad-hoc, case-by-case, administrative procedure. Nonetheless, while this is not by any means a perfect agreement, it will allow deceased veterans’ families to obtain this official grave marker in the future.

I would like to take a moment to thank and recognize the tremendous leadership of Chairman ROCKEFELLER with regard to this issue and to veterans issues in general. Chairman ROCKEFELLER and his talented staff, in particular, were extremely helpful in working with me to ensure that the service of our Nation’s veterans are suitably recognized. I would also like to commend Congresswoman NANCY JOHNSON and her efforts to reach a workable compromise with respect to this issue. Finally, I would like to commend and recognize the hard work and vigilance of the Guzzo family, particularly Tom Guzzo, in ensuring that Agostino Guzzo’s service to our Nation—and the military service of countless other veterans—can from now on be recognized by the U.S. Government with this final, modest gesture from a grateful Nation.

#### ABM TREATY WITHDRAWAL

Mr. KERRY. Mr. President, I want to take just a few moments today to place President Bush’s announcement that he is withdrawing the United States from the 1972 ABM Treaty into a broader context, to try and redefine a debate

about our security which too often has been argued at the margins.

The undergirding objective behind any American foreign policy should be to make Americans safer, to make our position in the world more secure, not less. That is the only objective measurement of foreign policy, and it is by that measurement that I want to offer any construction concerns about today's announcement.

First, let me be clear: I support the development of an effective defense against ballistic missiles that it deployed with maximum transparency and consultation with U.S. allies and with other major powers, including Russia and China. I've voted as has the Senate, to support an approach which delivers that kind of security measure. In the end, it boils down to common sense: If there is a real potential of a rogue nation firing a few missiles at any city in the U.S., responsible leadership requires that we make our best, most thoughtful efforts to defend against that threat. The same is true of accidental launch. If it ever happened, no leader could ever explain not having chosen to defend against the disaster when doing so made sense.

The broader question we must ask today is what constitutes not just effective defense against the ballistic missile threat, but whether in its entirety we are pursuing a national security strategy which makes us as safe as we can be against the whole range of threats we face as a nation, and what should have been clear before September 11 and what is evident with frightening clarity today is that there are urgent and immediate vulnerabilities to our security which can and must be addressed, practically, today.

The President's announcement today reflects, I fear, misplaced priorities—an unyielding obsession almost with a threat which most measurements would suggest is of lesser likelihood, and an almost cavalier willingness to nickel and dime security priorities of the first order. I remain disappointed that the Bush Administration continues to focus so much on its attention on the issue of missile defense and a missile defense plan which will be enormously expensive while at the same time they cite expense as a reason why they will not today make the investment towards meeting our tremendous homeland security challenges.

Missile defense is important, but it is a response of last resort, when diplomacy and deterrence have failed. No missile defense system can be 100 percent effective, and so we would be remiss to discard entirely the logic of deterrence that has kept us safe for 40 years. Even in periods of intense animosity and tension, under the most unpredictable and isolated of regimes, political and military deterrence have a powerful, determining effect on a nation's decision to use force. We saw it at work in the Gulf War, when Saddam

Hussein was deterred from using his weapons of mass destruction by the sure promise of a devastating response from the United States. For 30 years, the ABM Treaty has helped to anchor nuclear deterrence, and I believe that people of the world have been safer for it. Yes, I would have preferred that the Bush administration continue to work with Russia to find a way to amend, rather than end, the ABM Treaty. It appears that Russia was willing to allow the Bush administration great leeway in pursing its robust testing plan for missile defense, but the President was unwilling to accept any restrictions on his plans. Given their past statements, it comes as no surprise that the Administration does not seem to have offered much to Russia by way of a compromise or an attempt to amend and preserve the Treaty. What the Administration has done, and it is their prerogative to do so, is gamble successfully on the fact that the Russian leadership would wisely determine not to allow this issue to derail the improvements we have seen in the last 3 months in the U.S.-Russian relationship. President Putin has called this decision on the ABM Treaty a mistake and expressed his regret that President Bush intends to go forward with this, but Putin and others in his administration have pledged that they will continue to work with us on reducing strategic nuclear arsenals and building a new Russian relationship with NATO.

The response from Russia could have been much different, much more dangerous and destabilizing, and I believe it would have been, before the events of September 11 changed Russia's perception of the threats it faces and the importance of cooperating with the United States. But I am gratified that the Russians remain partners in a global effort to increase security.

The situation with China is more murky. While the administration has briefed the Chinese leadership on its missile defense plans, I don't believe enough time or diplomatic effort has been invested in convincing Beijing that this system is not directed at eroding China's small nuclear deterrent. The Administration must do more to reach a common understanding with China that there is a real threat from isolated regimes bent on terrorism and accidental or unauthorized launches. If we fail to take this task seriously, we will jeopardize stability in the Pacific.

But, in my judgment, what is more striking about the President's announcement today is the homeland security measures left unaddressed, and unfunded, in the Administration's security wish list.

In his statements about missile defense over the last several months, President Bush has said over and over that this is only one part of a comprehensive national security strategy. I could not agree more, but I am deeply concerned that the President's words are not matched by the deeds of his ad-

ministration. Especially in the world after September 11, a comprehensive national security strategy must emphasize the things we need to do to keep the American people safe from terrorism. But just last week, the President defeated attempts by Democrats in the Senate to provide additional funding for homeland security as part of the Defense Department appropriations bills.

I am deeply concerned that, at a time when the Administration tells us that financial resources for defense are highly limited, we must be more prudent about our spending priorities, we need a debate about choices for our national security agenda.

Let's be clear about what every national security expert told us before September 11 and has amplified since. We need to fund our efforts to deliver airline and rail security, border security, the ability of our fire fighters, police and emergency workers to respond to terrorist attacks, and the ability of our health care system to respond to the threat we face from bio-terrorism. And we are at war. We need to ensure that our fighting men and women have the tools and support they need to prosecute this war on terrorism successfully. Finding an effective defense against missile attacks is important, but these challenges are immediate, critical, and regrettably they are being left unmet today.

Pushing forth first and foremost with national missile defense does nothing to address what the Pentagon, even before September 11, considered a much more likely and immediate threat to the American homeland from terrorists and non-state actors, who might attack us with weapons of mass destruction. As we are learning more about Osama bin Laden's attempts to possibly acquire nuclear weapons and develop chemical or biological weapons, it is crucial that we stay focused on meeting the WMD threat.

Our first defense against that threat is a robust international effort on non-proliferation, but the President's FY 2002 budget actually cut U.S. funding for counter-proliferation programs to deal with the huge weapons stockpiles of the former Soviet Union. Our former colleague, Senator Howard Baker, was part of a study of these counter-proliferation programs released earlier this year. That study concluded that the threat of proliferation from the weapons stockpiles of the former Soviet Union is very grave, and efforts to secure and destroy those weapons demand our immediate, robust support. The study recommended an increase of \$30 million in funding for these programs, but supporters of these programs on both sides of the aisle have struggled mightily just to keep the funding from being slashed.

Consider also the homeland security needs so clearly being given short shrift in an agenda dominated by national missile defense. Our security needs are enormous, for certainly the

last months have at least demonstrated where some of the vulnerabilities lie.

We must shore up not just the safety of our nuclear plants around the country, but plants and nuclear weapons facilities around the globe. From making nuclear facilities less vulnerable from the air, to investing in the trained personnel to ensure that cargo ships in American ports are not carrying dangerous or stolen nuclear materials meaningful steps can be taken to protect Americans against a threat which was real before September 11 and looms larger today.

The Administration can't speak about preparing to deal with bioterrorism, and in the next breath ignore that medicine must be stockpiled, that nurses and medical professionals must be trained, and that massive investments in vaccines for diseases long believed to have been eradicated must be made at a rapid pace.

We can't honor firefighters, police and rescue workers who died in the World Trade Center if we aren't willing to invest in the technology and innovation that make these jobs safer. There is little solace for postal workers killed by Anthrax if the government is not committed to putting in place innovative ways to detect and combat future biological and chemical threats.

Making our Nation's rail system safe will come with a high price tag, but it's trivial compared to the devastation that could be wrought by a single terrorist attack on passenger rail. More than 300,000 people pass through the century-old rail tunnels under New York City each day, tunnels lacking both ventilation and sufficient emergency exits. It is time to shore up the security of our transportation infrastructure before they become targets, not when it is too late.

These are security needs of a nation at war and a nation bent on returning to normalcy in the months and years ahead, and they must be addressed. I would say to you today, it's time we break out of a debate over whether we're going to have a missile defense system or rely entirely on deterrence, a fruitless debate, ideological shadowboxing and end the days of arguing at the margins. We need a serious, thoughtful debate on the comprehensive steps required, in every issue of national security, to make our Nation as safe as it can be, and until we do that we are not offering the kind of leadership our citizens and our country demands of us. And that is a debate of the first order of urgency, a debate too important to delay.

Mr. HARKIN. Mr. President, I am deeply disappointed that the President has announced that the United States is withdrawing from the Anti-Ballistic Missile Treaty. The President is adamantly pursuing a unilateral approach at a time when we so clearly need international cooperation in the war against terrorism. We now know beyond dispute that we cannot simply

withdraw within our border, with a magical shield to protect us. All our gold-plated weapons systems could not prevent the terrorist attack, and they can't hunt down every terrorist. Our national security depends on international intelligence, international law enforcement, international financial transactions, international aid, in short on our relations with other nations.

Yet for the first time since World War II we are walking away from a major treaty, dismaying our friends and inciting those who could become our enemies. While Russian President Putin has given a measured response, I fear our intransigence could endanger cooperation not only on terrorism in Asia but also on further reductions in nuclear arms. And China, whose much smaller missile arsenal is most directly threatened by our missile defense plans, will almost certainly build more missiles, making the world less safe.

For our close allies, abandoning what we used to call the "cornerstone" of arms control is just the latest in a series of provocations. Last week we torpedoed negotiations on the Biological Weapons Convention, having earlier axed a verification protocol, at a time when we face a biological weapon attack. Wouldn't a little verification of foreign labs that use anthrax be useful right now? We abandoned negotiations on the Kyoto global warming accord, gutted the small arms treaty, and walked away from the United Nations Conference on Racism. We rejected the Comprehensive Test Ban Treaty and dismissed the convention on land mines. How can we expect full cooperation from other nations on terrorism, when we dismiss their concerns, refusing even to negotiate, on critical issues including biological weapons, nuclear arms control, and global warming?

Make no mistake, we have no technical need to withdraw from the ABM treaty at this time. Most experts agree that research and testing could continue for years without violating the present treaty. And the Russians have offered to amend the treaty if needed. Unfortunately, this administration refused to take yes for an answer. If we are to maintain international cooperation in defeating the terrorists, and also in protecting the global environment, ending child labor abuses and promoting human rights, and improving the global economy, we must ourselves show some regard for international norms and concerns. Friendship is not a one-way street. I hope we wake up to that fact before it is too late.

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#### RESERVISTS PAY SECURITY ACT OF 2001

Ms. MIKULSKI. Mr. President, I take great pride in supporting Senator DURBIN in introducing the Reservists Pay Security Act of 2001. This legislation will ensure that the Federal employees who are in the military reserves and

are called up for active duty in service to their country will get the same pay as they do in their civilian jobs.

According to the U.S. Office of Personnel Management, the federal government is by far the largest employer of our nation's military reservists. These reservists stand ready to serve our country with honor, during times of peace as well as war. They are the finest examples of dedication and service our nation has to offer.

When federal employees who also serve as reservists are called to duty, they respond with pride, often facing significant pay cuts as they lose their normal civilian salaries. But the federal government does not supplement the lost pay of our reservists. This is a travesty.

Our Nation has always placed a high value on the spirit of public service. That's why so many private employers, both large and small, are making significant changes to provide more generous military leave policies, even in the midst of a recession. If Safeway, IBM, Intel and Verizon can provide for their employees during times like these, then our federal government must care for its own as well.

Family members of federally-employed reservists are already starting to feel the pinch of service. Amy Bennett, of Centreville, MD, can't afford the payments that she and her husband, a lieutenant in the Army Reserve, must pay for their home. Their family income will drop by \$50,000 per year. To respond to this, she was at first going to sell her car. Now, with an 8-month-old son to care for, she must move in with her parents until her husband returns. She'll keep the car, but even worse, she may be forced to sell their home.

Janice Riley, of St. Mary's County, will work two jobs now that her husband, Sgt. Rob Riley, has been sent to Texas for training. Until he returns, he is forced to ask his mother to help Janice out with the bills. Lynn Brinker, of Columbia, MD, expects her family to lose about \$30,000 this year because her husband, Mark, was sent to Texas to join the rest of his 443rd Military Police Battalion. As a result, her neighbors are buying her meals, her babysitter and hairdresser are working for free, and she has taken a line of credit against her house because no one can take over the home improvement business Mark began 10 years ago.

Fifty-five thousand of our Nation's reservists have been activated since the attacks of September 11th. This includes about 3,000 Maryland area reservists, most of them federal employees. Their families sit and wait at home, with no guarantee when their loved ones will return, and little means to pay for their college funds, mortgages, car loans, and holiday gifts.

This is simply wrong. I fail to see why these dedicated Americans should be forced to leave their families financially vulnerable at a time when they have so many other things to worry about.