

am honored to join with him. I look forward to taking a moment of the Senate's time to address this issue, which both of us take a great sense of pride in doing.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KERRY. Madam President, I thank my colleague.

#### TRIBUTE TO TED WILLIAMS

Mr. KERRY. Senator KENNEDY and I are delighted to join in a resolution paying tribute to a unique American who passed away last Friday at the age of 83—a fighter to the end, and really a rather remarkable and fascinating individual—Ted Williams.

Over the span of 21 amazing years with the Boston Red Sox, Ted Williams redefined baseball's greatness. Everyone knows about his .406 batting average in 1941. Not everyone knows that he had an option to settle that year for a less than .400, or that he would have been rounded up to a .400 batting average. It was about .399.

In the last day of season, with the doubleheader, a day that he was offered the opportunity to sit it out so he wouldn't lose his .400 if he had a bad day, there was no way he would do that. It was not his style. He stepped up to bat, and hit 6 for 8 and took his average up to the .406, which now stands as a memorable and unequalled batting average since that period of time. He had 521 career home runs; a .344 lifetime batting average; 2 of the 4 Red Sox Triple Crown Awards, twice the American League's Most Valuable Player; 6-time American League Batting Champion, 18 American League All-Star appearances; and a member of the Baseball Hall of Fame.

He was quite literally the father of the Red Sox nation, and, for millions of us, he came to live out what was his greatest wish—that if people ever saw him walk down the street they would say, There goes the greatest hitter who ever lived. Indeed, that is what people would have said.

Beyond the statistics and awards, which speak volumes about what he accomplished in a Red Sox uniform, so many of us in this country have an even deeper respect for the individuality he expressed in almost everything he did: His uniqueness as a fisherman; his uniqueness in his contributions to the Jimmy Fund to raise funds for fighting cancer to help others; but especially what he did in the 5 years he spent wearing the uniform of his country, reminding each of us of what it means to be a citizen soldier, to leave a citizen's life to go out and fight for your country and then come back to resume what you did before.

No one knows, but lots of people have speculated about what kind of career numbers this man might have posted, what records he would have broken, if it had not been for those 5 years during the prime of his baseball career while he served as a pilot and a member of the greatest generation.

All of us would wonder. He walked away from the major leagues to serve his country as a fighter pilot. He flew as a wingman beside our colleague, Senator John Glenn, during Korea, performing a memorable emergency landing in a damaged plane that was on fire. And when he was later asked why he didn't just bail out, he told people he was fearing the fact that he might injure his knees—as you punch the button to bail out and you pull out of the cockpit. If you were tall, your knees often would be broken hitting the edge of the cockpit itself. He would sooner have died than not have been able to play baseball because of that potential injury. It was a conscious choice. Another time, he escaped to safety after being hit with anti-aircraft fire.

Ted Williams was a courageous person, bigger than life, tough as nails, and he had that rare ability to sum up perfectly in his character so many things that speak about a generation, about our country, and about a game that is known as our national pastime.

We all hope we will find citizens such as him and ballplayers such as him again. We join in mourning his loss and reflect on all that he gave to his country.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. REID. Will the Senator from Massachusetts yield for a unanimous consent request? I would consider it an honor if the two Senators would allow me to be a cosponsor of this resolution dealing with one of my heroes, Ted Williams.

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

Mr. KENNEDY. Madam President, we thank our leaders and we thank our colleagues for giving Senator KERRY and me a moment to bring to the attention of the Senate and to the American people once again the extraordinary sense of loss that the Williams family feels, the incredible sense of loss that people in Boston feel, the incredible loss that those who love baseball feel and those who served in the Marine Corps feel at the loss of Ted Williams.

His stories on the baseball field have been well documented, although they bear repeating. For example, his extraordinary lifetime average of over .406: When we think today of all the various baseball records that are being broken, every single one is being broken almost annually in so many different areas, but no one has even coming close to his. We know he was on a level of excellence in terms of that sport that I don't think will be replicated again.

His service in the military was, as my colleague pointed out, exemplary service to our country. Then the service as well to the Jimmy Fund, the Dana-Farber program—the Jimmy Fund that was just getting started. People didn't give a great deal of attention to the fact of children's cancer,

but now you can't travel anyplace in this country, or probably in the world, and not find people who haven't heard of the Jimmy Fund or the Dana-Farber Center as an extraordinary place of excellence that has given great focus and attention and, most importantly, hope and life to hundreds of thousands of children, including one of my own who had serious cancer, osteocarcinoma, and was able to benefit from the extraordinary research and the gift of life that that center provides. The time Ted Williams would spend down in that center without any kind of fanfare, greeting and welcoming children, giving them a new sense of hope, was a real reflection of his humanity.

This is an extraordinary American, someone of whom baseball is proud, Boston is proud, all of Massachusetts is proud. We salute his family, we salute him, and we thank our Ted Williams for all the good things he has done for baseball and for our country.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I ask unanimous consent that an equal time for my speech be given to the Republican side because they were to control half the time in this morning business hour.

Mr. REID. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD. Yes.

Mr. REID. I have been told by the Republican staff that Senator DOMENICI and Senator BROWNBACK wish to speak. How long does Senator DOMENICI wish to speak?

Mr. DOMENICI. Mr. President, I thought I was speaking earlier. I would like 10 to 15 minutes.

Mr. REID. Senator BROWNBACK wants 15 minutes.

Mr. DOMENICI. Did we not have a certain amount that some of our Senators—

Mr. REID. The Republican time was to start around 10 o'clock.

Mr. DOMENICI. That is correct.

Mr. REID. Senator WELLSTONE is here also.

Following Senator BYRD, Senator DOMENICI will be recognized for 15 minutes, Senator BROWNBACK will be recognized for 15 minutes, and then we will be on the bill. Senator WELLSTONE, being the timely person he is, came to speak at 10:30. He will not be able to do that now unless Senator BROWNBACK is late; we will be on the bill at that time.

I ask unanimous consent—the two managers are not here, but I do not think I am doing anything untoward—that he speak on the bill—he is not offering an amendment—that he be recognized as soon as the bill is called up.

The PRESIDING OFFICER (Mr. EDWARDS). Without objection, it is so ordered.

The Senator from West Virginia.

Mr. BYRD. Mr. President, I, too, am proud of Ted Williams. I hope the two Senators will allow me to cosponsor the resolution.

As one who grew up in the Great Depression, I liked baseball. It was 1927.

May I say to my two Senators from Massachusetts, it was 1927 when Babe Ruth, the Sultan of Swat, beat his own home run record when he swatted 60 home runs. I can remember those days when I watched for the baseball scores. I watched for Babe Ruth. I watched for Lou Gehrig. I watched for the Murderous Four on the New York Yankees team. That was the year in which Jack Dempsey fought Gene Tunney to regain the title.

May I say to my dear friend, TED KENNEDY, Jack Dempsey was a hero of the coal miners. He mined coal in Logan County, WV. So my foster father told me we would go down to the community grill, which was a place where one could buy Coca-Colas or a soda. I mean they were good Coca-Colas in those days, and you got them for 5 cents, a bottle of Coke for 5 cents. So he said we would go down to the community grill and listen to that fight.

Well, we went on that night. And there were fully 30 or 40 coal miners around that radio. I went home a disappointed lad because Jack Dempsey was my hero at that point as far as sports figures were concerned, as well as Babe Ruth. And I went home a disappointed lad because Jack Dempsey did not win the fight.

I did not hear the fight. There was only one set of earphones, and Julius Sleboda, who was the manager of the grill—that was 75 years ago, he was the manager of the grill—he listened to the fight, but he didn't tell the rest of us anything about what was going on.

So, lo and behold, Mr. C.R. Stahl, a Scotsman who was the general manager of the coal mining operation, came into that room and took the earphones from Julius, put them on, and gave to those of us who were standing around with open eyes, open ears, and open mouths, a blow-by-blow account of the greatest prize fight, as far as I am concerned, that ever occurred in the United States—Jack Dempsey. And he lost the fight. That was 1927.

May I say to the distinguished Senator from Illinois, something happened in 1927. I can see the bulletins that were tacked up on the wall of the company store, the coal company store: "Lindbergh Crosses the Atlantic." He flew across the Atlantic in the Spirit of St. Louis. He started out, I believe it was May 9, 1927. The New York Times had a headline which said that he flew over Nova Scotia at the tremendous speed of 100 miles per hour in the Spirit of St. Louis. That was Lindbergh. He had a plane that had a load of 5,500 pounds. He had five sandwiches. He ate one-half of a sandwich on the way. Part of the time, he flew 10 feet above the water; part of the time, 10,000 feet above the water. He flew across the Atlantic in a single-engine plane, the Spirit of St. Louis. That was 1927.

That was the year Ford brought out the Model A Ford. It was also the year in which Sacco and Vanzetti were executed—1927, a great year.

Let me switch now to 2002. Congress had been requested to appropriate more

than \$10 billion in fiscal year 2003 funds for a reserve fund from which the Department of Defense will draw to pay for its operations in the war against terrorism. Now, watch out. This war against terrorism is a terrible war, but watch out. Many things are being done under the rubric of the war on terrorism. We had better watch out. Let me tell you about this one. The President requested this huge amount of money, free of any restrictions.

Now, Senators, we have to watch this stamped to legislate a new Department—and I am for a new Department—but in this so-called reorganization plan that the President sent up to the Senate and the House, watch out, this is a reorganization plan. Let's be careful we don't reorganize the checks and balances in our constitutional system. I have seen a fair number of requests for blank checks in my time, but this one takes the cake.

The President's request for a large reserve fund for the military is not unprecedented. Just within the last decade, Congress established reserve funds for military operations in Kosovo, Bosnia, and the Persian Gulf region. From 1996 to 2001, Congress appropriated funds to the overseas contingency operations transfer fund to pay for our peacekeeping missions in the Balkans and the enforcement of no-fly zones over Iraq. The result was an accounting nightmare.

As the General Accounting Office reported on May 22, 2002, the reserve fund for operations in the Balkans and the Persian Gulf was used for "questionable expenditures." That is an understatement. The GAO report details how this reserve fund was used in 2000 and 2001 to buy cappuccino machines—there are three Appropriations Committee members on the floor right now on this side of the aisle, and another one is coming in on the other side of the aisle. The GAO report details how this reserve fund was used in 2000 and 2001 to buy cappuccino machines, golf club memberships, decorator furniture, and even a bingo console. President Bush says he needs the reserve fund to move money around quickly with a minimum of congressional intrusion. But would some congressional oversight have stopped the purchase of a bingo console with defense funds? How about that?

That is your money, I say to the taxpayers who are watching this Senate floor right through those cameras there. That is your money.

How did these funds, intended for important military missions, become diverted to Government waste? As the GAO report says:

There is limited oversight—

We don't give enough time to oversight, and we have an administration that doesn't want us to give much time to oversight. That is my view of it.

There is limited oversight and a corresponding lack of visibility over how contingency operations funds are used that has also contributed to questionable uses of contingency funds.

That is not Robert Byrd talking, that is the GAO report, the General Accounting Office, an arm of the Congress. It is no wonder Congress refused to put any more money into this reserve fund in the Fiscal Year 2002 Appropriations Act.

We should also put this in the proper context of how the Department of Defense manages and accounts for the money that is appropriated to it. It is a miserable record. Twelve years after the enactment of the Chief Financial Officers Act of 1990, the Pentagon is unable to produce annual audited financial statements. It is a financial scandal that goes beyond the accounting chicanery perpetrated by the fallen giants of corporate America. In January 2001, the General Accounting Office reported that the Pentagon was unable to reconcile a \$7 billion difference—not \$7 million, but \$7 billion—the Pentagon was unable to reconcile a \$7 billion difference between its available fund balances and the balances kept by the Department of the Treasury; that the Department made \$2.3 trillion—this is still the General Accounting Office report talking—that the Department made \$2.3 trillion in unsupported accounting entries in fiscal year 1999, and that the Pentagon was not able to keep track of all of their weapons systems and support equipment. Now, get that. Simply put, if the Pentagon were a corporation, its stock would be crashing and the Dow Jones would be in really serious trouble.

We should all know by now that the Pentagon's accounting mess requires closer oversight. It is a massive operation, and the Secretary of Defense has indicated it is a massive operation. Not all of this happened on his watch. He wants to try to get control over it, but how can he? It is so massive: Establishing a \$10 billion reserve fund for the war on terrorism, with no restrictions, no limitations, no controls on how the money can be spent. We are talking about \$10 billion; that is \$10 for every minute since Jesus Christ was born. It would be throwing gasoline on a fire that is already raging out of control. With the Government ledgers filling up with red ink, we need not only fiscal responsibility, but also accounting responsibility.

My concern with the reserve fund proposed by the President is not limited to its gross invitation for waste, fraud, and abuse, to use a hackneyed term.

As a Member of the Senate and chairman of the Appropriations Committee, I want to know how this money will be used because \$10 billion is a lot of money, looking at it from the standpoint of my background and my State. It is a lot of money. Will it be used for rooting out the terrorists who remain in Afghanistan? Will it be used for the creation of an Afghan national army? Will it be used to increase our military presence in the Philippines, Georgia, or Yemen? What about an invasion of Iraq? Is that what it is going to be used for? We don't know.

On July 3, 2002, President Bush sent a letter to congressional leaders to provide further details on how the \$10 billion fund might be used. This supposed explanation left me scratching my head. I bet it left the Senator from New Mexico scratching his head. Nobody in this Senate understands this budget and the appropriations process any better than he does, if as well as he does. But it left me scratching my head—even more than I had scratched it before. The letter from the President talks about \$10 billion being requested for a reserve fund with no controls and no oversight. But get this:

This request will improve collection, analysis, coordination, and execution of intelligence priorities and plans, as we expand into new theaters—

Oh, oh—

of operation and build new relationships.

That is not my quote. That is the quote in the message from the President.

Let me say that again. Hear me, Senators. The letter from the President states:

This request—

For \$10 billion of your money; your money; your money—

This request will improve collection analysis, coordination, and execution of intelligence priorities and plans as we expand into new theaters of operation and build new relationships.

Mr. President, there is no clarification on what is meant by “expanding into new theaters of operation.” Our imaginations are left to run wild. Are we talking about Iraq? If so, Mr. President, let’s hear it. Tell us. The American people are entitled to know where their money is going to be spent, where their boys and girls, the young men and women of this country, are going to be sent. Tell us.

Our imaginations are left to run wild. An accompanying letter from the Director of the Office of Management and Budget, Mitch Daniels, proposes to elaborate, he is going to explain, explain a bit more, on how the \$10 billion is going to be used. He is a favorite of us Members on the Appropriations Committee in both Houses. Mitch Daniels, the OMB Director, is a great favorite of ours.

According to Mr. Daniels’ letter, the reserve fund would contain—listen to this—the reserve fund would contain “up to \$2.550 billion for military personnel accounts; up to \$5.570 billion for operation and maintenance accounts, as well as military construction on working capital funds; and up to \$1.880 billion for procurement or research, development, test, and evaluation account.”

While this may be seen by some as making some progress in specifying how the requested funds might be used, the devil is still in the details, and we do not have them.

Under the President’s proposal, the allocations could be changed by the Secretary of Defense, after consulta-

tion with the Director of the OMB. Now get that, get that, pay close attention: Under the President’s proposal, the allocations could be changed by the Secretary of Defense, after consultation—get that—after consultation with the Director of OMB and 15 days after providing notification—not a request—but notification to the congressional defense committees. Ha, ha, ha. What are we going to do next?

It is not hard to see how that \$10 billion reserve fund could start out for a legitimate purpose, such as paying the Guardsmen who have been mobilized for homeland security missions, but then be reallocated to fund any program that could be twisted around and redefined to encompass a defense against terrorism.

I suppose that additional missile defense spending could fall within that rubric, as would military action against Iraq. Watch out; be careful while you are back home in August. Be careful.

I could not imagine that a \$10 billion reserve fund would be considered for any other agency in our Government but the Department of Defense. I doubt that any of us would seriously consider a \$10 billion reserve fund that could be spent on health care, prescription drugs, or highway construction. The fiscal conservatives in Congress would hit the roof. “Where is the accountability?” they would say. If any Member of this body proposed on an appropriations bill a \$10 billion reserve funds for education, with no limits on how those funds would be used, I have no doubt that the President would assail that Member for fiscal irresponsibility and ready his veto pen.

It is true that we are engaged in a war on terrorism, and that war is expensive. At the height of our military operations in Afghanistan, we were spending more than \$1 billion a month. But there is already a well-established means of providing that money without resorting to blank checks and reserve funds. Congress passes supplemental appropriations bills to provide additional funds to address contingencies that were not anticipated in the regular appropriations process.

The Senate passed a supplemental appropriations bill on June 7 of this year that fully funds the President’s request for additional funds for the military to pay for the war on terrorism. At his news conference earlier this week, President Bush criticized the Congress for delays in final action on the supplemental bill, but he failed to mention that his administration is greatly responsible for at least partially delaying the legislation.

The administration slowed the supplemental bill down months ago by repeatedly refusing to allow Homeland Security Director Tom Ridge to testify about the funding request. Most recently, the administration, claiming that the supplemental bill invests too much in homeland security, has threatened to veto the legislation, despite its

overwhelming 71 to 22 vote in the Senate. What our country needs is responsible leadership, and Presidential threats about a veto of homeland security funding is nothing short of irresponsible.

This supplemental appropriations bill does not include a reserve fund that will subvert government accountability for how taxpayer money is spent. But the administration continues to seek such a fund for the fiscal year 2003 Defense appropriations bill. I deeply regret this indication that the administration continues to view Congress as an impediment to the national interest, rather than a coequal branch of our Government with its own, non-delegable authorities and responsibilities under the Constitution.

The Founding Fathers granted Congress the power of the purse and the responsibility to provide for our national defense.

Accountability for how the funds are spent must be demanded by Congress as the directly elected representatives of the people. We were not sent here by an electoral college. We are directly accountable to our constituents. If this \$10 billion defense reserve fund is misused, who will have to answer to the letters and the phone calls from John Q. Public? It will not be the Secretary of Defense. It will not be the Director of the Office of Management and Budget. It will be us, the Members of Congress. We have a responsibility to see that funds we appropriate are well spent. We cannot allow ourselves to shirk that responsibility. It is the people’s tax dollars.

If the people are being told these dollars are to go to fight global terrorism, this Congress must never allow these funds to buy cappuccino machines instead.

I again thank all the Senators, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

#### THE SENATE NEEDS A BUDGET

Mr. DOMENICI. Mr. President, I might say to the distinguished Senator from West Virginia, since I like cappuccinos, it would be better than some other things we might buy.

In any event, the Senator from Kansas is going to speak shortly, and I will try not to go too long. The Senator from West Virginia, Mr. BYRD, I have been listening, and not to your entire speech, but I say the Senator from New Mexico agrees with some of what you said. But I would not expect you to lay the blame in Congress where the blame lies in Congress. I believe much of the delay on everything is attributable to the fact that the majority party has not yet as of this day produced a budget. So if we want to talk about delays, as chairman of the Budget Committee, my good friend, you do not know what number to mark to. Nobody has yet told you how many dollars you have to spend. If the budget does anything, it starts with that.