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Senate

EMERGENCY SUPPLEMENTAL APPROPRIATIONS—Continued

AMENDMENT NO. 1868

The PRESIDING OFFICER. Under the previous order, there are now 4 minutes equally divided on the motion to table the Lautenberg amendment.

The Senator from New Jersey is recognized.

Mr. LAUTENBERG. I thank the Chair.

Mr. President, I offer this amendment to correct the situation that came about as a result of Vice President CHENEY's statement on "Meet the Press" a couple of weeks ago. I wish to quickly respond to some things that were said about my amendment and the Vice President's links to Halliburton.

First, Halliburton absolutely had a no-bid contract with the Army Corps for oil-related services in Iraq, and it has billed American taxpayers \$1.4 billion so far. No other company was given the opportunity to bid. That contract occasioned a unanimous vote, led by the chairman of the Armed Services Committee, that we would not allow that kind of contract to appear again. It is stated on the record by Senator WARNER from Virginia.

Halliburton has other contracts that were bid, but the massive oil services contract was not.

Second, I appreciated the reading of the Vice President's comments on "Meet the Press" because even CRS agreed that deferred compensation and stock options held by the Vice President are, in fact, financial interests in Halliburton.

Third, the other member of the President's Cabinet who came into service after serving as CEO, John Snow, took his deferred compensation in a lump sum and got rid of his stock options immediately. That is the right thing to do when you are at the top of the executive branch with the direct ability to affect billions of dollars in contracts.

I urge my colleagues to attach some ethical guidelines to the Iraq recon-

struction funds. I urge my colleagues to think it through and send a picture out to the American public that says: No, no one is on the inside enough that they can influence what happened and profit from a position that takes us through the reconstruction of Iraq after the war.

The PRESIDING OFFICER. The Senator's time has expired. Who speaks in opposition?

The Senator from South Carolina.

Mr. GRAHAM of South Carolina. Mr. President, in 2 minutes it is hard to respond the way the Vice President deserves to be defended. I tell every Member this: I am preparing a memo on the statement on "Meet the Press" with the Vice President, his relationship with Halliburton, his financial disclosure form, what he did in 1998, what he did in 2000, and what he did in 2002.

Vote however you like. I am going to join sides with most of my Democratic friends in a minute and oppose the Vice President and the President on something very important to them. This amendment is political slander. This amendment has as its basis untruth and is factually incorrect. In 1998, the Vice President chose a deferred compensation package that was irrevocable. He couldn't change his mind. He insured that package with a private insurance policy because the Office of Government Ethics told him that is what everybody does, and he was exempt from going to the Office of Government Ethics.

I will ask unanimous consent to introduce the Vice President's financial disclosure form. He went above and beyond the call of duty. He has no financial interest in Halliburton. You are trying to accuse him of being a liar. Your facts are wrong. This is manipulation. This is politics at its worse. Please, look at what you are doing before you vote here. The Vice President doesn't deserve this, and I am going to send you a memo with what I believe to be the true facts, and we are going to get to the bottom of this.

Mrs. LINCOLN. Mr. President, as a member of the Senate Ethics Committee, I take seriously any action which raises questions about the integrity of the Federal Government. I believe firmly that the Federal contracting process in Iraq and elsewhere should be transparent and accountable to ensure Federal tax dollars are spent appropriately. Like many of my constituents, I question the circumstances under which Halliburton was awarded a contract in Iraq in a process that did not include soliciting competitive bids from other companies. I believe all aspects of that transaction should be carefully examined and open to public inspection.

While I sympathize with the proponents of the Lautenberg amendment, I do not believe a punitive, absolute statutory prohibition is the correct approach under the circumstances. Instead, I support efforts to ensure Federal contracts in Iraq are awarded through a process that is subject to rigorous Congressional oversight and that applies strict penalties for any unethical or illegal conduct that is uncovered. Additionally, I believe contracts should be awarded through full and fair competition.

As a U.S. Senator, I am ethically bound to conduct my official duties in a manner that avoids even the appearance of impropriety. I fully intend to honor that commitment to my country and my constituents. I also intend to hold the Bush administration to the same standard.

Mr. ENZI. Mr. President, this is a very curious amendment. It tries to take a stealth approach to the matter, but in fact, its real purpose is pretty obvious. I don't think anyone will be fooled by it because we all know who it is directed against.

Back in my home State of Wyoming, a lot of people who know DICK CHENEY will be surprised to see the Senate using its valuable time in what some might see as a witch hunt against the

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



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President and Vice President. It's a curious time for such an activity—even if Halloween is rapidly approaching.

Now, I'm not standing here to defend the Vice President because he is from Wyoming. I'm not even defending him because he's a fisherman either—though to accept this amendment at face value you have to swallow hook, line and sinker some pretty misleading information.

In fact, I can tell you, because I've fished with him, that although fishermen sometimes have an unjust and unfair reputation for telling stories, the only thing fishy about this whole affair is the text of this amendment.

First of all, the amendment should be withdrawn because the vice President has gone out of his way to explain his ties to his old company and what they mean to him financially. No matter what happens in the months to come, nothing will benefit him personally. Still, we have some Members who aren't quite satisfied.

Right now a couple of us Senators have blind trusts. It's an interesting thing that this amendment takes such a strong stand against a Vice President who took the same ethical approach to this issue that I did.

This whole situation points out the need for a national energy policy. Halliburton has come under attack because there were fluctuations in oil and gas prices that forced some mega mergers to occur to keep the energy companies competitive. As a result, there were only a few companies that could provide the service that was needed on such short notice. Still, that isn't a good enough explanation for some.

Even if we ignore that piece of the puzzle, however, the important thing to note is the Vice President's decision to donate to charity the after-tax proceeds he would receive from the exercise of his Halliburton stock options. In other words, even if his options were to increase in value as a result of anything that happened during this time, he still wouldn't receive anything from it.

Who would? you might ask.

According to the Vice President's signed agreement from January 28, 2001, there are three charities named. They are the Capital Partners for Education, the George Washington University Medical Facility Associates and the University of Wyoming.

I believe it is clear that there is no basis for the allegations or concerns that led to the production of this amendment and it clearly should be withdrawn. It goes against the grain of fairness, it can only be defended by misrepresenting the facts on the Vice President's financial interests, and it can't be seen as anything but an unfair commentary on the Vice President's and the President's commitment to ethics.

No serious-minded individual who belongs to any political party, really believes this amendment is necessary or needed. It must be withdrawn and an

apology extended to both the Vice President and the President for its promotion.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, has all time expired on this amendment?

The PRESIDING OFFICER. The Democratic time has expired. There are 30 seconds remaining to the Senator from South Carolina.

Mr. REID. I advise everyone, this next vote is a 10-minute vote. The prior vote was a 15-minute vote and went about 27, 28 minutes. I hope we can have the 10-minute vote in maybe 20 minutes.

The PRESIDING OFFICER. The Senator's point is well taken.

Mr. GRAHAM of South Carolina. Mr. President, do I have 30 seconds?

If you wonder what he did with the stock options, he assigned them all to charities. Look at the facts before you vote because the facts do not sustain these allegations. The allegations are off base. I promise you, I will send you a memo. Please look before you vote. I move to table.

Mr. NICKLES. I move to table the amendment.

The PRESIDING OFFICER. The motion to table has already been made. The yeas and nays have already been ordered. This is a 10-minute vote, under the previous order.

The question is on agreeing to the motion to table amendment No. 1868. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

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

The result was announced—yeas 65, nays 34, as follows:

[Rollcall Vote No. 386 Leg.]

YEAS—65

Alexander	Crapo	Lugar
Allard	DeWine	McCain
Allen	Dole	McConnell
Bayh	Domenici	Miller
Bennett	Dorgan	Murkowski
Biden	Ensign	Nelson (FL)
Bingaman	Enzi	Nelson (NE)
Bond	Fitzgerald	Nickles
Breaux	Frist	Roberts
Brownback	Graham (FL)	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Campbell	Gregg	Smith
Carper	Hagel	Snowe
Chafee	Hatch	Specter
Chambliss	Hutchison	Stevens
Cochran	Inhofe	Sununu
Coleman	Jeffords	Talent
Collins	Kyl	Thomas
Conrad	Landrieu	Voinovich
Cornyn	Lincoln	Warner
Craig	Lott	

NAYS—34

Akaka	Durbin	Kohl
Baucus	Edwards	Lautenberg
Boxer	Feingold	Leahy
Byrd	Feinstein	Levin
Cantwell	Harkin	Mikulski
Clinton	Hollings	Murray
Corzine	Inouye	Pryor
Daschle	Johnson	Reed
Dayton	Kennedy	
Dodd	Kerry	

Reid	Sarbanes	Stabenow
Rockefeller	Schumer	Wyden

NOT VOTING—1

Lieberman

The motion was agreed to.

Mr. HATCH. Mr. President, I have been carefully listening to this debate for weeks, and I have tried to keep an open mind to the opposition's arguments—insofar as those arguments have been substantive.

I have been dismayed by the deliberate manipulation of statements and arguments that have been made by members of the other party, such as:

Denunciations of the President over the fact that weapons of mass destruction have not been discovered to date, despite the fact that reports issued as late as last week indicate the fact that reports issued as late as last week indicate that Saddam had clandestine plans and activities for systems proscribed by the international community under international law. False assertions that the President claimed an imminent threat on the eve of this decision to remove Saddam Hussein from power, when in fact the President stated in his State of the Union:

Some have said we must not act until the threat is imminent. Since when have terrorists and tyrants announced their intentions, politely putting us on notice before they strike? If this threat is permitted to fully and suddenly emerge, all actions, all words, and all recriminations would come to late.

Some of this rhetoric, we must, regrettably, accept as the level of debate that now occurs. But nothing offends me more than suggestions that members of this administration, particularly my dear friend, the Vice President, have venal motivations attached to the policy decisions they support.

DICK CHENEY is an older friend of mine. He has sacrificed for his country most of his life. He does so today. When the chairman of the Appropriations Committee responds to the amendment by the Senator from New Jersey by calling it a slur, I have to agree. DICK CHENEY has not benefitted from this war, and I find it a profound calumny that anyone would imply that.

I ask my colleagues that we return to a dignified level of debate, where we try to advance, improve on the grave issues of war and peace before us.

I beg my colleagues that we desist from the politics of imputing venality on those who are serving the public trust.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I will send up an amendment.

Mr. STEVENS. Mr. President, will the Senator yield without losing his right to the floor? For the information of Senators, Senator INOUE is here. He is waiting. He has to make a statement. And Senator MCCONNELL has the floor now for his amendment.

I ask unanimous consent that following the disposition of the McConnell amendment, the Senator from Hawaii have 20 minutes.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Reserving the right to object, the Senator from Connecticut and I wanted to enter into a very short colloquy about an unrelated matter. Therefore, if it would be all right with the chairman, I ask to amend the consent to allow for a brief colloquy between Senator DODD and myself on an entirely different matter.

Mr. STEVENS. I have no objection. Just, when Senator MCCONNELL yields the floor, that Senator INOUE get the floor. I did commit we would set aside some time for him to make a statement. He has not made a statement on the bill yet.

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

AMENDMENT NO. 1874

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

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

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1874.

Mr. MCCONNELL. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . SHORT TITLE.

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

(1) That on October 7, 2001, the Armed Forces of the United States and its coalition allies launched military operations in Afghanistan, designated as Operation Enduring Freedom, that quickly caused the collapse of the Taliban regime, the elimination of Afghanistan's terrorist infrastructure and the capture of significant and numerous members of Al Qaeda;

(2) That on March 19, 2003, the Armed Forces of the United States and its coalition allies launched military operations, designated as Operation Iraqi Freedom, that quickly caused the collapse of Saddam Hussein's regime, the elimination of Iraq's terrorist infrastructure, the end of Iraq's illicit and illegal programs to acquire weapons of mass destruction, and the capture of significant international terrorists.

(3) That success in those two campaigns in the Global War on Terrorism would not have been possible without the dedication, courage, and service of the members of the United States Armed Forces and their coalition partners;

(4) That throughout the proud military history of our nation, we have recognized our brave men and women of the Armed Forces by awarding them service medals for personal bravery and other leadership actions and for their service in military operations abroad and for support operations at home and abroad;

(5) That historically the President has relied on senior military officers to recommend the personal and theater campaign medals and that, in keeping with these longstanding traditions, the Joint Chiefs of Staff and the combatant commanders, including General Tommy Franks, U.S. Army, former

Commander of the United States Central Command, recommended the awards described below in recognition of the worldwide nature of the current conflict;

(6) That following the advice of his senior military and civilian defense leaders, President Bush, by Executive Order 13289 on March 12, 2003, established the Global War on Terrorism Expeditionary Medal to be awarded to service members who serve in military operations to combat terrorism on or after September 11, 2001, including, but not limited to actions in Operations Enduring Freedom and Operation Iraqi Freedom, in such locations as Afghanistan, Iraq, the Republic of the Philippines, and elsewhere in Southwest Asia, in recognition of the sacrifice and contributions military members make in the global war on terrorism;

(7) That eligibility for the Global War on Terrorism Expeditionary Medal is predicated on deployment abroad for 30 days or more in support of Global War on Terrorism operations on or after September 11, 2001;

(8) That by the same Executive Order, the President established the Global War on Terrorism Service Medical recognizing duty in Operation Noble Eagle and the homeland defense mission against further terrorist attacks, and which recognizes duty in support of military operations performed in areas that do not qualify for the Global War on Terrorism Expeditionary Medal; and

(9) That implementing regulations for eligibility have not been issued by the Secretary of Defense.

(b) SENSE OF THE SENATE ON THE AWARD OF CAMPAIGN MEDAL.—It is the sense of the Senate that the Secretary of Defense should, on an expedited basis, issue the necessary regulations to implement these awards and ensure that any person who renders qualifying service with the Armed Forces in those phases of the Global War on Terrorism including Operation Iraqi Freedom, Operation Enduring Freedom, and Operation Noble Eagle should promptly receive these awards.

HELP AMERICA TO VOTE ACT

Mr. MCCONNELL. Mr. President, the Senator from Connecticut and I wanted to address the Senate just for a few moments on another matter. I yield the floor and suggest the recognition of the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I thank my colleague from Kentucky.

Very briefly, I had intended to offer an amendment at an appropriate time, most reluctantly, because it is unrelated to the subject matter at hand. But all my colleagues can relate to this frustration from time to time. When there is something you want to get done and you have few opportunities to get it done, you pick any vehicle coming along which might help you get it done. Recognizing that this was going to be one of the last funding measures to move along this year, I had intended at the appropriate time to offer an amendment that would have provided additional resources for the Help America Vote Act, on which my friend from Kentucky and Senator BOND and many others played a very critical role almost a year ago when it became the law of the Nation. In fact, October 29, 2003, will mark the 1-year anniversary of the day the President signed the legislation into law.

I am hopeful we can get the level of funding up to full in a timely manner. As all my colleagues must know, almost every Secretary of State, local election official, and legislative officer around the country are anxious for Congress to meet our obligations. The states can then get their election administration and technology up and running in the years 2004–2006 in a way that will be in compliance with the efforts made to pass the Help America Vote Act in the first place.

But my colleague from Kentucky, as he has done on numerous occasions, has persuaded me there may be a better opportunity and a better place to get this job done. So I wanted to take a moment out to express my appreciation. I thank him for his willingness to help me try to achieve these results in the coming weeks if at all possible.

To reiterate, I was prepared to offer an amendment to fully fund the Help America Vote Act, HAVA. Senators CORZINE, JOHNSON, and DURBIN had asked to cosponsor that amendment.

Why? Because now is the time to make our rhetoric a reality to live up to our promise of just 1 year ago to fully fund the new Federal requirements we imposed on the States for conducting Federal elections.

The President has recognized that Iraq and Afghanistan have many emergency needs, including the ability of those nations to establish democracies by conducting free and fair elections.

As a result, the administration request for the fiscal year 2004 Supplemental Appropriations for Iraq, Afghanistan and the Global War on Terrorism earmarked at least \$35 million for voter registration and elections in Afghanistan.

I accept that priority. All countries must have the resources to establish and maintain their democracies and to administer and conduct elections for their citizens. The voice of the people, exercised at the polls, secures the future of any democracy, whether abroad or at home. And while I remain unconvinced that all of the funding in this bill is truly an emergency—such as for \$3,000 computers or \$50,000 dump trucks—when it comes to election funding, I will agree with the President. Funding to ensure the system by which a nation establishes and preserves a democracy is an emergency.

But if it is an emergency in Afghanistan, it can be no less of an emergency in America. The basic premise of a democracy is that every citizen must have an equal voice in the determination of its government. In this Nation, that voice is expressed through the equal opportunity to cast a vote and have that vote counted. If America is to be the example for emerging democracies, whether in Afghanistan, or Iraq or any other part of the world, then our system of giving our citizens an equal voice—our system of elections—must meet this test.

But what we learned in the elections of 2000 was that not all American citizens enjoyed an equal voice. In fact,