

World War II in the rebuilding of a destroyed axis, both east and west. As it turned out, it was a very wise investment.

We have the same opportunity now in a part of the world where great changes are starting to take place. Because of our presence in Iraq and the actions we are taking there, Saudi Arabia is for the first time in its history going to offer elections. Have they done that because of what we didn't do in Iraq? I think one would have to question that.

I congratulate my friend from Kentucky. When he goes on a working trip—we had 8 days in the field. I mean it is getting up early in the morning, catching an airplane, and flying into an area where let's say most of the action was centered, working all day, and then flying back and getting a hotel even without dinner. That is all right. I can afford to miss a dinner or two. I can afford to miss a few meals. But we were ground level.

Central services are being reestablished in Iraq way ahead of schedule and are now at the same level or beyond what they were prewar. The plan that has been laid out—and everybody knows it and everybody reads it—is working. Fifteen hundred schools have now been refurbished and another 1,500 will be finished by the first of the year. We now see schools open, with kids and parents very happy. An Iraqi contractor used 30,000 Iraqi carpenters, painters, and people who refurbish in that endeavor. Iraqi people are picking up their own neighborhood because they have the freedom to do so and telling us that if we leave now, they cannot go with the job only partly done.

Is there a timeline? There is never a timeline for this kind of an operation. That is kind of like me going out and saying I am going to build a fence until the 10th day of November. Bad weather comes, and a lot of things intervene. I don't get the fence done. Come the 15th of November, am I going to quit building the fence? I don't think so.

So timelines on projects such as this are very slow but they are moving forward.

Are we talking about a lot of money? You bet we are. It is money that sometimes we think we don't have. But sometimes we make investments in things with money which we don't think we have either.

There is a powerplant that would be shut down in this country in a New York minute. There are six turbines and only two are operating. It was built in 1928, and not a nickel was ever invested in the O&M of that plant. There are no computers nor control rooms; it is entirely manually operated. Efficiency of producing electricity and even conserving electricity is not there. Central services of water, telephone, and even health care are back beyond what they were prewar.

We found out one thing: Saddam Hussein did two things really well. He built great palaces. We were in a couple of

them. They are pretty good digs. He also built a good road system. But that is where it stopped. Irrigation systems around Mosul and along the Euphrates River are falling apart—not because of damage in an armed conflict but because of no investment in O&M. Now we are restoring those irrigation systems; people will be able to feed themselves.

We are making an investment in people who are educated and motivated and who want to have something to say about their own fate when it comes to the economy and to their political freedoms. That is what this is about.

Is this about establishment of a government that will look like ours? No. It will not look like ours. But at least it will be a representative form of government—another one in that region that changes the mindset of the entire Middle East. Elections in Saudi Arabia are just part of that. This is the cradle of terrorism. This is where it starts. This is where it is planned, and this is where it is financed. But with economies of scale, as they grow, terrorism diminishes. We take the fear out of doing business or going to school or doing shopping or even in recreation.

It will be Americans who will do that. Money is just a tool. It can be used for good. It can be used for evil. We have chosen to use it for good.

Talk to the parents of those children going to school. I talked to a lad of about 10 or 11 years. I asked him if there is any difference this year. He said: Yes; there are a lot of girls in my class. He had never experienced that before. Their eyes are bright; they are eager to learn; and their parents are happy that we are there. That is at the neighborhood level. It is not in some headquarter being briefed by the State Department or the military people.

Talk to the soldiers on the street. Do they understand what the mission is? Yes, they do. Are they motivated to carry it out? Yes. They understand that there is great risk, but there is always great risk with freedom. We have assumed that risk in this country. We assume a high level of risk for that very precious thing called freedom.

We have to rebuild the infrastructure with these appropriations, get their economy going, and then bring our troops home. They can come home faster than if we say we are just going to leave them alone. What kind of a signal does that send to the meeting next week in Madrid where we are calling the world's nations together to participate with us in rebuilding an infrastructure for a people who actually deserve it and which was denied by a tyrant for the last 25 or 30 years?

This is what America is about. I am proud to be a part of it.

I yield the floor.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR IRAQ AND AFGHANISTAN SECURITY AND RECONSTRUCTION ACT, 2004

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1689, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1689) making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

Pending:

Byrd amendment No. 1818, to impose a limitation on the use of sums appropriated for the Iraq Relief and Reconstruction Fund.

Byrd/Durbin amendment No. 1819, to prohibit the use of Iraq Relief and Reconstruction Funds for low-priority activities that should not be the responsibility of U.S. taxpayers, and shift \$600 million from the Iraq Relief and Reconstruction Fund to Defense Operations and Maintenance, Army, for significantly improving efforts to secure and destroy conventional weapons, such as bombs, bomb materials, small arms, rocket propelled grenades, and shoulder-launched missiles, in Iraq.

Bond/Mikulski amendment No. 1825, to provide additional VA Medical Care Funds for the Department of Veterans Affairs.

Reid/Lincoln amendment No. 1835, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

Reid amendment No. 1836, to express the sense of Congress on damages caused by the regime of Saddam Hussein during the first gulf war.

Corzine/Durbin amendment No. 1811, to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 to 55.

Durbin amendment No. 1837, to ensure that a Federal employee who takes leave without pay in order to perform certain service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred.

Reed/Hagel amendment No. 1834, to increase the end strength of the Army and to structure the additional forces for constabulary duty.

AMENDMENT NO. 1811

The PRESIDING OFFICER. Under the previous order, there will be 4 minutes equally divided prior to a vote in relation to the Corzine amendment No. 1811.

Who seeks recognition?

The Senator from New Jersey.

Mr. CORZINE. Thank you, Mr. President.

Mr. President, this amendment I have offered, along with Senators LAUTENBERG and DURBIN, would reduce the retirement age for members of the National Guard and Reserve from 60 to 55. This change would allow an estimated 92,000 reservists currently age 55 to 59 to retire with full benefits, honoring their service and respecting the drastic

demands we put on them in the post-cold-war era and the age of terrorism. As we reflect on the demands placed on our soldiers in Iraq and other parts of our world because of terrorism, particularly our reservists—roughly 20,000 are in the theater—it is time we actually make this important change in the benefits that our reservists and guards receive.

This chart shows how we were deployed in 1992. We had 1 million total man-days per year from reservists and guards. It jumped to 13 million in 2001. It was 41 million in 2002. It will be up again in 2003. We are using our reservists dramatically differently than in previous years. It is time to recognize that and make sure they are treated appropriately.

This request is at the top of the requests of the Reserve Officers Association, Veterans of Foreign Wars, Air Force Sergeants Association, American Legion, a variety of folks. It will make a difference in making sure our people want to continue their career as reservists and guards. It will potentially reduce the cost of declining enlistment and retention forces, promote an overall package of incentives to meet recruiting and retention goals. It will make a difference in our people's lives.

We need to move forward on this parity between reserve and civilian retirement age. I hope my colleagues will join in supporting this important amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. FEINGOLD. Mr. President, I share the Senator's concerns that National Guard and Reserves troops are not being treated equitably when it comes to retirement benefits. This is particularly unfortunate at a time when we are relying more than ever on these brave men and women. The retirement rules need to be changed.

While I agree with this amendment in principle, I regret that I cannot support it at this time because of its large budgetary impact. With our Federal deficit spiraling out of control, we need to make sure that we offset—i.e., pay for—large spending measures. Unfortunately, this amendment does not contain an offset.

We must also make sure that this important amendment, one with such a large fiscal impact, is thoroughly evaluated. The Congress has recognized the importance of the problem brought to our attention today by the distinguished Senator from New Jersey, Mr. CORZINE, and has ordered that the issue be studied as part of a review of reserve compensation. We should allow for the completion of this study as part of our commitment to good stewardship of taxpayers' money.

The Senator from New Jersey was right to bring this debate to the floor. The Guard and Reserves have been, and continue to be, heavily relied upon by our country, and we owe it to them to fully address the inequity in retirement rules. I look forward to working

with my colleagues in the near future to fix this retirement eligibility issue.

Mr. STEVENS. Again, I apologize to the Senator from New Jersey. Our position on this amendment is it is an amendment that should not be brought up in connection with an appropriations bill when changing the reserve compensation system in a very drastic way. As a matter of fact, CBO scored this provision as follows for mandatory/direct: First year spending at \$1.486 billion; the 5-year cost, \$8.349 billion; and the 10-year cost, \$16.466 billion.

Both the House and the Senate have passed a provision that requires a study of this compensation, in part to determine whether retirement systems should be changed in view of the modern requirements and in view of the total force of the United States. The requirement to wait until age 60 to collect reserve pay has long been in effect and there is no basis right now to claim that any reservists who stay for a career have been misled about the level or timing of the compensation they receive. However, it is a matter of fact that we all want to have this changed. Any changes to the Guard and Reserve retirement benefits need to be assessed for the long term, not just in relationship to the current deployment.

I am constrained to point out that the pending amendment 1811 offered by the Senator from New Jersey, Mr. CORZINE, increases spending by \$2.3 billion in the fiscal year 2004. This additional spending would cause the underlying bill to exceed the Defense subcommittee's section 302(b) allocation. Therefore, I raise a point of order against the amendment pursuant to section 302(f) of the Budget Act.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. Mr. President, pursuant to section 904 of the Budget Act of 1974, I move to waive the applicable sections of the act for purposes of the pending amendment and I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. BURNS). Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Illinois (Mr. FITZGERALD) is necessarily absent.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

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

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

The yeas and nays resulted—yeas 47, nays 49, as follows:

[Rollcall Vote No. 381 Leg.]

YEAS—47

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

NAYS—49

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

NOT VOTING—4

Edwards	Kerry
Fitzgerald	Lieberman

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). On this vote, the yeas are 47, the nays are 49. 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. STEVENS. 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. STEVENS. Mr. President, may I have the attention of the Senate for a moment. There is another scheduled amendment to be voted on right now. I ask Members of this side who have not come forward and offered their amendments—we have a series of amendments filed by Republican Members: Senators HUTCHISON, SPECTER, and GRAHAM. We have notice that two or three other Senators—Senator WARNER and Senator BROWNBACK—have potential amendments. We have heard from the other side with amendments so far. We agree we should consider amendments offered on this side if anyone is ready to offer an amendment.

I urge during this vote that Members consult with me and the staff to see what amendments they are willing to raise now. We are still committed to finishing this bill, and my colleagues are going to have to raise them sometime, so I hope they will consider raising them now.

Regular order, Mr. President.

Mr. REID. Mr. President, will the Chair indicate how long the last vote took?

The PRESIDING OFFICER. Thirty-eight minutes.

Mr. REID. Mr. President, I say to everyone here, we are trying to finish the

bill this week. Over the last several days, these votes have gone on and on. We cannot finish this bill if the votes take more than 20 minutes. Everyone should be on notice. We have many amendments. This would have been an opportunity, during the extra 20 minutes on this amendment, for someone to have offered their amendment and then completed the vote on the next amendment. We cannot finish the bill if we continue having 38-minute votes.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the Senator from Nevada is absolutely right. I recall the other day when a number of us were missing. The last person had not voted and I asked his assistant where the person was. They said he was at the airport. An hour and 40 minutes later, I said: What airport? They said: Philadelphia.

The Member who just voted last was on the subway. I thought that was the subway of the Capitol. I apologize to the Senator.

I put the Senate on notice that we will observe the 20 minutes. In fact, as we get through this bill toward this evening, I hope to have a series of stacked votes, with the first vote being 20 minutes and all thereafter being 10 minutes. We have to stop wasting time on the voting process and get this bill finished by Friday, as we will try to do.

I thank the Chair and ask for the regular order.

AMENDMENT NO. 1834

The PRESIDING OFFICER. Under the previous order, there are 7 minutes for debate in relation to the Reed amendment No. 1834, with 5 minutes under the control of the Senator from Rhode Island, Mr. REED, and 2 minutes under the control of the chairman prior to a vote on or in relation thereto.

The Senator from Rhode Island is recognized for 5 minutes.

Mr. REED. I thank the Chair.

Mr. President, my amendment would raise the end strength of the U.S. Army by 10,000 soldiers. It is fully paid for this year through the Iraqi freedom fund.

In the process of rebuilding Iraq, we have to be very careful not to demolish our Army. It is stretched thin across the globe, with 320,000 soldiers in over 120 countries. They are serving us today. They will serve us tomorrow. They will do it with great distinction and fidelity to their service and to the country, but we have to make sure they have additional men and women to do the job.

We are already beginning to see the cracks. In Iraq, there are 1 million tons of ammunition that are not fully secured. Thousands of air defense shoulder-fired missiles are unaccounted because we simply do not have the troops to cover all the places.

If we want more forces in Iraq, then we have to have more forces in our end strength. Even if you do not want more forces in Iraq, we have to have an end strength that will support our deployment policy, and we do not right now.

This stress will show up in training opportunities missed, in retention and recruitment objectives missed, and a lack of flexibility to respond. It will be particularly important to our National Guard and Reserves because if we do not increase the Active Forces, the burden will fall more and more on Reserve Forces, and that burden over time is unsustainable.

I urge all of my colleagues to support this measure to help the soldiers. If we do not pass this measure, the next time you see your Guard men and women and reservists, you can tell them their bag better be packed because they will be going again and again.

I ask unanimous consent to add Senator BIDEN and Senator NELSON of Florida as cosponsors.

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

Mr. REED. Mr. President, I yield the remainder of my time to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I advise my colleagues to support Senator REED's amendment. I rise to support the Reed amendment because, in fact, everything he has said about why it is important to enhance and enlarge our force structure is exactly right. Force structures are not developed over a year, 2, 3, or 4. Force structures are developed over a long period of time.

When we are looking at 125,000 activated National Guard and Army Reserve units now, and probably more to be activated, we cannot sustain that kind of activity for the long term. That means we are going to have to face up to reality—what the Senator from Rhode Island is talking about—and that is enlarge that force structure.

Currently in Afghanistan, Iraq, and the Balkans, almost in the entire military police force, our civil affairs force is made up of National Guard and Army Reserves. We cannot sustain that situation. We need more light infantry; we need more special forces; and we cannot do this on the cheap. As the President of the United States has said, this is a long-term commitment, not just in Afghanistan and Iraq, but the challenges that face us in the 21st century are new challenges, different kinds of challenges that will require different force structures. That means we cannot use just laser-guided munitions. Someone has to govern—nation building—exactly what we are doing in Afghanistan and Iraq.

I know this is imperfect. This maybe is not the exact way to do this, but it is something this body, this Congress, this Nation needs to face up to, and they need to face up to it now.

I hope my colleagues take a serious look at this amendment. As my colleague from Rhode Island said, this does not come out of the President's \$87 billion package.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, current law allows the services to exceed end strength by 3 percent. Currently, there are about 9,000 soldiers who already exceed the end strength. They have another 5,000 that they can increase. This will take money from the amount they need. I strongly understand the Senator's request, as well as Senator HAGEL, but I would like to yield 45 seconds to Senator MCCAIN and 25 seconds to Senator SESSIONS and then be recognized to make a motion to table.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I share the view of the Senator from Rhode Island and the Senator from Nebraska that we need more troops in the military. We have authorized that in the Defense authorization bill. I agree that there are specific needs in Iraq and our Guard and Reserves are overstressed. I believe this is not the appropriate vehicle. I believe it is an earmark of the \$87 billion, and at this juncture it would take away from the flexibility that is necessary for the spending of this money. I hope we could address this issue in the fashion which it deserves both in Defense authorization and Defense appropriations bills.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I have given a lot of thought to this, and I believe that we should not pass the Reed amendment at this time. I have spoken with General Schoomaker, Chief of Staff of the Army on this subject. He says: Give me time to study what we need, to study transformation, to review our MOS structure, and then I will make a recommendation. General Abizaid also clearly says that we do not need more troops in Iraq. We are beginning to reduce our troop presence in Iraq. We are presently at 138,000 down from 250,000.

CBO has said increasing our end-strength is not an answer to current stress. It will take 2 years to get the troops proposed in this amendment trained and fielded. I urge us not to go forward with this amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, the Army has 501,000 soldiers serving on active duty. Not only is this above the authorized end strength of 480,000, it is also above the 3 percent variance rate. The Army desperately needs troops, and we can provide them these troops today. This is funded through the Iraqi freedom fund, a \$1.9 billion unrestricted account that the Secretary of Defense has. In fact, as I understand it, the Secretary of Defense could turn around tomorrow and use this money for these troops. We can do it today. We should do it today. We cannot stand these stresses much longer. We can give General Schoomaker more time, but the troops that are today in Afghanistan, in Iraq, and around the globe need to know that we are going

to send them the reinforcements they need through the active services.

I yield my time.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, it will take 3 to 5 years to train those additional soldiers. I do not know from where the Senator is getting his information. I get mine in writing from the Department of Defense, and I stated the figures as we understand them. We do not need any more troops. General Abizaid testified he has troops he does not need, and he is going to start bringing some home.

I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. The sponsor of the amendment still has 25 seconds. Does the sponsor of the amendment yield time?

Mr. REID. I will yield back his time.

The PRESIDING OFFICER. Without objection, it is so ordered. The time is yielded back.

The yeas and nays have been requested. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion to table amendment No. 1834. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

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

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

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 382 Leg.]

YEAS—45

Alexander	Crapo	Lugar
Allard	Dole	McCain
Allen	Domenici	McConnell
Bennett	Ensign	Miller
Bond	Enzi	Murkowski
Brownback	Feingold	Nickles
Bunning	Feinstein	Roberts
Burns	Fitzgerald	Santorum
Campbell	Frist	Sessions
Chambliss	Graham (SC)	Shelby
Cochran	Grassley	Smith
Coleman	Gregg	Specter
Collins	Hatch	Sununu
Cornyn	Kyl	Thomas
Craig	Lott	Warner

NAYS—52

Akaka	DeWine	Lautenberg
Baucus	Dodd	Leahy
Bayh	Dorgan	Levin
Biden	Durbin	Lincoln
Bingaman	Graham (FL)	Mikulski
Boxer	Hagel	Murray
Breaux	Harkin	Nelson (FL)
Byrd	Hollings	Nelson (NE)
Cantwell	Hutchison	Pryor
Carper	Inhofe	Reed
Chafee	Inouye	Reid
Clinton	Jeffords	Rockefeller
Conrad	Johnson	Sarbanes
Cornize	Kennedy	Schumer
Daschle	Kohl	
Dayton	Landrieu	

Snowe
Stabenow

Stevens
Talent

Voinovich
Wyden

NOT VOTING—3

Edwards

Kerry

Lieberman

The motion was rejected.

The PRESIDING OFFICER. The Senator from Louisiana.

CHANGE OF VOTE

Ms. LANDRIEU. On rollcall vote 382, I voted yea. It was my intention to vote nay. Therefore, I ask unanimous consent that I be permitted to change my vote since this will not affect the outcome.

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

(The foregoing tally has been changed to reflect the above order.)

Mr. STEVENS. Madam President, I enter a motion to reconsider.

The PRESIDING OFFICER. The motion is entered.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will—

Mr. REID. Will the Senator withhold that request?

The PRESIDING OFFICER. Will the Senator withhold?

Mr. STEVENS. Yes.

AMENDMENT NO. 1835 WITHDRAWN

Mr. REID. Madam President, I ask unanimous consent that amendment No. 1835 be withdrawn.

Mr. STEVENS. There is no objection.

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

AMENDMENT NO. 1838

Mr. REID. Madam President, I ask unanimous consent that the pending amendment be set aside, and I send an amendment to the desk on behalf of Senators REID, MCCAIN, and LINCOLN.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself, Mr. MCCAIN, and Mrs. LINCOLN, proposes an amendment numbered 1838.

The amendment is as follows:

(Purpose: To permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability)

At the end of title I, add the following:

SEC. 316. (a) RESTORATION OF FULL RETIRED PAY BENEFITS.—Section 1414 of title 10, United States Code, is amended to read as follows:

“§ 1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans’ disability compensation

“(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.—Except as provided in subsection (b), a member or former member of the uniformed services who is entitled to retired pay (other than as specified in subsection (c)) and who is also entitled to veterans’ disability compensation is entitled to be paid both without regard to sections 5304 and 5305 of title 38.

“(b) SPECIAL RULE FOR CHAPTER 61 CAREER RETIREES.—The retired pay of a member re-

tired under chapter 61 of this title with 20 years or more of service otherwise creditable under section 1405 of this title at the time of the member’s retirement is subject to reduction under sections 5304 and 5305 of title 38, but only to the extent that the amount of the member’s retired pay under chapter 61 of this title exceeds the amount of retired pay to which the member would have been entitled under any other provision of law based upon the member’s service in the uniformed services if the member had not been retired under chapter 61 of this title.

“(c) EXCEPTION.—Subsection (a) does not apply to a member retired under chapter 61 of this title with less than 20 years of service otherwise creditable under section 1405 of this title at the time of the member’s retirement.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘retired pay’ includes re-tainer pay, emergency officers’ retirement pay, and naval pension.

“(2) The term ‘veterans’ disability compensation’ has the meaning given the term ‘compensation’ in section 101(13) of title 38.”.

(b) REPEAL OF SPECIAL COMPENSATION PROGRAMS.—Sections 1413 and 1413a of such title are repealed.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the items relating to sections 1413, 1413a, and 1414 and inserting the following:

“1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans’ disability compensation.”.

(d) EFFECTIVE DATE; PROHIBITION ON RETROACTIVE BENEFITS.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the first day of the first month that begins after the date of the enactment of this Act.

(2) RETROACTIVE BENEFITS.—No benefits may be paid to any person by reason of section 1414 of title 10, United States Code, as amended by subsection (a), for any period before the effective date under paragraph (1).

Mr. REID. Madam President, if the Senator will allow me to state what I think is in the process of happening, the Senator from Nevada is going to take about 5 minutes, and the Senator from West Virginia would take the remainder of the time until 12:30. He is going to offer an amendment. Senator BYRD is going to offer an amendment, if that is appropriate with the manager.

Mr. STEVENS. Will the amendment be called up at that time?

Mr. REID. Yes. Senator ENSIGN would like to be recognized to speak for 5 minutes on his amendment, and Senator BYRD has an amendment. We understood, based on previous conversations, that the majority was going to offer amendments. We were of the impression there was no one here to offer one before 12:30, other than the Senator from Nevada, Mr. ENSIGN.

Mr. STEVENS. Madam President, the Senator is correct, although we are working on that. As I understand it, does the Senator from Nevada expect to go to a vote right away?

Mr. REID. Whenever the Senator wants to go to a vote. I know leadership wants a vote.

Mr. STEVENS. We have two other Senators who are ready on this side.

Senator WARNER and Senator GRAHAM of South Carolina are ready to offer amendments on this side.

Mr. REID. Senator BYRD was only doing this out of his normal courtesy. He had other things to do. He was willing to come here and do this at this time because we thought there was no one to offer an amendment on that side.

Mr. STEVENS. Is the Senator's amendment already offered?

Mr. REID. No. So if you have people here ready to go, I ask Senator BYRD, would that be OK that they go?

Mr. BYRD. Sure.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. If I could take a minute, Madam President.

I know this last vote was a close vote. There was some trouble in determining the final outcome of the vote. But I do say this, speaking for me and for the Democratic leader, we are doing our best to cooperate, but things are not going very quickly here, and I am not confident, at this stage, we can complete this bill. We want to. We have every intention of doing so. But, as I indicated a few minutes ago, when a vote takes 38 minutes and this one takes—how long has this vote taken, Madam President?

The PRESIDING OFFICER. Twenty-eight minutes.

Mr. REID. How long?

The PRESIDING OFFICER. Twenty-eight minutes.

Mr. REID. I think that speaks for itself. I hope we can move along more quickly. It is not anything that we are doing that is slowing this down. We have a number of Senators over here who wish to offer amendments. I know the majority has some. So I think tonight and tomorrow night could be very late nights.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, I confess I was in another meeting when I got the word that the vote was not as I expected it. As manager of the bill, I am obligated to take the time to try to achieve the goal that has been set by the administration and by the majority. So I do apologize. But that was an extra amount of time needed to determine what tactic I should use to try to achieve the goal I think the Senator from Nevada would use if he were in my shoes. So we respect one another.

He is right; we went over and we said, just minutes ago, we would not. But a contingency developed that I do not think I need to apologize for. I just need to explain.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 1839

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

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report.

The legislative clerk read as follows: The Senator from Nevada [Mr. ENSIGN] proposes an amendment numbered 1839.

Mr. ENSIGN. 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 reduce the amount available for reconstruction in Iraq by the amount that is used to repay bilateral debts owed by Iraq)

On page 38, between lines 20 and 21, insert the following new section:

SEC. 2313. (a) Not later than April 30, 2004, the Secretary of Defense shall submit a certification to Congress of the amount that Iraq will pay, or that will be paid on behalf of Iraq, during fiscal year 2004 to a foreign country to service a debt incurred by Iraq during the regime of Saddam Hussein, including any amount used for the payment of principal, interest, or fees associated with such debt. Such certification shall include—

(1) the actual amount spent for such purpose during the period from October 1, 2003 through March 31, 2004; and

(2) the estimated amount that the Secretary reasonably believes will be used for such purpose during the period from April 1, 2004 through September 30, 2004.

(b) On May 1, 2004, the Director of the Office of Management and Budget shall administratively reserve, out of the unobligated balance of the funds appropriated in this title under the subheading "IRAQ RELIEF AND RECONSTRUCTION FUND" under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT", the amount that is equal to the sum of the amount certified under paragraph (1) of subsection (a) and the estimated amount certified under paragraph (2) of such subsection. The amount so reserved may not be obligated or expended on or after such date.

(c) The Director of the Office of Management and Budget shall impose such restrictions and conditions as the Director determines necessary to ensure that, in the apportionment of amounts appropriated as described in subsection (b), the balance of the total amount so appropriated that remains unobligated on May 1, 2004, exceeds the amount that is to be reserved under subsection (b).

(d) It is the sense of Congress that each country that is owed a debt by Iraq that was incurred during the regime of Saddam Hussein should forgive such debt, including any amount owed by Iraq for the principal, interest, and fees associated with such debt.

Mr. ENSIGN. Mr. President, we don't intend to stay in Iraq forever. And we don't intend to rebuild Iraq—that is a task for the Iraqi people.

Our exit strategy—the way to get our troops home—is to make sure that Iraq's economy can produce sufficient revenue to pay for its own reconstruction—so Iraq is not dependent on International assistance.

Our exit strategy is to help train Iraqi police, border patrol, and its armed forces and civil defense forces so Iraq is not dependent on foreign troops for its own security.

The President's request is designed to help Iraqis get on a path to self-reliance, so U.S. forces can come home, and so the U.S. taxpayer does not have to foot the bill for Iraq's reconstruction.

Unfortunately, it is going to be difficult to kick-start Iraq's economy—even with a generous U.S. aid package—because Iraq is saddled with an enormous amount of debt from Saddam Hussein's regime.

For example, according to the White House, the bi-lateral debt owed by Iraq includes:

\$8.9 billion to Japan;

\$6.9 billion to Russia;

\$6 billion to France;

\$4.8 billion to Germany;

\$30–50 billion to Gulf countries;

\$8.2 billion to Kuwait;

\$18 billion to Non-Paris club countries like China, Korea, and Turkey.

Mr. President, I realize that none of the funds appropriated by this bill may be used to service a debt that is owed by Saddam Hussein's regime. So I am not worried that any of the \$20 billion the President has requested for Iraq will directly end up in the pockets of the French.

But money is fungible. If we pass this bill, as it stands right now, a future Iraqi government could use new oil revenues to pay back France billions of dollars while accepting billions in U.S. foreign aid. After all, Iraq has already sold about \$1.6 billion in oil exports since they resumed this summer.

Americans are a generous people. We are willing to make sacrifices.

But we are not going to spend our hard-earned tax dollars to bail out France—money France lent to Saddam Hussein.

My amendment is simple. It reduces the amount available for reconstruction in Iraq by the amount that is used to repay bilateral debts owed by Iraq. So for every dollar that goes to a country like France, a dollar is subtracted from the U.S. foreign aid package.

This is a commonsense way to make sure that U.S. funds are spent where they are needed—in Baghdad—instead of Paris, Moscow, or Berlin.

Mr. MCCONNELL. 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, I have examined the amendment offered by the Senator from Nevada and it has two basic requirements. One is a certification of the amount Iraq will pay or that will be paid on behalf of Iraq, during fiscal year 2004 to a foreign country to service a debt incurred by Iraq, including any amount used for the payment of principal, interest, et cetera. This deals with the amounts that were debts of the former regime of Iraq. It states:

On May 1, 2004, the Director of the Office of Management and Budget shall administratively reserve, out of the unobligated balance of the funds in this title under the subheading Iraq Relief and Reconstruction Fund

... the amount that is equal to the sum of the amount certified under paragraph (1).
...

Namely, it is the amount that has been used from any source to service the debt that Iraq owed under the Saddam Hussein regime.

Madam President, we take the position there will be no such payment. In any event, we don't see any harm in finding out if there is such a payment and dealing with that subject accordingly. Therefore, I am prepared to state to the Senator from Nevada we have no objection to the amendment of the Senator under the circumstances right now, and I will rely upon the statement of the distinguished Senator from West Virginia to determine whether there is objection from his side of the aisle. It is not an amendment I really seek to have enacted. In all probability, it may be substantially changed in conference if it does survive. But it is not something that offends the process we are involved in now. We don't know of any payments that would be made by any country on behalf of the former regime of Saddam Hussein to deal with the debt that existed under that regime.

Therefore, I will not oppose the amendment. I seek the advice of the Senator from West Virginia as to what they intend to do concerning this amendment. Does the Senator wish some additional time to consider this matter? Would he like to take the recess now and come back and deal with this after our weekly luncheon?

Mr. BYRD. Madam President, it is my information that this side has not yet adequately followed this amendment and has not seen it until recently to the extent that we are prepared to accept it. It appears to be a good amendment, but we may or may not want to accept it. Will the Senator allow us a little time for further study?

Mr. STEVENS. Yes. Madam President, I thank the Senator. I think the Senator will remember, as we wound up the session just prior to the recess, there were a series of amendments that were under consideration. Senator ENSIGN's was one of those. I think Members of our side checked with staff on the Senator's side, but we are probably not dealing with the right people. We had to pull the Ensign amendment at the last minute because we didn't have the clearance we thought we had.

I suggest we just stand in recess now and address this matter when we come back after the scheduled recess.

Mr. BYRD. I thank the Senator.

RECESS

Mr. STEVENS. Madam President, I ask unanimous consent that we stand in recess, according to the previous order, until the hour of 2:15 p.m.

There being no objection, the Senate, at 12:26 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mrs. DOLE).

ORDER OF PROCEDURE

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. REID. Madam President, the Senator from Florida spoke just before the break to both managers of the bill. He wishes to speak for 4 minutes on an unrelated subject. I ask unanimous consent that he be allowed to do so.

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

CONGRATULATIONS TO THE CHINESE

Mr. NELSON of Florida. Madam President, there is at this moment in orbit the first Chinese astronaut. Their successful launch of a piloted spacecraft marks the beginning of a new chapter in the history of human exploration of space. Just the third nation to accomplish such a feat, I am happy on behalf of the Senate to welcome China into an elite group of nations that can independently send humans to explore the heavens.

The United States and Russia established manned space programs decades ago and are pleased to have a new ally—we hope a new ally—in the quest to explore space.

China's program will provide additional resources, I hope fresh ideas, and renewed enthusiasm for space exploration. My hope is that China will become a partner in our ongoing international efforts, such as the International Space Station, to make technological advances and to help solve mysteries of outer space.

As China undertook its first such mission, my thoughts were with the first taikonaut who is the sole space flyer on Shenzhou 5. Americans know all too well the potential risk of space flight, and we commend this astronaut's courage.

Americans also know that the benefits of space exploration outweigh the risks. We expect that the Chinese will reap rewards that space missions offer—to learn and to explore, to advance technology, and to uplift the human spirit.

Now that China has opened a new chapter in human space flight history, it is fitting that America refocus our own goals on exploration. Now is the time to renew our commitment to space exploration with a vision that will capture the imagination and the support of the people on planet Earth.

Congratulations to the Chinese. We look forward to a successful return, as he reenters, starting about 5 o'clock, as that reentry falls through space for about 30 minutes, and then as he starts encountering the upper atmosphere about 30 minutes from landing, which is a very perilous part of the journey, as we have very painfully learned as American citizens in the experience we had last February.

I am very confident our future missions at NASA will be quite successful.

I again commend Admiral Gehman and his commission for the excellent report of the Gehman Commission. I commend NASA and I encourage NASA to adopt all of the recommendations of the Gehman Commission. We again welcome the Chinese into this select fraternity of space-faring nations from planet Earth.

I yield the floor.

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.

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.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR IRAQ AND AFGHANISTAN SECURITY AND RECONSTRUCTION, 2004—Continued

AMENDMENT NO. 1839

Mr. STEVENS. Madam President, the pending business is the Ensign amendment?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. I now believe that has been cleared and I urge adoption of that amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 1839.

The amendment (No. 1839) was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote.

Mr. REID. 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. Senator BYRD has cleared the amendment to which we already agreed. He is ready to offer other amendments, as others are. We certainly want to cooperate and have the Republicans offer a number of amendments. We have more to offer than they do, but they have an opportunity to offer theirs. At this time, I suggest the Senator from New Mexico be recognized. If, in fact, Senator GRAHAM of South Carolina shows up, the Senator from New Mexico will be happy to yield to him. He is only going to speak for 10 minutes anyway.

Mr. STEVENS. Madam President, if the Senator will yield.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. My understanding was it was time for us to start moving some of the amendments on our side.

Mr. REID. We understand.

Mr. STEVENS. Senator GRAHAM of South Carolina, Senator WARNER, and Senator DOMENICI are coming. So I hope to proceed then. I have no objection to the Senator from New Mexico