

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,

some citizens were denied a voice at all because of malfunctioning or outdated voting equipment, inaccurate and incomplete voter registration records, and allegations of voter intimidation and fraud.

A bipartisan group of members came together last Congress to change that and on October 29—almost exactly 1 year ago—President Bush signed into law the Help America Vote Act. At the signing ceremony at the White House, the President proclaimed:

[When problems arise in the administration of elections, we have a responsibility to fix them.

But rhetoric alone will not fix the problems. It will take leadership and funds, and that is what the Help America Vote Act provides—Federal leadership in the form of new minimum requirements that all States must meet in the conduct of Federal elections and \$3.8 billion to fund the implementation of these requirements.

Some of these requirements must be in place in time for the Federal elections next year. But Congress has failed to provide the funds to the States to finance them.

All 50 States have begun the process of drafting the required State plans outlining how Federal funds will be used to meet the requirements. Many of the States have begun implementation of the new requirements; but, they require full funding of the promised Federal funds to complete implementation of some requirements by next year and have compliant voting equipment in place by the 2006 Federal elections.

Federal funding is the most critical key to nationwide implementation of this Act and may well govern the success and effectiveness of the new law.

Federal funding is crucial. Since the States are in key planning and implementation stages of HAVA, they are relying on Federal funds to make election reform a reality nationwide.

To help pay for election reforms and avoid an unfunded mandate on the States, HAVA authorizes a total of \$3.9 billion over 3 fiscal years: \$2.16 billion in fiscal year 2003; \$1.04 billion in fiscal year 2004; and \$660,000 in fiscal year 2005.

But in fiscal year 2003, Congress appropriated only \$1.5 billion. Of that amount, \$650 million has been distributed to all 50 States, the District of Columbia, Guam, Puerto Rico, the U.S. Virgin Islands and American Samoa.

I thank my colleagues for their support during the fiscal year 2003 appropriations process. In particular, I thank my two lead co-sponsors of HAVA and both major players in the appropriations process—Senator MCCONNELL who was lead co-sponsor of election reform and Senator BOND who also co-sponsored HAVA and championed the anti-fraud provisions. I also thank Senator STEVENS, chair of the Appropriations Committee and Senator BYRD, ranking member on Appropriations.

But the fact is, the fiscal year 2003 appropriation reflects a reality starkly

different from our promise. As a result, the States have experienced a shortfall of over \$660 million in the first critical year of funding under HAVA. Given the dire financial budget constraints faced by our States and counties, the shortfall in promised Federal support creates an unfunded mandate that is both unfair and unnecessary.

While the fiscal year 2004 Transportation, Treasury appropriations bill has not been completed in the Senate, I note that both the President and Congress has earmarked a mere \$500 million for HAVA, a funding level that is half of what was authorized and is both inadequate and unacceptable.

According to the National Governors Association, the current financial health of State and local governments was at its lowest point since World War II last year and has worsened in the past 10 months.

Full Federal funding for HAVA is crucial to ensuring that the reforms that Congress overwhelmingly approved, on a broad bipartisan basis, and the President endorsed with his signature, are implemented. The very integrity of our elections, and consequently our democracy, hangs in the balance.

Surely, it cannot be argued that building “taj mahal” Iraqi prisons and market centers for the private sector in Afghanistan are more of an emergency than securing democracy in America.

We can do both. We must do both. But it is unacceptable to chose the reconstruction needs of Iraq and Afghanistan over the needs of our own democracy.

Full funding of HAVA is critical to our national credibility for fairness and accuracy in Federal elections. It is fundamental to the integrity of our democratic process.

The problem of Federal funding for HAVA can be solved by Congress today, now. The problem of Federal funding for HAVA can be solved right here in the context of the fiscal year 2004 Supplemental bill that we debate today.

I seek bipartisan support from my colleagues to help me strengthen democracy both abroad and at home—the same bipartisan support that lead 98 members of this Senate and 357 Members of the House to pass HAVA just 1 year ago; the same bipartisan support, and need, that encouraged President Bush to sign this legislation into law.

In order to make election reform a reality, and to live up to the promise we made to State and local officials to be a full partner in Federal elections, I intend to offer an amendment to this measure which will provide full funding for HAVA in an amount of \$1.86 billion. This amount reflects the total authorization for the Federal partnership.

This effort is overwhelmingly supported by a bipartisan and powerful coalition of State and local election officials, in conjunction with all the major civil rights, disability, language minority, and other voter interest groups in the United States.

I thank each and every one of them for their strong support in passing HAVA and their continuing commitment to see that Congress makes good on its promise to be a full partner in Federal elections by fully funding the provisions of HAVA.

I ask unanimous consent to have printed in the RECORD a letter by the coalition, entitled “Democracy Begins At Home: Fully Fund the Help America Vote Act.”

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

(See exhibit 1.)

Mr. DODD. Any effort to fully fund HAVA is as much of an emergency as the needs presented in the bill before us for Iraq and Afghanistan and I am prepared to ask the Senate to support full funding of HAVA on the same emergency basis.

However, there are sufficient funds in the reconstruction portion of this bill which are of questionable emergency status that can be used to offset the entire cost of fully funding election reform. For example, \$450 million from the public safety, national security and justice sector of this bill, including, \$400 million in funds to construct 2 maximum security prisons of 4000 beds each at a cost of \$50,000 per prison bed; and \$50 million for witness protection at a cost of \$1 million per Iraqi family.

There is \$1.02 billion from the electrical sector, including \$1 billion for the development and construct of thermal power stations—which are more expensive than other forms of power generation and will take up to 3 years to construct; and \$20 million for embedded consultants, building repairs and a master plan for the Iraqi Electricity Commission.

There is \$37 million from the public works section, including funds for waste management that would pay for a portion of the proposed 2,000 dump trucks, at a cost of \$50,000 per truck.

There is \$353 million from the private sector development funds, including \$200 million for an American-Iraq Enterprise Fund to be run by a private board of directors; \$85 million for 5000 computers at a cost of \$3000 per computer and basic and specialized computer training and teaching English as a second language to Iraqis; \$25 million to modernize equipment and curriculum in vocational institutes; and \$43 million subsidy to private employers for on the job training of new employees and the improvement of employment centers.

I close with a quote from the Coalition’s letter:

No Civil Right Is More Fundamental to America’s Democracy than the Right to Vote. As Our Nation Spends Billions of Dollars Helping to Promote Democracies Abroad, Congress Simply Should Not Allow Doubts about the Legitimacy of Our Electoral Process to Continue to Linger Here at Home.

I urge my colleagues to fulfill our commitment of last year to ensure the integrity of our Federal elections and

the very foundation of our democracy by fully funding the Help America Vote Act.

I commend Senator MCCONNELL for his commitment to securing additional funds this year, and so I will withhold offering my amendment at this time.

EXHIBIT 1

DEMOCRACY BEGINS AT HOME—FULLY FUND  
THE "HELP AMERICA VOTE ACT"

SEPTEMBER 29, 2003.

DEAR MEMBER OF CONGRESS: We, the undersigned organizations, urge you to ensure that full funding for the Help America Vote Act (P.L. 107-252) ("HAVA") is included in the upcoming supplemental appropriations for reconstruction efforts in Iraq and Afghanistan. As you know, the Bush administration has requested that Congress provide \$21.4 billion for these reconstruction efforts. We ask that Congress provide, at the same time, a mere fraction of that amount for the purpose of strengthening our own democracy here at home.

The Help America Vote Act was enacted with overwhelmingly bipartisan support in order to prevent the many problems of the 2000 election from ever happening again. Among its many reforms, it places significant mandates upon states and localities to replace outdated voting equipment, create statewide voter registration lists and provide provisional ballots to ensure that eligible voters are not turned away, and make it easier for people with disabilities to cast private, independent ballots.

To help pay for these reforms, HAVA authorizes a total of \$3.9 billion over three fiscal years, including \$2.16 billion for FY03 and \$1.045 billion for FY04. To date, however, the actual funding of HAVA has been woefully inadequate. So far, only \$1.5 billion of FY03 funding has been appropriated, and \$830 million of that amount has yet to reach the states because the President has not nominated and the Senate has not confirmed the members of the new Election Assistance Commission. Additionally, only \$500 million is currently included in pending FY04 appropriations; once again, this is a sum that falls well below what is needed for successful implementation of HAVA. States and localities were assured by Congress that this new law would not evolve into a set of unfunded federal mandates. It is now time for Congress to honor its commitment to the states and to the American public at large.

Given the difficult fiscal circumstances facing state and local governments, immediate and full funding of HAVA is now needed in order to make essential progress before Election Day in 2004. Without the strong leadership that HAVA promised at the federal level, states and local governments simply do not have the ability to complete implementation of the important reforms that they are now required to make.

No civil right is more fundamental to America's democracy than the right to vote. As our nation spends billions of dollars helping to promote democracies abroad, Congress simply should not allow doubts about the legitimacy of our electoral processes to continue to linger here at home.

We thank you for your support of funding for the "Help America Vote Act," and we look forward to working with you on this critical issue. Should you have any questions, please contact Rob Randhava of the Leadership Conference on Civil Rights at (202) 466-6058, Leslie Reynolds of the National Association of Secretaries of State at

(202) 624-3525, or any of the individual organizations listed below.

Sincerely,

ORGANIZATIONS REPRESENTING STATE AND  
LOCAL OFFICIALS

National Association of Secretaries of State.

National Conference of State Legislatures.  
Council of State Governments.

National Association of State Election Directors.

National Association of Counties.

National Association of Latino Elected and Appointed Officials Educational Fund.

National League of Cities.

International City/County Management Association.

International Association of Clerks, Recorders, Election Officials and Treasurers.

National Association of County Recorders, Election Officials and Clerks.

CIVIL RIGHTS ORGANIZATIONS

Alliance for Retired Americans.

American Association of People with Disabilities.

American Civil Liberties Union.

American Federation of Labor—Congress of Industrial Organizations.

Americans for Democratic Action.

Asian American Legal Defense and Educational Fund.

Asian Law Alliance.

Asian Law Caucus.

Asian Pacific American Legal Center.

Association of Community Organizations for Reform Now.

Brennan Center for Justice at NYU School of Law.

California Council for the Blind.

Center for Governmental Studies.

Center for Voting and Democracy.

Common Cause.

Demos: A Network for Ideas & Action.

Disability Rights Education and Defense Fund.

Leadership Conference on Civil Rights.

League of Women Voters of the United States.

Mexican American Legal Defense and Educational Fund.

National Alliance of Postal and Federal Employees.

National Asian Pacific American Legal Consortium.

National Association for the Advancement of Colored People.

National Association of Protection and Advocacy Systems.

National Council of Churches.

National Council of La Raza.

Neighbor to Neighbor Action Fund.

Organization of Chinese Americans.

People For the American Way.

Project Vote.

Public Citizen.

The Arc of the United States.

United Auto Workers.

United Cerebral Palsy.

U.S. Action Education Fund.

U.S. Public Interest Research Group.

National Spinal Cord Injury Association.

National CURE (Citizens United for Rehabilitation of Events).

American Foundation for the Blind.

National Industries for the Severely Handicapped.

Association of University Center on Disabilities.

American Council of the Blind.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Let me say to my friend from Connecticut that was a grand quest on which we were mutually engaged over a year ago to enact new election reform legislation, a

major piece of civil rights legislation, along with Senator BOND and others. Both of us are committed to getting it fully funded and both of us agree the current supplemental appropriations is not the place to do it. But we are committed to trying to achieve that, and to achieve it soon, and at a more appropriate time.

I thank my colleague from Connecticut for not offering the amendment on this measure and pledge to work with him to achieve the goal we both desire.

Mr. DODD. Mr. President, I thank my colleague from Kentucky. I thank Senator REID as well, the minority whip, Senator STEVENS, and Senator INOUE for interrupting his prepared statement. I thank my colleagues.

I yield the floor.

Mr. REID. Mr. President, I stepped off the floor. Just so I understand, it is my understanding that the distinguished Senator from Hawaii, the ranking member of the Appropriations Subcommittee on Defense, is going to speak for approximately 20 minutes. Senator STEVENS indicated to me that there were two or three amendments on the majority side that they want to offer, and we have offered several amendments this morning. They wanted to, in effect, catch up. We want to reciprocate with amendments. Following that, we will offer an amendment. I don't know how many amendments the Senator from Alaska wants his side to offer prior to going back to our side. If we just had some idea so we can have our folks lined up here.

Mr. BYRD. Mr. President, if the Senator will yield, I had an amendment with Senator DURBIN. Are we ready for that amendment?

Mr. REID. I would be happy to talk to the Senator off camera, so to speak. But we have a plan, if the Senator will approve. I will talk off camera momentarily.

Could Senator STEVENS give us an idea of how long the work on your side is going to take so we can have an amendment lined up after that?

Mr. STEVENS. Mr. President, I really can't tell how long it is going to be. We haven't put any time limit on amendments today. I won't do it on this side. They wouldn't take them on the other side. There will be no time limit on these amendments: Senator HOLLINGS has an amendment, Senator HUTCHISON has an amendment, and Senator WARNER has an amendment. I think there is an amendment on the list for Senator NICKLES. There are a series of Senators on this side who still have amendments that could be raised.

My understanding is that once we have measured about the same number of amendments presented by the other side so far today we would come back to our side of the aisle.

Mr. REID. The only thing I would say is that everyone knows we have a lot more amendments than the other side. We have at this time I think still 29 or 30 amendments. It doesn't seem fair,

for lack of a better word, that the majority is going to get rid of basically all of their amendments leaving us with all of ours when we still have to finish this bill tomorrow. That is looking more remote all the time. I don't see how in the world we can do that under the guidelines. I apologize to my friend from Alaska for not being able to get a time agreement on one of the amendments. That is the only one. On the rest of them, we worked out time agreements.

I think, again for lack of a better word, in basic fairness we should have some idea about how long it is going to take on the other side until we are ready with amendments over here. Otherwise, I would have no alternative but just say go ahead with regular order and start offering the amendments that are already pending.

Mr. STEVENS. Mr. President, that may be the alternative because I have tried all day to speed up that side in terms of consideration of amendments—all day long now. I started at 11 o'clock this morning. We have just finished handling five amendments on that side of the aisle. We haven't had one from this side of the aisle yet. I don't think it is beyond fair to say Senators who notified me they want to bring up their amendments that it is time for us to bring up amendments on this side. We couldn't get any agreement on time over there. I don't know of any reason why we should have time agreements over here.

If the Senator wants to proceed with regular order, I am all for it. There are 16 amendments. We will be on those until midnight. Some of them may not be called up at all. But we can call them up, if the other side wants to do that.

I believe, in balance and fairness, we have been compelled to be balanced on this side now for 5 hours. I think we are now going to be on this side for about 4 or 5 hours.

Mr. REID. Mr. President, everyone here should know that this bill will not be finished tomorrow. Understand that it will not be finished tomorrow. If it is going to be 4 or 5 hours on amendments on the majority side when they have just a few amendments, this bill will not be finished tomorrow, period. Take however long they want. We have done everything to cooperate. There was one amendment that we didn't get a time agreement on, but we still finished that in a reasonable period of time.

I have the greatest affection, respect, and admiration for the distinguished manager of this bill. But to take 4 or 5 hours, that is 9 o'clock. To think we can finish this bill tomorrow is hallucinating. We can't do that.

Mr. STEVENS. Mr. President, I remember my good friend from Nevada saying just let things work out this morning at 11 o'clock when I tried to get the time; let things work out.

I don't know how long these amendments are going to take. I haven't seen them, either. I didn't see the ones ei-

ther from that side this morning. You can't tell how long an amendment is going to take until you look at it and read it.

As a practical matter, I am asking the Senator from Nevada to do on their side exactly what we had to this morning—take the assurance that we are going to move as quickly as we can and turn to some of the amendments on this side for a while.

Mr. REID. There is a basic difference. If I may say, there are some people over here who really don't care much about this bill ever passing. That is the way the Senate is.

Senator DASCHLE has used his good office because of a gentlemen's agreement that he had with the manager of the bill and Senator FRIST to move this along as quickly as possible. We are trying to do that. It is no one's fault, but one of the Senators had a medical problem that held us up for several hours before we were scheduled to vote. It seems there is always some problem here.

We have tried as much as we can to be responsible in our ability to move this bill.

Four or five hours—I just repeat, we can't finish this bill tomorrow. Everyone should understand that. That isn't done with any animosity. It just can't be done.

Mr. STEVENS. Mr. President, the Senator is correct in terms of the process. We still have a lot more than six amendments. We have a whole list of amendments, depending on what amendments are raised on that side. All I am asking for is balance and fairness in terms of what we allowed the other side to do in handling their amendments until now. If that means we have to go to regular order, I am prepared to call for regular order. If that is the case, I am saddened to hear my friend from Nevada say a gentlemen's agreement was made on the basis that the Democratic side of the aisle is allowed to call up amendments whenever they want and for how long they want but they want time agreements and assurances on our side. That isn't the agreement we made. That is not the gentlemen's agreement which I understand we made.

If the gentlemen's agreement is broken and we do not finish by tomorrow, we should know that right now. If that is the case, then I can assure the Senate that we will be back in session Saturday and we will be here Sunday. We are going to finish this bill this week. That word I took as a word of a Senator. All leadership agreed that we would finish this bill tomorrow to the best of our ability. I am still relying on that word.

Mr. President, I suggest we proceed with Senator INOUE.

The PRESIDING OFFICER (Mr. SMITH). Under the previous order, the Senator from Hawaii is recognized.

Mr. INOUE. Mr. President, I rise today to discuss the current situation in Iraq and the growing concern that

many of my colleagues have expressed regarding our policies in this most volatile and dangerous region of the world.

Last October, I was one of 23 Members of this Senate who voted against a resolution to authorize the war in Iraq. Voting on a resolution to send our young men and women to war is one of the most difficult issues any politician has to face.

I voted against going to war for five main reasons.

First and foremost, I did not believe the administration had made a compelling case that attacking Iraq was in our vital national interest.

Second, I was not convinced that the classified information presented to the Senate offered conclusive evidence that Saddam Hussein provided a threat to the American people or that he would use weapons of mass destruction if he possessed them.

Third, I was not convinced that his regime was aligned with al-Qaida terrorists or was in any way involved with the September 11 attack on the United States.

Fourth, I did not see that the administration had presented a well-thought-out plan for dealing with postwar Iraq.

Finally, I believed that attacking Iraq when many of our closest allies and virtually all of the Nations in the region were opposed to it would cast the United States as the aggressor in this conflict and deal a terrible blow to our international reputation and prestige.

I was convinced that going to war under these circumstances would almost certainly sacrifice the almost near universal support and good will this Nation had gained following the terrorist attacks in New York and Washington. I regret today I still have many of the same concerns about the policy.

Having said that, the majority of my colleagues disagreed with me, and Congress approved an attack on Iraq. I know this is not to second-guess but only because it sets the stage for where we are today. The question for the Senate is what should the Congress do at this point? Our principal responsibility as Senators is to protect the people of this great Nation. Particularly, it is my belief we must fight for those who defend us. I have often said less than 1 percent of our population protects all the rest of us by wearing our Nation's uniform. I will say once again, I strongly believe it is our sacred duty to serve them. We simply must support the men and women willing to serve in harm's way.

Our forces fought gallantly in Operation Iraqi Freedom. Our military strategy proved to be effective in war even if the rationale for war and postwar strategy can be questioned. Our forces proved once again that they are the most effective fighting force in the world.

Today, more than 125,000 U.S. military personnel remain in Iraq. While

all of us would like to know how long they will stay and how long they will be needed, I am confident each and every one of my colleagues agree they deserve our support. To guarantee the support, we must ensure that we provide sufficient funding for our forces to be equipped and ready to meet the challenges they face in Iraq.

Many in this body question the administration's policy. They want to criticize the war because we have not yet found weapons of mass destruction. Our debate should not be focused on whether Saddam had weapons of mass destruction. Regardless of how we came to be in Iraq, I ask my colleagues what do we want to do now? Should we punish the administration for putting us in this position? I would only say in seeking to mete out punishment on those political leaders with whom we might disagree, we will most likely only punish our sons and daughters who have volunteered to risk their lives. That we cannot let happen.

The question we must ask at this moment is, How should we proceed? The cost of the ongoing war on terrorism is staggering. As has been mentioned often in the Senate, \$87 billion is an enormous amount of money. Since September 11, the Congress has approved the supplemental defense funding in excess of \$100 billion in response to the terrorist attacks on our Nation and for the operations in Afghanistan and Iraq. Moreover, because of these costs, coupled with the impact of large tax cuts, we no longer are running a surplus. Instead, we have a deficit estimated to exceed \$500 billion.

I understand my colleagues' frustration and understand why they demand better accountability. In seeking solutions, they have argued we should not have to pay for the reconstruction of Iraq. They want Iraq to use its oil reserves to pay for its own infrastructure. I am all for Iraq paying as much as it can to rebuild its country, but realistically, it is not in any position today to do much of that.

So should we wait? I would argue no. Our sons and daughters are in Iraq and the conditions are not good. The infrastructure to support our military and Ambassador Bremer and his staff is not conducive to getting Iraq back on its feet. We cannot turn our backs on our men and women serving in that theater because we disagree with this war. But even more important, we want our forces to come home as soon as possible.

I can assure my colleagues of one thing: Our forces will be in Iraq a lot longer if we refuse to make the investment in that country's infrastructure.

Three weeks ago, Hurricane Isabel caused widespread power outage in the Washington, DC, area. For several days, many were without power and we complained. Let me say to my colleagues that was a minor inconvenience compared to what our forces face in Iraq. I know we were all grateful when we finally saw the Pepco truck in

our neighborhoods. It was a real boost to our morale.

I can assure you our troops in Iraq are the strongest supporters of us putting up \$20 billion to help get Iraq reconstruction started. For them, getting this money will be like seeing the Pepco truck finally enter their neighborhood.

This funding is not charity. The fastest way for us to get our sons and daughters home is to get Iraq back up and running. Congress approved this war, the Congress agreed it was worth the cost to rid the international community of Saddam Hussein. In reviewing this request, it is not a question of whether Saddam had weapons of mass destruction. It is not really relevant if Saddam was or was not linked to Osama bin Laden. It is not a question of whether this war was right or wrong for our country. Those issues will be debated next year as the country determines its next President and its next Congress. It does not matter how we voted last October. This October it is our responsibility to support the men and women in the military who are doing what we required of them.

I urge my colleagues to support the supplemental request to support our military forces to help end this conflict quickly and do all we can to get our sons and daughters home sooner.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 1874

Mr. McCONNELL. Mr. President, we turn to discussion of the amendment currently pending before the Senate.

Today, we call on the Department of Defense to finalize regulations that will ensure that the Global War on Terrorism Medal, the medal that the Joint Chiefs of Staff picked and that the President has authorized for military operations, will be awarded on an expedited basis to the men and women of the Armed Forces of our country who serve in the global war on terrorism.

Recently, on this bill we dealt with an amendment that would have created a congressionally mandated medal when a medal already authorized by the President and recommended by the military was already in the works and awaiting final approval of the necessary regulations. That medal awaiting final approval is the Global War on Terrorism Expeditionary Medal. It can be awarded to all who serve in Operation Enduring Freedom and Operation Iraqi Freedom.

Our victories in the global war on terrorism would not have been possible without the dedication, the courage, and the service of the members of the U.S. Armed Forces and their coalition partners.

It is entirely appropriate that we recognize these 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 support operations overseas.

But the fact is, historically, the President has relied on senior military officers to recommend the personal and theater campaign medals.

Here, with the Global War on Terrorism Medal, that longstanding tradition was preserved with the Joint Chiefs of Staff and the combatant commanders, including GEN Tommy Franks, U.S. Army, former Commander of the U.S. Central Command, recommending the medal to be awarded.

Taking the advice of his senior military and civilian defense leaders, President Bush, by Executive Order 13289, on March 12 of this year, established the Global War on Terrorism Expeditionary Medal to be awarded to service members who served in military operations to combat terrorism on or after September 11, 2001, including, but not limited to, actions in Operation Enduring Freedom and Operation Iraqi Freedom, in such locations as Afghanistan, Iraq, the Republic of the Philippines, and elsewhere in Southwest Asia.

Now, that Executive Order by the President went beyond our men and women in the Armed Forces and much further than the recent, other medal amendment would have. It also established a Global War on Terrorism Service Medal, recognizing duty in Operation Noble Eagle and the homeland defense mission against further terrorist attacks and recognizing duty in support of military operations performed in areas that do not qualify for the Global War on Terrorism Expeditionary Medal.

We all know of the fine work that is going on to preserve our homeland security. We know of the efforts to guard our borders, hunt down terrorists, and screen our airports. We recognize those efforts with this amendment and the medal. But we bring focus and attention to all of the important support staff. Ask any soldier, ask any sailor, ask any airman, and each will tell you how important it is to have the right staff sending you the right stuff—having the right staff sending you the right stuff. Without a competent, capable, and talented support staff in the global war on terrorism, our men and women in the Armed Forces would not have the right tools for the job. Their lives would be at greater risk and so, too, would the freedom we cherish here at home. It is right that we recognize all that they provide for our soldiers, our sailors, and our airmen, as well as what they do for all of us.

Yet the implementing regulations for eligibility for both these medals have not been issued by the Secretary of Defense.

So today, what we will do, if my amendment is adopted, is we, in the Senate, will call upon the Secretary of Defense to complete action as soon as possible on implementing regulations so these awards can go to 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.

This amendment says the regulations providing for a medal already in the works, designed by soldiers and authorized by the President, should be implemented as soon as possible and, in doing so, should also recognize those who serve in Operation Noble Eagle and in support roles for our military abroad. These are the critical distinctions between the amendment before us now and the amendment that was considered 2 days ago.

Mr. President, I know Senator MCCAIN and Senator WARNER would also like to speak to my amendment. They are not in the Chamber at the moment but would like to speak. And I believe there is another Senator on our side of the aisle who would like to speak on this amendment as well.

So pending their arrival, 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. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WARNER. Mr. President, I want to address the sense-of-the-Senate resolution on behalf of men and women in the Armed Forces offered by our distinguished Senator from Kentucky. I ask unanimous consent that I be listed as a cosponsor of the resolution.

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

Mr. WARNER. Mr. President, I rise to give strong support to this and I want to say against the background—and the other day we had a similar matter before the Senate and I rose to address that. It was a technical problem, primarily, with that resolution. This one, which I have read carefully, in a very straightforward manner, recites the history of personal decorations and theater awards and, in particular, how these matters, throughout the military history of this country, have been actions taken by Presidents upon the recommendation of the senior officers of the Army, Navy, Air Force, Marine Corps, and, indeed, the Coast Guard. In this instance, this administration has moved to put in place those recognitions—most deserving, I would say—of men and women who have gone to the farflung corners of the globe and accepted the risks, together with their families, of going to those areas for the cause of freedom and to protect the security interests of the United States of America.

That region of Iraq is very much in our hearts and minds every day. I have had the privilege, as have many in this body, to go there and visit with our troops. Likewise, I have had the privilege to go and visit with our forces in Afghanistan. Most recently, I went to

Liberia, where the strike task force—largely composed of U.S. marines but under the control of a very fine Army officer—performed extraordinary duties on behalf of the people of Liberia, who have suffered a decade-plus of civil war turmoil. I could go on and on, but others are anxious to address this.

The point I wish to make is these decorations are proudly worn on the uniform of the men and women in the Armed Forces. They are coveted items of families for generations. In my office, I have proudly displayed the decoration earned by my father who volunteered as a young Army doctor in World War I to go to France where he served in the trenches. I remember as a young person of his telling stories to me about life in the trenches, the extraordinary devastation he witnessed, the loss of life, and the carnage. But there on the wall was his World War I Victory Medal. It had on it three bars of the three major conflicts. He was proud to wear it on the uniform of the United States when he saw service.

It is a carefully thought through process that we cannot award a separate medal for every conflict. We have to recognize the theater of operations. For example, in World War II, it was the European theater and it was the Pacific theater. There was a medal given to those in the continental limits in training commands. There were three basic theaters of operation, and then stars were awarded for the major conflicts in the theaters of Europe or the Pacific.

It is not a wise course of action to award a separate medal of decoration for each of the many theaters we are engaged in today. Rather, there should be just the principal decoration which, as we say in the final paragraph of this resolution, and I will read that:

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 to 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.

That is a category of awards given primarily for Iraq and Afghanistan and contiguous areas where the men and women of the Armed Forces are serving actually in the front lines or, indeed, in a support phase.

I strongly urge the Senate adopt this amendment. I hope there are 100 votes in recognition of this course of action.

To those who, with the best of intentions, have recommended specific theaters, specific zones, such as Iraq, we then have to think of Afghanistan, we have to think of Liberia, although, fortunately, that was an operation that was successfully performed in a relatively short period of time. I could go throughout the world.

It is better there be theater-of-operations awards and individuals singled out. I know, for example, if I may say, when I was Secretary of the Navy and

heavily involved in the subject of awards, I remember so much working with the father of the distinguished Senator from Arizona who was commander in chief of all military forces in the Pacific, ADM “Jumpin” Jack McCain. I remember him well. I learned a lot from him.

The Senator from Arizona will recall from his earlier experience how theater recognition is given and then the star to recognize those engagements in which one participated. That is a process carefully supervised by the senior military, primarily the Joint Chiefs of Staff.

I am quite interested in the views of the distinguished Senator from Arizona on this subject. I yield to the Senator.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from Virginia.

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

Mr. MCCAIN. Mr. President, I say to my friend from Virginia that perhaps we should for a moment discuss what happened yesterday and what we are trying to do under the leadership and initiation of Senator MCCONNELL.

Yesterday there was, as part of the \$87 billion assistance package to Iraq, an amendment that was proposed which would have bestowed a specific decoration on those who fought in the Iraqi conflict. There was a provision also that prohibited others, those eligible for that medal, from being eligible for other decorations, as I understood it. Then that provision was voluntarily removed by the sponsor of the amendment. I ask my friend, isn't it a little appropriate to remember what happened?

On March 12, 2003—that was a number of months ago—the President of the United States, by Executive order, which is the proper and accepted methodology for this kind of designation of awards, 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 Operation 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 sacrifice and contribution.

In addition to that, in that same Executive order, the President established the service medal, the Global War on Terrorism Service Medal recognizing service in Operation Noble Eagle and the homeland defense mission against further terrorist attacks—for example, military duties here domestically—in providing security and much-needed service here.

In other words, isn't it the Senator's understanding there were two medals? That by Executive order, following the advice of senior military and civilian defense leaders, President Bush established two different medals for men and

women who have engaged in the war on terrorism since September 11?

I guess what I see coming from my colleague is, if we are going to make a specific award for Iraq, shouldn't the same award be bestowed in Afghanistan? In other words, in other areas? Wouldn't, at least in the President's Executive order, the expeditionary medal and the service medal cover service literally globally? I think we might have difficulty if you gave a specific medal for Iraq, which was a dangerous mission which entailed the loss and injury of brave young Americans, but also Afghanistan is being left out. I think that was the point the Senator from Virginia and I were trying to make yesterday.

Mr. WARNER. Mr. President, the Senator is very correct in the recitation of the facts. I add one other perspective, and that is how well the Senator from Arizona understands with his distinguished career the identification of the families with the serviceperson, and should a special award be made for Iraq, think of the families of those who served in Afghanistan, particularly who lost life and limb. They would think: Why is not the sacrifice of our family in every respect equal to the sacrifice of the other families in the Iraqi situation?

Yesterday, or today, the Senator from Arizona and I took to the floor together in a similar colloquy to urge colleagues to let the system work because it is working and it is working in the traditions of our military.

It is working in a manner that is equitably recognizing the performance in this area.

Mr. MCCAIN. Could I also point out to my colleague, this was also an argument, I think he would agree with me, to allow the executive branch to act in what has been, frankly, the executive branch's area of responsibility, and that is the designation of service medals, expeditionary medals, et cetera, including, by the way, higher awards which would be bestowed for acts of heroism and courage no matter where they fall. This is not the only medal of recognition available for a lot of these young men. But when we get into a bill which is legislation that is for the reconstruction of Iraq, and all of a sudden we come up with a great idea to designate a medal, we have to think these things through.

The Senator from Virginia is the distinguished chairman of the Armed Services Committee. Was this issue ever raised in the Armed Services Committee?

Mr. WARNER. Mr. President, no. Our committee does have jurisdiction over these matters. It was not brought to the attention of myself.

I saw momentarily the ranking member. I do not see him at the moment. To the best of my knowledge, he did not have knowledge of it beforehand.

Mr. MCCAIN. Again, I know the Senator from Virginia shares my admiration and appreciation for the Senator

from New Mexico who proposed this amendment. In a good-faith effort, he wanted to recognize the service and sacrifice of those who had served. I appreciate that. But I would also caution my colleagues that it is probably best to explore what has been done and also what should be done by the committees of jurisdiction. Otherwise, we should not have committees of jurisdiction; we should all just come to the floor with our ideas as to how best to address issues.

I think the Armed Services Committee has a reputation, as one of the oldest committees in the Senate, of never shirking in its duty to address issues, including ones such as these.

Mr. WARNER. I thank my colleague. I also add that, very importantly, one very good development resulted from the debate we had yesterday.

I was under the impression that the two declarations to which the distinguished Senator from Arizona made mention were actually in being. I am perhaps remiss. I thought that by now they were in being, but in fact when I went directly to the Office of the Secretary of Defense, and those involved in the process, I found this needed a little congressional incentive. That is the basic reason for this amendment that is laid down today. We have their attention now, and they are going forward with these decorations.

So for that reason, we must say to Senator BINGAMAN that that was a very fortunate development.

Mr. MCCAIN. Again, I thank the Senator from New Mexico for his desire and motivation to honor these brave young people.

I say to my friend, President Bush signed this Executive order on March 12. The way I count, that is 7 months ago. I am deeply disturbed that the Secretary of Defense has not acted to implement these regulations. I would like to tell my friend from Virginia that I still have people who work over in the Pentagon, who provide me from time to time with information—usually anonymously, for obvious reasons—but I have been told that these regulations have been on Deputy Secretary Wolfowitz's desk for 3½ weeks. That is not right. I know the Deputy Secretary of Defense is busy and I know the Secretary of Defense is busy, but I think we have every right to expect immediate action on this so that these men and women can go about receiving this recognition because they cannot until these papers are signed.

Mr. WARNER. Mr. President, the Senator is correct.

Mr. MCCAIN. I yield to my friend from Virginia.

Mr. WARNER. The Senator is absolutely correct. As I said, we have brought this matter and the urgency of it to their attention, and that is one of the very positive results from the efforts of our colleagues on the other side and the initiative taken by the distinguished whip on this side in this amendment.

Mr. MCCAIN. Could I mention to my friend from Virginia, too, as chairman of the Armed Services Committee, perhaps we should look at whether individual medals should be given for operations in Iraq, and perhaps individual decorations should be given for the conflict in Afghanistan, as two prime examples. Perhaps it is not sufficient to just have an expeditionary medal and a service medal.

I had hoped that if we had acted in order to separate those two conflicts from others, we would get input from the Secretary of Defense, that there would be proper consultation and hearing and scrutiny before the Senate Armed Services Committee before we acted.

I think the Senator from Virginia pointed out that if we only gave an Iraqi freedom medal, what about those in Afghanistan? Is there an Afghanistan freedom medal, too? No, that was not part of the proposal yesterday. That is why these things with noble motivation have to be thought through. I hope that with this sense-of-the-Senate resolution, which we will all vote on, we will send a message that we are all in support of the incredible importance of recognizing the service and sacrifice of the young men and women of our Armed Forces today.

Mr. WARNER. Mr. President, I thank our distinguished colleague. I have known the McCain family. I served with the Senator's father and have followed the distinguished Senator's career, and it stands in parallel to the finest careers of those who have served in this body in years past, today, and who will serve in the future, who have worn the uniform of this country. So I value greatly the views of the Senator from Arizona and I thank him.

Mr. MCCAIN. Mr. President, I say to my good friend he fails to mention that I served under the distinguished Senator from Virginia when he held the position of Secretary of the Navy. I might say I served way under. Given the chain of command, there were probably at least seven or eight individuals who separated the two of us, but I certainly appreciate the honor and pleasure of having served under then-Secretary of the Navy Warner. I have appreciated the relationship we have enjoyed in the intervening 30 years.

Mr. WARNER. I do not know. I fail to count the number of years. It is 30 plus. But I thank the Senator for his kind remarks. My career is so inconsequential in the U.S. military compared with his. I do believe I received the good conduct medal. To the best of my knowledge, the Senator never received that; did he?

Mr. MCCAIN. I do not think I was ever considered for that.

Mr. WARNER. I do not think the Senator was eligible then and he is not eligible now. I think it is likely the Senator will never be eligible.

Mr. MCCAIN. If it was up to a vote of our colleagues, I doubt I would be eligible today.

Mr. WARNER. Well, maybe we should cease this colloquy at this moment. I see others who perhaps would like to speak.

Again, we commend the distinguished Senator from Kentucky for his initiative on this matter. I was somewhat saddened yesterday that we had to have a division of views on what I believe was the best of intentions by the Senator from New Mexico. I think now this is an opportunity for us to shake hands on both sides and move on and resolve this matter.

I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Arizona.

Mr. MCCAIN. I note the presence of the Senator from New Mexico. I hope he was able to hear our remarks concerning our appreciation for his motivation to honor these young men and women who have served and sacrificed. We look forward to and anticipate we will continue working together on this worthy cause.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. I understand the majority leader will be coming to the floor shortly to address our current legislative circumstances. I have become increasingly concerned about our ability to finish this bill. We have noted that concern to the majority leader, as well as to the manager of the bill.

Our concern stems from really two issues: One, the unwillingness on the part of some to have votes on the pending amendments. I am told now there are eight or nine amendments that are pending, that have been offered and that have been set aside. Tomorrow is Friday. We wanted to have votes on all of those amendments. Yet for whatever reason, we have been unable to get to the votes.

The second issue is the issue involving the amendment to be offered by the Senators from Indiana and Wyoming, Mr. BAYH and Mr. ENSIGN. I am told, for whatever reason, many of our colleagues on the other side are unwilling to allow that amendment even to be brought up. If that is the case, obviously we are not going to be able to finish this bill. We can't have completion of the consideration of this legislation until that amendment has been offered and we have an opportunity to debate it and vote on it.

So, for whatever reason, we are stymied this afternoon at 5 o'clock with, I guess, some 30 amendments pending.

We had indicated all along we would make our best good-faith effort to try to finish this legislation. But I emphasized all the way through, this is going to take cooperation on both sides. I think we have cooperated in every sense of the word. We have laid down the amendments. I think most of the amendments that have been offered have been our amendments. We have laid them down. We have not in any way stalled consideration of this legislation.

Now we are here Thursday afternoon at 5 o'clock with nine amendments we are told we cannot have votes on, and one of them that cannot even be offered. So we are going to have to come to some understanding about how to proceed. I must say, with each passing hour the likelihood that we will be able to complete our work as we had hoped we could—by the end of the day tomorrow—dwindles and diminishes to a point where it will soon be nonexistent.

I call these concerns to the attention of my colleagues and ask we get some clarification about the schedule and about our ability to deal with these issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. I say to my friend, the Democratic leader, we agree that the amendment to which you referred is one of the last—I hope the last important amendment to be offered. I don't know whether there are other amendments on that side of the aisle that will have a need for debate at some length. But the amendment to which the Democratic leader referred is obviously one a number of people are going to want to speak to. I think we will be able to go to it sometime in the early evening because there are people here who are going to want to speak on that amendment. I know people on your side are going to want to speak on that amendment.

I am still optimistic that we can press on into the evening. It is still our hope to finish the bill.

Mr. DASCHLE. Mr. President, I am gratified to hear the distinguished assistant Republican leader is optimistic. I was optimistic. I hope I can have that optimism restored. As I noted just a moment ago, there are about 30 amendments pending, but we really believe that a lot of the amendments that are still pending depend on the outcome of the amendment to be offered by Senators BAYH and ENSIGN. So it is hard for us to move forward on the other amendments until that one has been resolved.

So we are in a situation where we cannot move forward until our Republican colleagues acknowledge the need to, not only offer the amendment, but to have it debated and voted upon, so we can clear the way for whatever additional amendments along the lines of the subject matter the Bayh-Ensign amendment addresses.

That is the issue. That is the concern we have. I hope we can clarify it soon. But I only raise this concern because I suggest the hour, while it is not late, is getting later, and we do not have a lot of time to finish all the work that is left.

I believe we made our commitment, kept our commitment, and I hope we can accomplish what many of us had hoped we could do 2 weeks ago.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. MCCONNELL. Not to prolong this, because I think we are at essential agreement, but it was hard to get anything going during the day today, as is often the case around here. This is quite a nocturnal institution. The Sun goes down and we get busy working. But I certainly share the view of the Democratic leader the amendment to which he referred is a significant amendment. It is certainly our expectation we will be able to go to that amendment sometime early in the evening, accommodate those who want to speak, on both sides, move in the direction of completing action on the amendment at some point this evening, and move ahead, I hope.

I say to my good friend, that doesn't mean we have a whole lot more amendments coming from that side of the aisle that are going to require extensive debate. I heard the Senator from South Dakota and others say that is the last significant amendment. I certainly hope that is the case because then I think we have a chance of wrapping it up sometime soon and moving on to other matters.

Mr. DASCHLE. Mr. President, I hope I didn't say that this was the last significant amendment because I know many of my colleagues who have amendments to offer certainly view them as significant. I wouldn't want to characterize their amendments as insignificant. If I led the Senator from Kentucky to that conclusion, I want to clarify that was not my intention.

But I also reiterate, we have eight or nine amendments pending that would require votes. We are basically in a quorum call with no real expectation of a vote on many of these amendments for the foreseeable future.

There are two issues. One is this amendment on loans offered by Senators BAYH and ENSIGN. The other is clearing the logjam of amendments that have already been offered, including one by this Senator, that awaits a vote. So the sooner we can get on with those votes, the sooner we can get on with the consideration of the Bayh amendment and the sooner we can address the other backlog of amendments that are waiting to be offered.

I thank my colleagues for their attention to this and hope we hear from the majority leader sometime soon.

The PRESIDING OFFICER. The Democratic whip.

Mr. REID. I very much appreciate the Democratic leader's observation and his patience. We have a number of amendments that we have asked Members to withhold offering because there have been other matters on the Senate floor. During this period of time, we have had virtually no quorum calls until the recent episode where there has been movement—speaking only for myself—preventing anything from happening on this bill.

Mr. MCCONNELL. Will the Senator yield?

Mr. REID. I will in just one second. So we have basically been without

quorum calls. And we still have, as the Senator from South Dakota, the Democratic leader, mentioned, about 30 amendments we have to dispose of.

As the leader said, some of these will fall as a result of the vote on the Bayh-Ensign amendment. But that still leaves at least 15 or 20 amendments we have to dispose of, and that doesn't count those at the desk. Just basic numbers indicate we have a lot of work to do.

I would also say that for my friend, the distinguished majority whip, to indicate we haven't been doing anything during the day—we have. There were some concerned about the time Senator BYRD spent on his amendment. But there was nothing done to stall for time. That time was taken, every minute, by some of the more distinguished Senators who spoke in support of Senator BYRD's amendment. He wouldn't agree to any time limit, but there certainly was no effort to stall anything. Then we were waiting to offer other amendments.

My point is that just by sheer numbers, if the Senator from Kentucky says it will take several hours of debate when we get to it this evening, does that mean we get to it at 6 o'clock or 7 o'clock? Are we going to spend 2 hours on that? That means we finish that debate at 9 or 9:30. We have a vote on that, we have 9 matters at the desk to vote on, and then we still have the amendments that have not even been offered.

So this is no easy chore we have. I, frankly, in spite of the good will between the distinguished majority whip and our Democratic leader—I think it is going to be difficult to do that based upon what we have been told by the majority this afternoon.

I am happy to yield for a question from my friend.

Mr. McCONNELL. I was going to suggest we vote on this amendment at 20 minutes to 6, the pending amendment.

Mr. REID. The amendment before us? I would say I haven't had a chance to speak to my friend from New Mexico, but is this anything we object to?

Mr. BINGAMAN. Mr. President, I certainly have no objection to voting on this, voting at 20 minutes to 6. I would like a chance to speak for 4 or 5 minutes on the amendment, if I could.

Mr. REID. Mr. President, without losing my right to the floor, through the Chair I say to my friend from New Mexico that it is my understanding he does not oppose the amendment.

Mr. BINGAMAN. Mr. President, that is correct. I have no opposition to the amendment. I just want to speak to and explain my views on it.

Mr. REID. Mr. President, that is my whole point. There is no reason to vote on this amendment. This is the old stall we are getting. That is all this is. There is no reason to vote on this amendment. We have substantive issues, and this is very important. I appreciate the good speeches from the chairman of the committee on this

most important issue. But everybody is going to vote for it. If we are trying to finish this bill, which obviously we are not at this stage, the stall is going on and whatever has to happen to make sure the vote count is right on the Bayh amendment.

We need to move forward on this legislation. I will vote on it anytime we want. But I am just saying that it is a waste of time. I have seen stalls before. This is a stall. That is speaking only for myself.

Mr. McCONNELL. Mr. President, we are prepared to vote now, if that is agreeable with the Senator from Nevada.

Mr. REID. I would be happy to.

Mr. McCAIN. Is it true—

Mr. McCONNELL. Mr. President, I have the floor. I yield to the Senator from Arizona for a question.

Mr. McCAIN. Is it true that we had a 97-to-0 vote on the Byrd amendment, as I recall?

Mr. McCONNELL. I believe that is correct.

Mr. McCAIN. I thank my colleague.

Mr. McCONNELL. Mr. President, I have the floor.

Mr. REID. I would like to respond to the question.

Mr. McCONNELL. I am happy to yield to the Senator from Nevada to respond.

Mr. REID. Mr. President, I think it would be totally appropriate to have a vote on this as long as the Senator from New Mexico has 5 minutes to speak. This issue brought now by the majority is a result of the very important amendment offered by the Senator from New Mexico. I have no problem. My only point is this: There may have been one vote that was 98 to 0. I don't remember that. There certainly could have been. I assume this will be another one. But I think that will be fine after the Senator from New Mexico speaks, and then vote.

Mr. McCONNELL. Mr. President, reserving my right to the floor, I ask unanimous consent that there be 10 minutes equally divided between the Senator from Virginia and the Senator from New Mexico and that at the end of those 10 minutes, the Senate proceed to a rollcall vote on the pending amendment.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, I reserve the right to object and ask unanimous consent that the amendment of the Senator from Indiana, Mr. BAYH, No. 1871, be the next amendment in order.

Mr. STEVENS. Reserving the right to object, as the Senator knows, we had an amendment as lined up to be considered on this side. Senator NICKLES also is not able to be here, but he has given me the information and I am prepared to offer that amendment for him. This is the first of the three amendments we are going to call up. I would be compelled to object to that setting of the Bayh amendment before we have some consideration of amendments on this side.

Mr. REID. I then ask unanimous consent that the request be modified so the Senator from Indiana may be allowed to offer his amendment following the disposal of the Nickles amendment.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. McCONNELL. Mr. President, reserving the right to object—

Mr. STEVENS. I will not object to that. I ask unanimous consent to amend this request so that I may be recognized to present the Nickles amendment following the vote on the McConnell amendment, and following that Senator BAYH be recognized to present his amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, let me speak very briefly on the pending McConnell amendment which Senator McCONNELL, Senator WARNER, and Senator McCAIN have offered.

First, I congratulate them. I think this is a very constructive amendment. It gives recognition to the men and women who are serving overseas in various locations. It puts the Senate on record, even though it is a sense-of-the-Senate amendment, in support of the issuance of appropriate medals to these individuals.

I believe, as I was arguing the day before yesterday when we had the other debate on this issue, that the appropriate course is either on the initiative of the Pentagon or through action by the Congress that at some stage fairly soon we authorize combat medals for those who serve in Iraq and for those who perhaps serve in Afghanistan. That seems to me to me to be consistent with the course we followed previously. We had a medal of that sort for those who served in the first gulf war. We had a medal of that sort for those who served in Kosovo. There is ample precedent for that.

To lump all military engagements that we have after 9/11 under this large umbrella of the global war on terrorism and say we are going to give you one medal for whatever military engagements you serve in after that date I think is inadequate. I think the men and women serving in Iraq today deserve special recognition for that.

I have seen the suggestions being considered at the Pentagon for putting a star on some designation—on a generic kind of a medal dealing with the global war on terrorism, some kind of star indicating services in Iraq. To me, that would not be consistent with what we have done before. I hope we won't go that route.

Obviously, this is a step forward. I commend the Senator from Virginia, the Senator from Arizona, and the Senator from Kentucky for putting forward this amendment. I intend to support it. I hope all Senators will support it.

But I hope we will find a way or that the Pentagon will find a way to do

more to recognize the service of these individuals both in Iraq and in Afghanistan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, may I say to my colleague from New Mexico, with whom I have had the privilege to serve now for close to two decades in this body, and who was a member of the Senate Armed Services Committee, and a very valued member, that he has gotten this Senator's attention. I appreciate what he is doing to support the pending amendment, and I urge colleagues to do likewise.

If I might say first, while he was not present in the Chamber when I brought to the attention of the Senate that the debate which followed his amendment the other day did bring about this Senator's personal attention on the status of several decorations, I found that it was not moving along, in my judgment, in an expeditious and timely manner. That debate the other day served a very important service to the men and women of the Armed Forces who are engaged in these particular theaters.

I would like to work with the Senator and with the Department of Defense to pursue his thoughts about perhaps additional recognition for service in the theaters of Iraq Afghanistan. I am just not prepared at this time to give a definitive answer.

This is the course, as proposed by the amendment which is before the Senate, which has been followed for years. So many places in the world today have often no geographic boundaries and have no identity. Yet people who are on guard wearing our uniform, coalition forces and other nations, are subject to loss of life and limb in combating that terrorism.

I am not able at this point in time to come up with some definitive suggestion. But I certainly would like to associate myself with the Senator's remarks that there should be an expression of gratitude to those persons serving in these theaters right now for their service and that given by their families. I thank the Senator.

I yield back the remainder of my time.

Mr. BINGAMAN. I yield back the remaining time.

Mr. WARNER. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. WARNER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment numbered 1874. The clerk will call the roll.

The legislative clerk called the roll.

Mr. McCONNELL. I announce that the Senator from Idaho (Mr. CRAIG) is necessarily absent.

I further announce that if present and voting the Senator from Idaho (Mr. CRAIG) would vote "yea."

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

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

The result was announced—yeas 97, nays 1, as follows:

[Rollcall Vote No. 387 Leg.]

YEAS—97

|           |             |             |
|-----------|-------------|-------------|
| Akaka     | Dole        | Lugar       |
| Alexander | Domenici    | McCain      |
| Allard    | Dorgan      | McConnell   |
| Allen     | Durbin      | Mikulski    |
| Baucus    | Edwards     | Miller      |
| Bayh      | Ensign      | Murkowski   |
| Bennett   | Enzi        | Murray      |
| Biden     | Feingold    | Nelson (FL) |
| Bingaman  | Feinstein   | Nelson (NE) |
| Bond      | Fitzgerald  | Nickles     |
| Boxer     | Frist       | Pryor       |
| Breaux    | Graham (FL) | Reed        |
| Brownback | Graham (SC) | Reid        |
| Bunning   | Grassley    | Roberts     |
| Burns     | Gregg       | Rockefeller |
| Byrd      | Hagel       | Santorum    |
| Campbell  | Harkin      | Sarbanes    |
| Cantwell  | Hatch       | Schumer     |
| Carper    | Hollings    | Sessions    |
| Chafee    | Hutchison   | Shelby      |
| Chambliss | Inhofe      | Smith       |
| Clinton   | Inouye      | Snowe       |
| Cochran   | Johnson     | Specter     |
| Coleman   | Kennedy     | Stabenow    |
| Collins   | Kerry       | Stevens     |
| Conrad    | Kohl        | Sununu      |
| Cornyn    | Kyl         | Talent      |
| Corzine   | Landrieu    | Thomas      |
| Crapo     | Lautenberg  | Voinovich   |
| Daschle   | Leahy       | Warner      |
| Dayton    | Levin       | Wyden       |
| DeWine    | Lincoln     |             |
| Dodd      | Lott        |             |

NAYS—1

Jeffords

NOT VOTING—2

Craig

Lieberman

The amendment (No. 1874) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENTS NOS. 1869, AS MODIFIED; 1870; AND 1857, AS MODIFIED, EN BLOC

Mr. STEVENS. Mr. President, I have three amendments that have been cleared by both sides: Amendment No. 1869, as modified; amendment No. 1870; and amendment No. 1857, as modified. I send them to the desk and ask that they be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. STEVENS. I thank the Chair.

The PRESIDING OFFICER. Is there further debate on the amendments?

If not, the question is on agreeing to the amendments.

The amendments were agreed, as follows:

AMENDMENT NO. 1869, AS MODIFIED

(Purpose: To prohibit the use of funds to arm, train, or employ individuals under the age of 18 years for the Facilities Protection Service)

At the end of title II, add the following:

SEC. 2313. None of the funds appropriated or otherwise made available by this Act under the heading "IRAQ RELIEF AND RECONSTRUCTION FUND", or under any other head-

ing, may be obligated or expended for the purpose of arming, training, or employing individuals under the age of 18 years for the Facilities Protection Service, to carry out any function similar to the functions performed by the Service, or for any other security force.

AMENDMENT NO. 1870

Insert at the appropriate place in the bill: SEC. . Section 1605 of title 28, United States Code is amended by adding a new subsection (h) as follows:

"(h) Notwithstanding any provision of the Algiers Accords, or any other international agreement, any United States citizen held hostage during the period between 1979 and 1981, and their spouses and children at the time, shall have a claim for money damages against a foreign state for personal injury that was caused by the Foreign State's act of torture or hostage taking. Any provision in an international agreement, including the Algiers Accords that purports to bar such suit is abrogated. This subsection shall apply retroactively to any cause of action cited in 28 U.S.C. 1605(a)(7)(A).

AMENDMENT NO. 1857, AS MODIFIED

(Purpose: To improve the process for timely informing members of the reserve components of the Armed Forces, their families, their employers, and Congress of changes in deployment policies and schedules applicable to mobilize members of the reserve components)

On page 22, between lines 12 and 13, insert the following:

SEC. 316. (a) In the administration of laws and policies on the period for which members of reserve components of the Armed Forces called or ordered to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, are deployed outside the United States, the deployment shall be considered to have begun on the first day of the active-duty service to which called or ordered and shall be considered to have ended on the last day of the active-duty service to which called or ordered.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

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

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

The motion to lay on the table was agreed to.

Ms. CANTWELL. I have offered an amendment to this bill that will bring predictability and clarity to our deployment of National Guard and Reserve units.

I thank my cosponsors, Senators BOND and LEAHY, the cochairs of the Senate National Guard Caucus, as well as Senators BINGAMAN, LEAHY, JOHNSON, NELSON of Florida, GRAHAM of Florida, MURRAY, KENNEDY, PRYOR, LAUTENBERG, and KERRY, who are joining me in sending a message that we need to be consistent in how we calculate the deployment times for our Guard and Reserve personnel.

This amendment will direct the Pentagon to consider the full activation time for Guard and Reserve personnel in considering its deployment policies and also to establish a program to

more effectively notify troops and their families of changes in deployment policies and/or extensions in deployment periods.

This action will go a long way in ensuring better predictability for our military reservists, their families, and employers—they certainly deserve it.

I am proud to say that it has been endorsed by the National Guard Association of the United States, the Reserve Officers Association and the National Military Families Association.

As many in this Chamber know, over 20,000 troops in Iraq were faced with a rude awakening last month when the administration changed a 50-year standard practice in calculating deployment policies—a change the effectively extended deployments for these troops by several months in many cases.

Prior to last month's decision, the length of deployment was calculated based on the time a reservist was activated—when a member of the Guard and Reserve left home. However, last month, the administration changed the method of calculation to time deployed "in theater."

This is not the way to treat our Reserve component. We are asking more and more from them, and they deserve better. The Guard and Reserve are critically important to our national security both at home and abroad.

Since September 11, 2001, the National Guard has mobilized 210,000 of its 350,000 soldiers at one time or another. The Reserve has mobilized 85,000 of its 205,000 in that same time period.

In my own State, with the recent alert of the Army National Guard's 81st Armored Brigade, 41 percent of Washington State's National Guard—4,041 troops—are currently alerted and deployed, as well as 2,100 reservists from bases around my State.

These are historic levels of sustained mobilization, and we need to be clear that we are asking a lot from these men and women—and we must do everything we can to ensure that the Guard and Reserve continue to recruit and retain skilled and committed personnel.

It goes without saying that these men and women definitely signed up to serve when their country calls. The reservists in my State do not dispute their commitment; they embrace it.

However, we need to know that we are asking an extraordinary commitment from our Nation's Guard and reservists, their families and their employers and we need to recognize the full commitment.

This is why I was concerned when the Pentagon announced that it will calculate deployment lengths for the over 20,000 Guard and Reserve members in Iraq based on the actual time in the theater of operations—otherwise known as "boots on the ground."

This change altered a long-standing practice dating back to the Korean-war era in which deployment lengths for Guard and Reserve officers were cal-

culated from the moment they were actually activated—that is, when they are called to leave their jobs and families to begin pre-mobilization preparation time and included post-mobilization time.

This preparation time can sometimes take as much as 3 to 6 months.

As a result, thousands of troops in the theater of operations who were expecting to go home—literally counting the days to return—were just informed that their time would be extended, some by as much as 6 months.

This is just wrong.

As Mark Kimmey, an Army reservist, wrote in the *New York Times*: "the message to reservists is unmistakable; the Army no longer takes into account sacrifices made to maintain two career lives."

We absolutely own it to our Guard and reservists to give them predictability in the process and to fully recognize that the Guard and reservists' lives are serving from the point they are activated.

My amendment will direct the Pentagon to revert back to the standard practice in considering, for the purposes of deployment announcements, mobilization reports and communications, the clock to start ticking from the point of activation—that is, "boots out of the house."

If we need our reservists to serve in theater for 1 year and 6 months in preparation time, that's fine. But let's be honest, these troops are being deployed for 18 months—not a year. Troops, families, and employers deserve the respect of our acknowledging the sacrifice.

Let me be absolutely clear—this amendment does not, by any means, seek to limit the operational use of the Guard and Reserve, nor are we seeking to limit the flexibility of their use.

This does absolutely nothing to limit the ability of the Pentagon to mobilize and use our Guard and Reserve units, nor does it limit the length of time that they can be deployed.

Moreover, the amendment's provisions can be waived at any point in the case of dire, unexpected operational needs.

We are simply asking the administration to adopt the standard practice in effect for decades in calculating deployment times so that troops and their families can know when to start their clocks.

Ultimately, this is a very modest amendment. We are asking the Pentagon to be honest, consistent and predictable in the use of our Guard and Reserve. They deserve it; their families deserve it; we owe it to them.

The PRESIDING OFFICER. Under the previous order, the Senator from Oklahoma is recognized.

AMENDMENT NO. 1876

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. NICKLES] proposes an amendment numbered 1876.

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

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

The amendment is as follows:

(Purpose: To express the sense of the Senate that all countries that hold debt from the former Iraqi regime of Saddam Hussein should be urged to forgive their debt)

At the appropriate place, insert the following:

SEC. \_\_\_\_ (a) The Senate finds the following:

(1) When Saddam Hussein came to power in the 1970's Iraq was a prosperous county with no foreign debt and significant foreign cash reserves.

(2) Iraq's reserves were exhausted during the Iran-Iraq War in the 1980's and Iraq became a debtor nation.

(3) Today, the debts incurred by Saddam Hussein's regime are estimated to be as much as \$150,000,000,000.

(4) A process has been put in place that will establish a new representative Iraqi government based on a democratic political system with a free market economy. The goal is a prosperous Iraq that is not a threat to its neighbors.

(5) For Iraq to be prosperous it must rebuild. In the near term the United States and other donor countries will provide grants to begin the process. In the longer term Iraq must be able to fully participate in the international financial system.

(6) It is impossible for Iraq to borrow funds in international financial markets based on its existing debt. Eliminating that debt will make possible Iraq's continued rebuilding toward a prosperous and stable nation. A prosperous nation is less likely to be a threat to its neighbors and to be a breeding ground for terrorists. A prosperous Iraq is more likely to be a positive force in the region and participant in the world economy.

(b) It is the sense of the Senate that all countries that hold debt from loans to the former Iraqi regime of Saddam Hussein should be urged to forgive their debt.

Mr. NICKLES. Mr. President, this is a sense-of-the-Senate amendment urging the countries that presently hold Iraqi debt to cancel or forgive that debt. All of the Iraqi debt was generated after Saddam Hussein came to power in that country.

The history of the Iraqi debt was that, when Saddam Hussein took control, it was a very rich country, and it had no debt. Saddam Hussein started a war with Iran and he incurred a lot of debt. As a matter of fact, when he came into power, they had no foreign debt. During Iraq's war with Iran, Iraq incurred debts estimated at about \$80 billion. Most of that was to finance the war.

Iraqi arms purchases during the 1980s were estimated from \$52 billion to \$102 billion. Saddam Hussein used debt to purchase arms. He used debt to build palaces. He used very little debt, if any, to help the Iraqi people.

We asked the Congressional Research Service to give us an analysis of what countries hold or own Iraqi debt.

I ask unanimous consent to print this information in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COUNTRIES TO WHICH IRAQ MAY BE INDEBTED  
(In billions of dollars)

|                                | Low | High |
|--------------------------------|-----|------|
| Western Countries (G-8) .....  | 16  | 44   |
| Canada .....                   | 1   | 1    |
| France .....                   | 2   | 8    |
| Germany .....                  | 2   | 4    |
| Italy .....                    | 1   | 2    |
| Japan .....                    | 3   | 7    |
| Russia .....                   | 3   | 16   |
| United Kingdom .....           | 1   | 2    |
| United States .....            | 2   | 5    |
| Middle East Gulf States .....  | 60  | 82   |
| Saudi Arabia .....             | 25  | 25   |
| Kuwait .....                   | 17  | 27   |
| Other .....                    | 18  | 30   |
| Other Countries .....          | 16  | 16   |
| Commercial (London Club) ..... | 3   | 11   |
| Total .....                    | 95  | 153  |

Source: Congressional Research Service Memorandum.

Mr. NICKLES. There is a significant range. I will go over a few of these countries, but the essence of it is that none of these countries have received payments on Iraqi debt for years. In most cases, for decades payments have not been made. Saddam Hussein incurred a lot of debt. The countries holding that debt may hold it as if it is worth something, but, frankly, no payments have been made on that debt for some time.

Who holds that debt? The range of the total amount of debt according to CRS—and I am not talking about war reparations for Saddam Hussein's war with Iran and invasion of Kuwait. There are a lot of claimed reparations for damages. That is not covered by this resolution. We are talking about debt incurred by Saddam Hussein's regime, and that was estimated by CRS as being a total of \$95 billion and \$153 billion.

Some of the debt ranges are for Western countries and some are for Middle Eastern Gulf States. Some of the Western countries are: Canada is estimated to have \$1 billion. France, from \$2 billion to \$8 billion; we are not certain of the exact amount. Germany, from \$2 billion to \$4 billion. Italy, from \$1 billion to \$2 billion. Japan, from \$3 billion to \$7 billion. Russia, from \$3 billion to \$16 billion. The U.K., from \$1 billion to \$2 billion. The United States, from \$2 billion to \$5 billion. These were debts incurred under the regime of Saddam Hussein.

The essence of this amendment is to urge these countries to forgive or wipe off the debt from the books.

For the Middle Eastern Gulf States, it is much more. Saudi Arabia is reported to hold \$25 billion of Iraqi loans; Kuwait, \$17 billion to \$27 billion; other Gulf States, from \$18 billion to \$30 billion.

If the Iraqi debt is from \$95 billion to \$150 billion—let's say it is \$120 billion—if we were making payments even at 5 percent—that is \$5 billion, \$6 billion, \$7 billion a year in interest payments—they could not afford to pay that. These interest payments would consume 80 percent to 130 percent of Iraq's oil revenues. Clearly, that is not sustainable.

The Iraqis have a lot of infrastructure needs. They have a lot of rebuilding needs. They have a lot of needs that have been ignored by the previous regime, by Saddam Hussein, for decades. If they had to make payments on this existing debt, I think it would only complicate, frankly, their future and their survival.

I urge in this sense-of-the-Senate amendment countries that are holding debt that was incurred by Saddam Hussein's regime to forgive that debt so Iraq can move forward with a new government without being so constrained, so the new government can move forward and rebuild Iraq without being so tied up with this existing debt.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I was interested in the comments by my colleague from Oklahoma. I don't know of anyone here who would object or disagree with the contention that those who hold Iraqi debt ought to forgive that debt. I have spoken on this subject at some length a couple of times.

Ambassador Bremer appeared before our Appropriations Committee and indicated that Iraq would be producing about 3 million barrels of oil a day beginning in July of next year. I asked the question then about using future proceeds from pumping Iraq oil for the purpose of reconstruction. He indicated that would not be possible because of the encumbrance that existed with foreign debt.

I asked Ambassador Bremer who holds this foreign debt. He said Russia, Germany, France, among others. When I did research later, I discovered exactly what the Senator from Oklahoma discovered. In fact, Russia, Germany, and France do hold Iraqi debt, but the larger debt is owed to Saudi Arabia, Kuwait, and other Arab states which, incidentally, in combination, equal about the debt that both the Saudis and the Kuwaitis hold with Iraq.

It occurred to me that if we are concerned that Saudi Arabia and Kuwait recover the loans they gave to Iraq, maybe we ought to ask the Saudis and Kuwaitis to track Saddam Hussein down and present him with a bill. The Iraqi government that incurred that debt, the government that existed at that point, was the Saddam Hussein government. It clearly was not a legitimate government.

As you know, in the last election of that government, Saddam Hussein received 100 percent of the vote and those who voted had to walk down an aisle, a long gallery of pictures of Saddam Hussein, and hold their ballot above their head that was clearly marked "Saddam Hussein."

That is the government we are now told legitimately owes money to the Saudis and the Kuwaitis. In my judgment, that government no longer exists, and the encumbrance of Saddam Hussein ought not, in my judgment at

least, obligate the Iraqi citizens to do anything.

I know there will be people who are tall thinkers with thick glasses who have some thought about international obligations that I may not understand. It may be that I don't understand all the nuances, but I do understand this: That Saddam Hussein has vanished. The Saddam Hussein government was a government run by a butcher. We are, in fact, opening football-field-size graves with 10,000 and 12,000 skeletons in them, and we are told the only legacy of that government that ought to remain an obligation is the debt Saddam Hussein ran up with other countries.

I don't think that debt ought to be considered to be existing debt at this point, with all due respect to those countries. If in the 1980s we had countries that were pals of Saddam Hussein because he was taking on the country of Iran and they were lending Saddam Hussein money, at this point it seems to me they ought to track down Saddam Hussein and present him with a bill.

We are told from time to time by intelligence sources that Saddam perhaps has a substantial amount of money squirreled away in Swiss banks. They say he stole that country blind. I don't know the facts about that. I suspect that is the case. I suspect Saddam Hussein and his government squirreled away a substantial amount of money. In any event, we can't find him. I suggest to those to whom he owes money or to those whom his former government owes money, they ought to track him down and present him with a bill.

We have had a long discussion here and will, I guess, again, perhaps tonight or tomorrow, about what kind of obligation the American taxpayers should have with respect to the reconstruction of Iraq. It was my belief—and I regret my amendment was not adopted, but I accept the voice of the Senate on that amendment—it was my belief that we should lend the money to Iraq for reconstruction and that Iraq should repay those loans out of the proceeds from oil that it pumps out of the ground in the future.

Once again, we expect, according to the testimony of Ambassador Bremer, about 3 million barrels of oil a day. In fact, the Iraqi Governing Council—these are the Iraqis who are now in charge, running ministries and so on—they visited here a couple weeks ago and said they thought it would be 6 million barrels a day.

Let's take Ambassador Bremer's number instead, 3 million a day. That means that country will pump about \$20 billion of oil, about \$16 billion of which is available for export. So we have \$16 billion a year of Iraqi oil, beginning next July, available for export. That is \$160 billion in 10 years, \$320 billion in 20 years. That is a substantial amount of money for the reconstruction of a country the size of California with 24 million people. It is ample money to do that job.

I understand we have already decided that question. My amendment did not pass the Senate. But as we discuss further amendments about grants versus loans, I wanted to make a comment following the discussion by the Senator from Oklahoma. I believe his numbers are accurate. Those are the numbers I discovered with respect to foreign debt owed by Iraq. More properly, I think it is foreign debt owed by Saddam Hussein's government, a nonlegitimate government, a brutal dictatorship.

In my judgment, the Iraqi people ought not at this point be burdened by that debt and I would suggest to creditors, including the Saudis and Kuwaitis, that the paper for those debts is worth only that which it will produce once Saddam Hussein is found and it is presented to him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I rise in support of the amendment by the Senator from Oklahoma, and I think perhaps a little discussion about the history of debt and debt repudiation, debts being placed upon countries that have been defeated or liberated, might be in order.

In anticipation perhaps of this debate, a member of the staff of the Joint Economic Committee, Melanie Mickelson, prepared a memo for me and other members of the committee entitled "Iraqi Debt and Reconstruction." I ask unanimous consent that this memo be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. BENNETT. Mr. President, when we think of forgiveness of debt or repudiation of debt, we think back usually to Germany, to the debt that was placed on Germany at the end of the First World War by the Versailles Treaty and the great political hay Adolf Hitler was able to make out of this debt as he told the people of Germany that the Versailles Treaty had been a stab in the back and the people who had imposed that debt on Germany were the people who were Germany's primary enemies.

I do not want to make too much out of that aspect of Hitler's rise to power, but there was no question but what the enormous debt placed on Germany at the end of the First World War was destabilizing on the country and made it very difficult for Germany to bring itself back as a viable nation and made Germany potentially vulnerable to the kind of political appeal Adolf Hitler represented.

Let us put this in some perspective with respect to Iraq and what we are talking about here. At this time, the debt that was placed upon Germany was roughly two times Germany's gross domestic product, or GDP. To put that into perspective for the United States, right now our debt is roughly half of America's GDP. If we assume

the GDP is running at \$11 trillion in round figures, we would say the debt Germany faced by comparison would be similar to putting a debt on the United States of \$22 trillion. That, of course, takes one's breath away when you think about the impact of that on the United States. Twenty-two trillion dollars. How in the world, even with as vital and vibrant an economy as we have, would we be able to survive if we had a national debt of \$22 trillion? That was the debt that had such significant historic impact on Germany in the last century.

What are we talking about with respect to the debt Iraq currently faces? Is it half their GDP, as it is in the United States? Would it be as burdensome as the German debt at two times GDP? No, neither of those figures applies. When we talk about the size of the debt Iraq currently carries compared to their present GDP, we are talking about ten times GDP; not two times but ten times current GDP. Again, to translate that into numbers we can compare to America, that would mean that America, the strongest economy in the world, with our present GDP of roughly \$11 trillion, would be saddled with a debt in excess of \$120 trillion.

How prosperous would America be if we were faced with that kind of a debt load? Obviously, it would sink us, even though we have the strongest economy in the world.

We have people around here who are worried because our current debt is roughly half of GDP, and to talk about ten times GDP is absolutely impossible. So the logical thing to do is for all of the countries to respond to the call that is represented by the amendment of the Senator from Oklahoma and forgive the debt.

Why? Let us go through the reasons. One of them has been raised by Senator DORGAN. That is, this debt was incurred on behalf of a brutal regime which has been overthrown. Some of the debtor countries might say, when there is a coup in a country and the government is overthrown, whoever takes over takes over the obligations. Saddam Hussein was not overthrown by a coup from the Iraqis. He was overthrown by the 82nd Airborne. He was overthrown by the United States of America and the marines, by the British troops, the Polish troops, and the other coalition members that joined us in overthrowing that government.

So while the Iraqi people are very grateful Saddam Hussein has been overthrown, while the Iraqi people rejoice that Saddam Hussein has been overthrown, the Iraqi people by no means are responsible for the debt that survives because he was overthrown. They were the victims of the debt, not the beneficiaries or perpetrators of the debt. For that reason, they should not be held accountable.

There are other reasons. There are sound economic reasons. We have a principle of bankruptcy in this coun-

try. When, as a result of circumstances, whether they were caused or just out of somebody's control, someone finds himself absolutely incapable of repaying the debt, we go through bankruptcy court and say we are going to give you an opportunity for a fresh start. We are going to give you an opportunity to wipe the slate clean and move forward. We are going to discharge your debt through bankruptcy.

If any country has been reduced to bankruptcy, it is Iraq. The GDP I described is substantially below what their potential earning power will be, but they can never realize that earning power if they are not free from their past debts by virtue of a bankruptcy action.

What the Senator from Oklahoma is proposing is essentially the countries that hold the debt allow the Iraqis to file bankruptcy; that the countries that hold the debt say, we recognize reality. We recognize we are never, ever going to get this money.

There are some who might say, yes, but Iraq has all that oil and eventually maybe they will be able to give us this money, so let's just restructure the debt. Let's just say okay, no payments for a while, no payments on principal, interest is deferred, we will give you a chance to get on your feet, and then we will collect the debt.

That is not a principle that applies in reality with respect to most bankruptcy situations. Even those who have the ability to earn money later on can get everything discharged with bankruptcy if it is clear the existence of the debt as it stands is going to prevent them from earning money later on.

The most significant return that can come to the countries that are currently holding Iraqi debt will come from a vibrant Iraqi economy with which they can open meaningful trade relations.

Think of what the potential of Iraq is in terms other than oil. We held a hearing on this in the Joint Economic Committee. Of course, the primary focus was on oil revenue, but I was interested to discover that Iraq has other things besides oil. Iraq is blessed with fertile soil. Iraq is blessed with water. Iraq has a history, pre-Saddam Hussein, of being a net exporter of food. In other words, an economically healthy Iraq, rebuilding its infrastructure, reclaiming its opportunity to move water around the country through canals and pipelines and starting irrigation can be an Iraq that can have a vibrant agricultural sector; an Iraq that can then create a manufacturing sector to provide the farm implements that are necessary to support its agriculture; an Iraq that can have a middle class that can buy things; that can have a society that is not just based on oil.

It can become, properly reconstructed, one of the most vibrant economies in the region. It can outstrip some of the economies around it that are dependent solely upon oil and

thereby become an example of capitalism in the region, from which we and others around Iraq can reap enormous benefits. Those benefits, properly reaped, will establish greater economic value than the collection of the debt.

This is the prospect you have here. If we wipe out all of the debt, if the countries respond to the plea contained in the amendment by the Senator from Oklahoma and forgive their debts so a vibrant Iraq can be built without the shadow of debt hanging over it, those very countries that currently hold the debt can benefit with the opportunity for trade with a vibrant and vital Iraq.

I congratulate the Senator from Oklahoma in proposing his amendment. I hope it will pass overwhelmingly as a message to those countries that do hold Iraqi debt, to say to them the United States recognizes the importance of allowing Iraq to declare bankruptcy as if it were, if you will, an American corporation. The United States recognizes that the hope of the future will come from allowing all of this to happen, allowing these debts to disappear, and allowing Iraq to get on with their reconstruction.

## EXHIBIT 1

## JOINT ECONOMIC COMMITTEE

Memo: Iraqi Debt and Reconstruction.  
Date: October 9, 2003.

## THE ABC'S OF IRAQI DEBT

Dealing with debt accrued by Saddam Hussein and the Baath party is a lynchpin to Iraqi reconstruction. According to Businessweek, Iraq owes \$216 billion. Of that, \$32 billion is war reparations, owed mainly to Kuwait. Loans comprise \$127 billion of the debt, and contracts agreed to during the past ten years racked up \$57 billion. Other estimates of total debt skate from \$95 billion to \$350 billion (the Bush administration cal-

culates Iraqi debt to be \$200 billion, as reported by CRS).

The debt's creditors include a long list of nations, as compiled by Jubilee Iraq, an organization of British origin dedicated to the repudiation of Iraqi debts. Table 1 displays the list of nations as well as amounts owed. In addition to these nations and organizations, Iraq also owes the IMF and World Bank a total of \$150 million, as reported by Representative Carolyn Maloney at the June 11, 2003 JEC Hearing.

## A SECOND GERMANY?

In American history, precedents of debt repudiation focus on post-war Germany. Following WWI, Germany's economy was shallow with debts amounting to two times German GDP. The Treaty of Versailles pointed out German guilt and obligation to pay war reparation, however the United States renounced all reparations and did not sanction the treaty. Due to German government resistance and inability to collect funds, the Dawes Plan of 1924 reorganized the Reichsbank under Allied supervision and created a tax system to fund reparation payments. Reparations to the European Allied nations made the bulk of their lend-lease payments to the United States. Germany staggered under heavy debt as Europe suffered through the 1920 depression. The Young Plan (1929) reduced the sum Germany owed, delineating a distinct dollar amount as well as how to collect it through budgeting and a transportation tax. In 1931, President Hoover issued a one-year moratorium on all international debts. The Lausanne Pact of 1932 substituted bond issues for reparation debt, but Adolf Hitler repudiated all WWI reparations while in office. Payment resumed in 1953 by West Germany.

The debts owed to the U.S. by our WWI allies were defaulted by 1934 excepting Hungary, which did so in 1939, Finland, which paid in full, and Russia. Russia repudiated the debt, owing to its becoming the Union of Soviet Socialist Republics.

After WWII, the Allies received German reparations in the form of assets and indus-

trial equipment. Because of disagreements between the USSR and U.S. regarding payments, West and East Germany formed, each paying reparations to their respective political counterpart. The U.S. ended German payments in 1952, the USSR ended payments in 1953. Germany paid reparations to its former allies, against U.S. advisement. The United States collected war reparations from Germany's ally, Japan, through 1949, and renounced all further payments in 1951.

## ECONOMIC IMPLICATIONS

Iraqi debt differs from German post-war debt in a major way. Germans dealt with a debt twice the size of the country's GDP. Iraq faces debt estimated to be ten times national output (BusinessWeek). The payment of such an amount is near impossible, even with the development and future revenues of oil resources. Placing this burden on a new government cripples Iraq's ability to accumulate capital, expand production, and increase the standard of living. Repudiating this debt also sends the red light to creditors who loan to sketchy governments, in this case, nations whose loans were used to amass Hussein's weaponry and technology. Some argue the new government will have trouble obtaining loans with such history of repudiation. However, no moral hazard issue exists; the loans forgiven belong to Saddam, not the Coalition Provisional Authority or the government that may follow.

Those on the opposing bench feel repudiating Saddam's debt will jostle the credit market and create uncertainty now and whenever government turnovers occur. This cannot be the case. Iraq is such a unique situation; few countries, if any, can follow this paradigm.

On a side note, Basil Al-Rahim, founder of the Iraq Foundation, Spoke of creating a debt trading system in Iraq. At the June 11, 2003 JEC hearing on transforming Iraq's economy, Al-Rahim spoke of trading debt for points in a system that would use the points in dealings of concessions, licenses, and contracts (see p 20-21 of the JEC transcript).

TABLE 1.—COUNTRIES TO WHICH IRAQ MAY BE INDEBTED

|               | (\$bn)   | Date   | Sources and notes   |
|---------------|----------|--------|---|
| Australia     | 0.5      | 1991   | Paris Club (11 July '03).   |
| Austria       | 0.8      | 1991   | Paris Club (11 July '03).   |
| Belgium       | 0.2      | 1991   | Paris Club (11 July '03).   |
| Brazil        | 0.2      | 1991   | Paris Club (11 July '03).   |
| Bulgaria      | 1        | 1998   | CSIS.   |
|               | 1.512    | 1995   | 22nd Bulgarian Iraq Committee on Cooperation does not include interest.   |
|               | 1.7      | 2003   | Deutsche Presse-Agentur 7/3/03.   |
|               | 1.7      | 2003   | Exotix (Iraq: Just the Debt, Exotix Ltd, April 2003).   |
| Canada        | 0.6      | 1991   | Paris Club (11 July '03).   |
| China         | >2       | 2003   | ABC, China claims it is owed "billions".  |
| Czech Rep.    | 0.06-0.1 | 2003   | Boston Globe 20/4/03.   |
| Denmark       | 0.03     | 1991   | Paris Club (11 July '03).   |
| Egypt         | ??       | ??     | CSIS.   |
| Finland       | 0.2      | 1991   | Paris Club (11 July '03).   |
| France        | 3        | 1991   | Paris Club (11 July '03).   |
|               | 1.7      | ??     | Paris Club (10 July '03).   |
|               | 3.75-4.3 | ??     | Dow Jones 29/3/3.   |
|               | 8        | 2003   | Salah al-Shaikhly's estimate quoted in Moscow Times.  |
|               | 4        | 2003   | Noreenah Hertz. F11 fighters, Exocet air-to-surface missiles, laser guided missiles, attack helicopters.  |
|               | 8        | 2003   | Financial Times.  |
| Germany       | 2.4      | 1991   | Paris Club (11 July '03).   |
|               | 2.1      | ??     | Paris Club (10 July '03).   |
|               | 3.9      | 2003   | The official number from the German ministry of finance, on Handelsblatt (03/04/25).  |
|               | 4.3      | 2003   | Financial Times.  |
| Gulf States   | 30       | 2002   | CSIS—The war debt.  |
|               | 17.5     | Exotix |   |
| Hungary       | 0.017    | 1995   | CSIS.   |
| India         | 1        | 2003   | The Hindu, 14/4/03.   |
| Italy         | 1.7      | 1991   | Paris Club (11 July '03).   |
|               | 0.33     | ??     | Paris Club (10 July '03).   |
| Japan         | 4.1      | 1991   | Paris Club (11 July '03).   |
|               | 3.4      | ??     | Paris Club (10 July '03).   |
|               | 7.02     | 2003   | \$4.109bn + \$2.919bn in arrears. Export credit \$6.46bn, Japan Bank or International Development (IBIC) \$4550m. (June 11th).  |
| Jordan        | 0.295    | 1991   | CSIS.   |
|               | 1.3      | 2003   | Minister of Finance, Michael Manto (July 15th).   |
| Korea         | 0.04     | 1991   | Paris Club (11 July '03).   |
|               | 1.1      | 2003   | Dow Jones 29/3/3, debt to Hyundai for infrastructure projects in 70s and 80s.   |
| Kuwait        | 17       | 1992   | CSIS.   |
|               | 27       | 2003   | MEES quoting Kuwait Investment Authority (KIA).   |
| London Club   | 2.6      | 2003   | Syndicated loans issued by Rafidain Bank and others Reuters. Also loans in 1983 from Chase Manhattan (now J.P. Morgan Chase), Irving Trust (now Bank of New York) and BNP (now BNP Paribas) Forbes. |
|               | 11       | 2003   | Herold Tribune 26/4/3 Emergent Alternative Fund, Aberdeen Asset Management and Argo Capital Management all offer funds that dabble in Iraqi debt.   |
| Morocco       | 0.032    | 1999   | CSIS.   |
| Multilaterals | 1.1      | 2003   | Exotix.   |
| Netherlands   | 0.1      | 1991   | Paris Club (11 July '03).   |

TABLE 1.—COUNTRIES TO WHICH IRAQ MAY BE INDEBTED—Continued

|                          | (\$bn) | Date | Sources and notes   |
|--------------------------|--------|------|---|
| Paris Club (others)      | 0.8    | ??   | Paris Club (10 July '03): Belgium, Denmark, Finland, Ireland, Norway, Spain, Sweden.  |
| Poland                   | 0.4    | 1998 | CSIS.   |
|                          | 0.564  | 2003 | FT "Iraq after Saddam", 17/4/03.  |
|                          | 0.7    | 2003 | Boston Globe 20/4/03.   |
| Poland + Czech + Romania | 0.1    | 2003 | Exotix.   |
| Romania                  | 1.7    | 2003 | (Bucharest Business Week on 21st April).  |
| Russia                   | 3.4    | 1991 | Paris Club (11 July '03).   |
|                          | 9.6    | ??   | Paris Club (10 July '03).   |
|                          | 9      | 2003 | Dow Jones 29/3/3. Used to buy: helicopters, MIG fighters and radar equipment.   |
|                          | 12     | 2002 | SIS.  |
|                          | 8      | 2003 | Financial Times.  |
|                          | 16     | 2003 | Including interest—Channel News Asia.   |
| Saudi                    | 25     | 2002 | Arab News SR94bn.   |
|                          | 25     | 2003 | Exotix.   |
|                          | 25     | 2003 | Financial Times.  |
| Serbia                   | 1.8–2  | 2003 | Minister of Economy, Serbia + Montenegro claim 38% of this (about \$700–750m).  |
| Spain                    | 0.3    | 1991 | Paris Club (11 July '03).   |
| Sweden                   | 0.1    | 1991 | Paris Club (11 July '03).   |
| Switzerland              | 0.1    | 1991 | Paris Club (11 July '03).   |
|                          | 0.7    | 2003 | Exotix.   |
|                          | 0.3    | 2003 | Swissinfo mainly machinery & building materials.  |
| Turkey                   | 0.8    | 1993 | CSIS.   |
| United Kingdom           | 0.9    | 1991 | Paris Club (11 July '03).   |
|                          | 1.6    | 2003 | ECGD (Conversation, 623 pounds principal).  |
| United States            | 2.2    | 1991 | Paris Club (11 July '03) Inc no accrued interest.   |
|                          | 2.1    | ??   | Paris Club (10 July '03).   |
|                          | 5      | ??   | Dow Jones 29/3/3. Clinton considered using Foreign Claims Settlement Commission to satisfy Creditors with frozen Iraqi funds, but the creditors failed to agree how to distribute the small amount of frozen funds available. |

Source: Jubilee Iraq, [www.jubileearaq.org/reparations.htm](http://www.jubileearaq.org/reparations.htm).

TABLE 2.—COMPENSATION CLAIMS FROM 1991 WAR

[In millions of dollars]

| Category             | Resolved       | Award         | Paid          | Unpaid        | Unresolved    |
|----------------------|----------------|---------------|---------------|---------------|---------------|
| <b>Individuals:</b>  |                |               |               |               |               |
| A                    | \$3,450        | \$3,210       | \$3,210       | 0             | 0             |
| B                    | 20             | 13            | 13            | 0             | 0             |
| C                    | 8,760          | 4,990         | 4,990         | 0             | \$2,540       |
| D                    | 4,440          | 2,040         | 1,740         | \$300         | 15,410        |
|                      |                |               |               | 300           | 17,950        |
| <b>Corporations:</b> |                |               |               |               |               |
| E1—oil               | 443,300        | 21,430        | 660           | 20,770        | 285           |
| E2—non-Kuwait        | 12,650         | 848           | 779           | 69            | 1,010         |
| E3                   | 7,830          | 364           | 337           | 27            | 280           |
| E4—Kuwait            | 11,300         | 3,280         | 2,920         | 360           | 176           |
|                      |                |               |               | 21,230        | 1,760         |
| <b>Governments:</b>  |                |               |               |               |               |
| E/F—export           | 6,120          | 311           | 180           | 131           | 0             |
| F1—non-Kuwait        | 18,610         | 291           | 244           | 47            | 0             |
| F2—Saudi and Jordan  | 17,670         | 264           | 256           | 8             | 0             |
| F3—Kuwait            | 113,900        | 8,260         | 2,150         | 6,110         | 0             |
| F4—environmental     | 1,680          | 954           | 315           | 639           | 78,200        |
|                      |                |               |               | 6,940         | 78,200        |
| <b>Total</b>         | <b>251,160</b> | <b>46,250</b> | <b>17,780</b> | <b>28,470</b> | <b>97,900</b> |

Key to categories

- A: Individuals' who had to depart from Kuwait or Iraq between the date of Iraq's invasion of Kuwait on 2 August 1990 and the date of the cease-fire, 2 March 1991.
- B: Individuals' who suffered serious personal injury or whose spouse, child or parent died. There were 5,734 of these claims.
- C: Individuals' claims for damages up to US\$100,000, including those relating to departure from Kuwait or Iraq; personal injury; mental pain and anguish; loss of personal property; loss of bank accounts, stocks and other securities; loss of income; loss of real property; and individual business losses.
- D: Individuals' claims for damages above US\$100,000 each, losses similar to those in category C, with the most frequent being the loss of personal property; the loss of real property; the loss of income and business-related losses.
- E: Corporations and public sector enterprises. Including claims for construction or other contract losses; losses from the non-payment for goods or services; losses relating to the destruction or seizure of business assets; loss of profits; and oil sector losses.
- F: Governments and international organizations for losses incurred in evacuating citizens; providing relief to citizens; damage to diplomatic premises and loss of, and damage to, other government property; and damage to the environment.

Source: <http://www.jubileearaq.org/reparations.htm>.

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The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I thank my colleague from Utah, Senator BENNETT, for his comments. He is exactly right. This existing Saddam Hussein-

incurred debt will suffocate Iraq and prevent Iraq from really rejoining the world economy, from making significant progress. These are countries, including the United States—Canada, Germany, France, Russia, and others that have something at stake—sure. But they have never been paid a dime on this debt and, frankly, they will not be. I hope they all saddle up and say: We want to have an investment in Iraq's future. By doing so, we forgive this debt and we will enable Iraq to start to grow and make some progress.

This idea we are going to be debating shortly, that maybe the \$20 billion or a portion of the \$20 billion should be a loan, that is if this existing debt, is not written off, there is no chance whatsoever any additional debt would ever be able to be repaid. We can act as if it can be, we can pretend it will be, but it will not be. So this debt needs to be written off.

We made a mistake at the conclusion of World War I. The victors didn't write off the debt of the Germans. At the end of World War II, we did write off the debt of the Germans and the Japanese. That was significant. It was controversial but it was the right thing to do, and this is the right thing, not only for the Western countries, the G8 countries, but also for the Gulf States—for Kuwait, for Saudi Arabia. The Gulf States benefitted greatly because we have eliminated a real threat to them. If it had not been for the U.S. protection, the 1991 war and the war just concluded, their future, their freedom would have been in jeopardy. So they benefitted probably more than any country and they have every reason, in my opinion, to write off this debt.

I hope we will have a unanimous vote, an overwhelming vote from the Senate. That would encourage these countries to do the right thing and

that would be to write off the debt and not suffocate the Iraqi economy from being able to rebuild and grow and join the world economy in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I wonder if Senator NICKLES, before he yields the floor, would just discuss this with me and answer a couple of questions.

Mr. NICKLES. I would be happy to.

Mr. DOMENICI. As the Senator spoke, it dawned on me that none of this debt would be worth 2 cents if the United States had not done what we did.

Mr. NICKLES. The Senator is correct.

Mr. DOMENICI. Where would they get the money, if the United States were not involved in having invaded Iraq, trying to free them and then trying to put their economy back? This debt here would not be worth the matches that it would take to burn it.

So I don't think you are just offering a resolution giving some kindly advice. It seems to me you are expressing a reality that these countries ought to be very serious before they try to extract from new Iraq, old Iraq's debt when it would be absolutely useless, based upon the country they lent the money to, and the dictator to whom they lent the money. Right?

Mr. NICKLES. To respond to the statement of my friend and colleague, he is exactly right. If one were trying to take this debt or paper on the international market prior to the U.S. liberation of Iraq, it would be worthless because no payments were made on it before. I think it was generally assumed no payments would be made by the Saddam Hussein regime. My colleague from New Mexico is exactly correct.

Mr. DOMENICI. So the point of it is that whatever they are having this debtor's conference for, people ought to be thinking about what they are going to be discussing and we ought to be thinking about how we are going to respond.

You are offering some kind advice to us, what we ought to be saying, right? We ought to be thinking: Well, how long has it been since we have been involved in trying to make this country have some money and have it worthwhile? How many billions have we spent? And that I am for. How many more are we going to spend? And they would have the audacity to come to some kind of conference and say, put us on this debtors list; we will take 50 cents on a dollar. Yes, 50 cents on the dollar maybe 30 years from now, or 50, when everything that has gone into making this country alive again has been taken care of.

There are a lot of messages from this simple resolution to these countries. In simplest terms: Forget about it. But in more sophisticated terms, the truth is, but for America, what you got is worth nothing. That is what I think is impor-

tant about the resolution. I think, rather than just being a typical one that we offer as a resolution, I think it is a very important sense of those of us who are sharing, with very few countries, the burden of trying to help that country.

Look at all those countries. Where have they been when we have been going through all this? They have been offering nice words, maybe; call the President and say hello. Maybe they have been sending a little postcard. They haven't put up anything yet. Some of them are thinking about it. I hope they keep thinking.

Mr. NICKLES. I appreciate that.

You mentioned a couple of these countries. Saudi Arabia has the largest, according to CRS estimates it is \$25 billion. They say Kuwait may have \$17 billion to \$27 billion of Iraqi debt. They are Iraq's neighbors. Our liberation of Iraq eliminates a threat to them. I believe most of that money was lent when Iraq was fighting Iran.

Frankly, they should not be insisting on payment. They were never repaid in the past. Nor should U.S. taxpayers or other people who were in the process of trying to rebuild Iraq be making contributions thinking maybe that will be going to satisfy creditors from the previous regime. That would be a mistake.

I thank my friend and colleague from New Mexico.

I yield the floor.

Mr. STEVENS. Mr. President, I understand we can get an agreement that we would postpone the vote on the Nickles amendment until we consider the Bayh amendment. By a previous order, that is the next business.

I ask unanimous consent that the vote on the Nickles amendment take place following the debate on the Bayh amendment, and the Bayh amendment follow that.

The PRESIDING OFFICER. Is there objection?

Mr. REID. It is my understanding staff is preparing a unanimous consent request; is that right?

Mr. STEVENS. Yes, we are preparing it, but that will be the understanding so Members will know there will not be a vote here until sometime, at least I would say, 8:30 or 9 o'clock.

Mr. REID. Mr. President, the Democratic leader is here. He has agreed, on our side, if we can have the vote at 9 o'clock, and have the time until 9 o'clock equally divided between both sides and at that time have 2 minutes for the amendment of Senator NICKLES, equally divided on that amendment, and then 2 minutes prior to the vote on the Bayh amendment, equally divided.

Mr. STEVENS. Mr. President, the time would be equally divided between now and 9 o'clock on the Bayh amendment. Is that the proposal?

Mr. REID. That is right. There would be no amendments in order to either amendment prior to a vote on or in relation to each amendment.

Ms. LANDRIEU. Mr. President, reserving right to object, could I add by

unanimous consent that after those two votes I be allowed 30 minutes equally divided?

Mr. REID. Senator BYRD has been waiting all day for an amendment which he and Senator DURBIN have.

Ms. LANDRIEU. Is there a possibility for some time in the morning?

Mr. REID. I say to the distinguished Senator from Louisiana that she has been very patient, and she has been here for the last 2 days, and I understand that. We will do our very best to get her on that as soon as possible.

Ms. LANDRIEU. I thank the Senator.

Mr. STEVENS. Mr. President, we have sent out a hot line for people who want to speak on this amendment. There are 10 Members who want to speak for 5 to 15 minutes. We have really basically 80 minutes left between now and 9 o'clock. I would suggest we ought to at least make the first vote start at 9:30.

Mr. REID. I ask unanimous consent that the request I propounded be modified to that effect.

Mr. STEVENS. Let me ask this: I ask unanimous consent that the pending Nickles amendment be temporarily set aside and Senator BAYH be recognized to offer his amendment; provided further that the time until 9:30 be equally divided for debate in the usual form.

I further ask unanimous consent that at 9:30 p.m. the Senate proceed to a vote in relation to the Nickles amendment to be followed by a vote in relationship to the Bayh amendment with no second-degree amendments in order to either amendment, and prior to the votes there be 2 minutes equally divided before each vote.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Indiana.

AMENDMENT NO. 1871

Mr. BAYH. Mr. President, on behalf of Senators BEN NELSON, CLINTON, DORGAN, ENSIGN, COLLINS, SNOWE, GRAHAM of South Carolina, the distinguished Presiding Officer, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Indiana [Mr. BAYH], for himself and Mr. NELSON of Nebraska, Mrs. CLINTON, Mr. DORGAN, Mr. ENSIGN, Ms. COLLINS, Ms. SNOWE, Mr. GRAHAM of South Carolina, and Senator CHAMBLISS, proposes an amendment numbered 1871.

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

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

The amendment is as follows:

(Purpose: To require that funds for reconstruction in Iraq be used for certain purposes)

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

SEC. 2313. (a) Of the amounts appropriated under the subheading "IRAQ RELIEF AND RECONSTRUCTION FUND"—

(1) the \$5,136,000,000 allocated for security, including public safety requirements, national security, and justice shall be used to rebuild Iraq's security services;

(2) \$5,168,000,000 shall be available for the purposes, other than security, set out under such subheading; and

(3) \$10,000,000,000 shall be available to the President to use as loans to Iraq for the purposes, other than security, set out under such subheading until the date on which the President submits the certification described in subsection (c).

(b) The President shall submit a notification to Congress if, of the amounts referred to in paragraphs (1) and (2) of subsection (a), an amount in excess of \$250,000,000 is used for any single purpose in Iraq.

(c)(1) The certification referred to in subsection (a)(3) is a certification submitted to Congress by the President stating that not less than 90 percent of the total amount of the bilateral debt incurred by the regime of Saddam Hussein has been forgiven by the countries owed such debt.

(2) On the date that the President submits the certification described in paragraph (1)—

(A) the unobligated balance of the \$10,000,000,000 referred to in subsection (a)(3) may be obligated and expended with no requirement that such amount be provided as loans to Iraq; and

(B) the President may waive repayment of any amount made as a loan under subsection (a)(3) prior to such date.

(d) The head of the Coalition Provisional Authority shall ensure that the amounts appropriated under the subheading "IRAQ RELIEF AND RECONSTRUCTION FUND", are expended, whether by the United States or by the Governing Council in Iraq, for the purposes set out under such subheading and in a manner that the head of the Coalition Provisional Authority does not find objectionable.

(e) It is the sense of Congress that each country that is owed bilateral debt by Iraq that was incurred by the regime of Saddam Hussein should—

(1) forgive such debt; and

(2) provide robust amounts of reconstruction aid to Iraq during the conference of donors scheduled to begin on October 23, 2003, in Madrid, Spain and during other conferences of donors of foreign aid.

(f) In this section:

(1) The term "amounts appropriated under the subheading 'IRAQ RELIEF AND RECONSTRUCTION FUND'" means the amounts appropriated by chapter 2 of this title under the subheading "IRAQ RELIEF AND RECONSTRUCTION FUND" under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT".

(2) The term "Coalition Provisional Authority" means the entity charged by the President with directing reconstruction efforts in Iraq.

Mr. BAYH. Mr. President, I also neglected to mention that our distinguished colleague, BYRON DORGAN, is an original cosponsor of this amendment, along with the other distinguished Members I mentioned.

Mr. President, the question of Iraq has divided our Nation and this Senate for some time now. I count myself in the camp that believes removing Saddam Hussein was the right thing to do. The evidence of torture chambers and mass graves is evidence enough for me. The fact he invaded his neighbors not once but twice and that he would surely have threatened them and the world again which would doubtless require American action at some point in the future means to me it is better to deal with him on our terms and at a time of our choosing rather than on his terms and at a time of his choosing.

Finally, the fact he previously had and used biological and chemical weapons, had a nuclear program, and would almost surely seek to reconstitute those programs, even if they had currently been destroyed and even if there is a 10-percent chance that weapons of mass death would fall into the hands of suicidal terrorists or would be used by regimes like Saddam against a peaceful world, means this is a threat best removed.

But regardless of where Members stood on the question of what to do about Iraq toward the war, we are now there. We have no choice but to succeed in our efforts toward reconstituting and rebuilding a more stable, a more democratic, and a more secure Iraq. There can be no alternative but success.

If we are not successful, the southern part of this country will probably reconstitute itself into some sort of radical Shiite state closely aligned with the nation of Iran, the foremost sponsor of terror in the world.

The northern part of what is currently Iraq would probably be first a Kurdish entity of some type followed by a Turkish invasion which would create further chaos in that part of the world.

The central part of this troubled land would undoubtedly develop into some chaotic Sunni enclave serving as a base for terror against both the United States and the rest of the peaceful world.

We must not let that happen. We must not.

I favor, along with my colleagues who have cosponsored this amendment, aggressive steps to stabilize and create a free, prosperous, and diverse Iraq. This means unwavering support for security because we understand security measures are the essential prerequisite for democracy, for investments, for commerce, and for the development of civil society in Iraq. It means equally aggressive steps to restart Iraq's economy and Iraqi society, which is rebuilding schools, hospitals, roads, and many other activities.

A strong, vibrant Iraqi economy is the foundation which is essential to Iraq's stability and our ultimate withdrawal. But if this reconstruction is to succeed, it must be conducted on terms that maximize our chances of success in Iraq and terms that are fair and equitable to the American people. American perseverance and resolve is being tested in Iraq today as seldom before, and for that perseverance and resolve to be forthcoming we must base our efforts there on principles of fundamental fairness without which our efforts will be impossible to sustain.

Specifically, we have to call upon the other nations of the world to do the right thing with the Iraqi people and for themselves by forgiving the loans they extended to Saddam Hussein's tyrannical regime, to wipe the slate clean, and to give the Iraqi people a fresh start. It is the moral thing to do.

Particularly for countries such as France and Germany, which have previously benefited from the rest of the world's largess through the Marshall plan, they must now demonstrate similar generosity in the case of another country in need—Iraq.

If the rest of the world demanded the repayment of Nazi debt or Vichy debt, clearly that would not be tolerable. Neither are the repayments of these debts.

Second, if you do business by extending loans to dictators, you assume the risk of nonrepayment in the event those dictators are overthrown. This is truly "odious debt," to use the term employed by international lawyers. The Iraqi people have a right to repudiate this debt. If they do not, the other nations that incurred it should surely do the right thing by forgiving it.

Finally, with regard to the debt forgiveness issue, if Russia, France, Germany, and the other nations insist upon repayment, then so must we. We can't possibly tolerate a situation where those who propped up the tyrannical regime of Saddam Hussein are repaid their debts but the American people who helped to liberate the country are repaid nothing. That would be an outrageous outcome and one our amendment will prevent through terms which I will shortly discuss.

It also gives us a seat at the table if these other nations are not willing to do the right thing, and it gives us leverage in any further debt restructuring negotiations to insist that they forgive the Iraqi people.

Our proposal gives us maximum leverage toward an equitable and fair outcome, lower debts for Iraq, a fresh start, but fairness to the American people if other nations are not willing to join us in this case.

Second, we must also ask the Iraqi people to do what they can to help themselves. This is not a country that is dead broke like some in sub-Saharan Africa or Afghanistan. In fact, the nation of Iraq has great wealth. It is estimated to be \$2.8 trillion to \$5.1 trillion. What the nation of Iraq has is a cashflow problem, one we should be willing to help them with. But a temporary cashflow problem is no excuse for not doing what they can to help rebuild themselves to the extent they are capable and, as I have just mentioned, they have great capabilities.

This is compounded by the fact that when the Iraqis finally are able to sell oil in some quantity on the international markets, they will sell it at a price that is not set by a free market but which is instead dictated in large part by a cartel known as OPEC—giving them the ability to reap profits from that not once but twice if our loans are given first in the form of monopoly oil payments and, second, if we just give them the cash.

This is particularly inequitable if other nations do not forgive their debt and essentially contribute nothing at

all when the American taxpayers are being asked and the American consumers have been asked and required to contribute not once but twice.

Our amendment calls for three steps: First, the immediate provision of \$5 billion to meet the immediate security needs of the nation of Iraq because we understand that we should err on the side of being more aggressive than less when it comes to stabilizing that country, ending the bloodshed and violence, and allowing the Iraqi people to get on with commerce, civil society, free elections, and the other things that will head them in the proper direction.

Second, we would propose providing \$5 billion in terms of an immediate grant to meet the eminent reconstruction needs. The World Bank has estimated this would provide almost the entirety of the funds to be absorbed by Iraq for reconstruction over the next year. It is our proposal to err on the side of being more generous rather than less in providing the Iraqi economy with momentum, an immediate jump-start, priming the pump to get things going. The first \$10 billion would be \$5 billion to meet the immediate security needs of Iraq in the form of a grant, \$5 billion to meet the immediate reconstruction needs, those that we envision over the next year in terms of an immediate grant.

The third provision would be in the form of a \$10 billion loan for long-term reconstruction needs of the Government and the people of Iraq to be forgiven whenever the other nations of the world that extended debt to the regime of Saddam Hussein are willing to forgive up to 90 percent of those sovereign debts. Again, that will maximize and provide an incentive for those nations to do the right thing and give us a seat at the table and leverage to insist they do the right thing in the event they are dragging their feet in doing so.

Doubtless we have heard several arguments against our approach. Let me address them briefly.

First, the argument that our amendment should not be adopted because we would merely add to the already burdensome debt facing the people of Iraq estimated to be between \$100 and \$130 billion. Let me say clearly that, on the contrary, our approach seeks to eliminate, minimize, do away with the outstanding burdens facing the Iraqi people and gives us a seat at the table and maximum leverage to accomplish the objective to do the right thing, giving the country a free start.

Second, we have a recent example in the case of Argentina. There, a democracy with a freely elected government voluntarily incurred unsustainable debt. They chose to default recently upon their debts and were rewarded within 48 hours by a new agreement from the International Monetary Fund. Argentines are seeking up to 75-percent reduction from their creditors of their outstanding debts. In the private sector, it would be known as a cram-down.

They threatened to default entirely and are now demanding the creditors forgive the loans. Surely what is good enough for the people of Argentina, who did not exercise physical adequate fiscal control over their affairs, should at least be good enough for the people of Iraq who have had the burdens imposed upon them by a tyrannical dictator.

Next, it is the principled thing to do. Surely we cannot allow a state of affairs to exist where those who helped sustain the regime of Saddam Hussein are repaid, but the American taxpayers who helped to liberate the country are not. This would be an outrageous outcome and one that our amendment seeks to prohibit.

The second argument offered against our proposal is that there is no Iraqi Government currently in power to take on these obligations. Really? Can it possibly be argued by others that the obligations of Saddam Hussein are more legitimate than the decisions undertaken by the newly empowered Iraqi Council? How can that possibly be? Is it possible to say that the obligations of Saddam Hussein should be enforced but those undertaken by the council should not? Obviously not. No one elected Saddam Hussein. How can he be given more legitimacy and more credence than the new council of the newly liberated Iraq? Obviously, that is something that cannot be allowed to happen. Our amendment is perfectly consistent with not allowing that to happen.

Finally, the new council is perfectly empowered to apply the freedom of the people of Iraq by enforcing its laws against a variety of criminal activities. They are empowered to hold elections. They are empowered to draft a constitution. How can it possibly be that they are not allowed to take out a simple loan on behalf of the people of their country? Obviously, that is an illogical inconsistency to those who adhere to the argument there is no Iraqi entity in power to take on the obligations.

Finally, we hear repeatedly the argument requiring some of these obligations to be undertaken in the form of a loan if other countries are not willing to forgive their debts. That would feed the perception alive in the Middle East and across the Islamic world that our activities in Iraq were solely about the Iraqi oil. This is a slippery and dangerous slope. If we begin to tread down that line of argument, no telling where we will end up.

For starters, this is clearly a lie. We all know it. The American people did not shed their blood in Iraq, we have not spent our treasure there to seize the Iraqi oil. This is a malicious falsehood and one that we cannot possibly allow to influence our deliberations in this great body.

Second, how can someone seriously argue that false opinions in other countries should set the public policy of a great Nation like the United States of America? What precedent would this

set for this body and for our people? Should we stop the hunt for Osama bin Laden because it is popularly believed in other parts of the world that the attack on September 11 was designed as a Zionist plot against our country? There have been polls on Al-Jazeera indicating a majority in some nations in that part of that world believe this canard. Should we allow that to affect the activities of our country? Obviously no. That would be outrageous.

Should we end our alliance with the State of Israel and form one with the Palestinians and Yasser Arafat because popular opinion in that part of the world would have us do so? Of course we cannot do that. The policies of the United States of America must be based upon the principles to which our great country has always adhered. We must base our policies upon the truth, upon the facts, and not the misguided beliefs of others.

We know our intentions in Iraq have always been honorable. This amendment is perfectly consistent with those intentions. Should we not do the right thing because of the misguided arguments about public opinion elsewhere in the world?

Finally, this argument is obviously a demonstrable mathematical falsehood. This is in repayment, not a confiscation or an appropriation. If I give you \$100 and say that I am going to give you \$50 of it as a grant, and I am even willing to forgive the other \$50 and make that a grant, if another creditor is willing to forgive \$100 that he has also given you, how can that possibly be characterized as a confiscation or expropriation of your property? Obviously, it is not.

So, in conclusion, let me say our amendment provides for the aggressive help that the Iraqi people need to meet their pressing security needs. Our amendment provides for generous and substantial help to meet the pressing reconstruction burdens facing that country. It gets them on their feet, provides them with a fresh start, and primes the pump for increased commercial activity there that is important to the success of our endeavor. But it does so in a way that is consistent with the principles of fairness to the American people and in a way that maximizes the prospects from the success of these moneys in the nation of Iraq, without which this endeavor, these funds, the blood and treasure that we have expended to date, will have gone for naught. That is something we must avoid. That is something this amendment will avoid.

Therefore, I ask our colleagues' support, and I thank my cosponsors.

I am pleased to yield time to others who have so patiently waited to speak.

**THE PRESIDING OFFICER.** The Senator from Nevada.

Mr. BAYH. I yield 10 minutes to the Senator from Nevada.

Mr. ENSIGN. Mr. President, I thank the chief sponsor of the bill. It has been

a pleasure working with him and others in a bipartisan manner on this important amendment.

I understand there are deep feelings on both sides of this amendment. This is a fundamental, legitimate disagreement on policy: What is the best way to go forward for the United States, with the same goals in mind—that goal being that we have a stable Iraq in the future—that is in the interest of all Americans?

It is worth doing the \$87 billion investment that the President has requested, the rebuilding of Iraq. All who support this amendment are in support of that concept because we think it is important to have a stable type of government, whatever that will be in Iraq, democracy or whatever they choose. It is important to have that for the stability of the region and for the spread of freedom and freedom-loving people, especially in that part of the world which up to this point has only known rule under dictatorship.

I will make a couple of points about the bill. Of around \$20 billion—and I will use the round numbers—\$5 billion was recognized for security needs for the Iraqi Government; in other words, money to train and get security forces and an army in place as quickly as possible. Everyone recognized that is in the direct interest of the United States because every person put in place, every Iraqi put in place, allows an American not to be in harm's way. So there is no question that everybody agreed that \$5 billion should be in the form of a grant.

With other sponsors of the bill, we had a little disagreement on the next \$5 billion. But basically around \$5.2 billion is needed in the first 12 months. And working together, in a bipartisan fashion, we wanted to make sure the President had the maximum flexibility for that next \$5 billion, so we decided to make that in a grant as well. We did not want to get caught up in any bureaucracies or any kinds of problems, so that Ambassador Bremer could go ahead, fund what he needs to fund right now, get everything started over the next 12 months, and get Iraq on the road to recovery.

Now, the next \$10 billion is the part that we said we think is best to do in the form of a loan. First of all, that is not the money that is needed right away, so we have some time on that. But another point on this—and my colleague from Indiana said it well when he talked about we are not trying to undermine the President; we are actually trying to strengthen the President's hand.

Let me make a couple comments about the President and the administration in the job they have done in handling the war in Iraq and postwar Iraq.

I think the President and his administration, the Department of Defense, and, obviously, our military have performed in a spectacular manner. Have there been problems? Absolutely. There

always are problems, and they have adjusted to the problems. They have handled an incredibly difficult situation. And especially the President has shown great leadership through the entire process. It is incredibly challenging in that part of the world to deal with different cultural problems than we are used to dealing with in this country.

So we are trying to strengthen the President's hand. And that is what many of us believe this amendment will do. When we are going out and we are asking other countries to put in grants, we are saying: We, the taxpayers of the United States, are putting up \$10 billion in grants. But a lot of countries are also owed money, and so is the United States right now. We are owed money. We, the sponsors of this amendment, believe that Iraq would be best off going forward if they had no debt.

We believe the best way to ensure they will have no debt is if the President is able to go forward with a \$10 billion loan from the United States and is able to look at those other countries and say: We gave \$10 billion in grants; We have a \$10 billion loan here; and we are willing to forgive that \$10 billion loan if you will.

But why should the American taxpayer—when the oil starts producing revenue, when people start actually paying their power bills, when other things start generating revenues in Iraq, why should the American taxpayer not be paid back if the taxpayer in France, if the taxpayer in Germany, if the taxpayer in Russia—countries that were not willing to support us when we were doing what was right in the world—why should those taxpayers be paid back and not the taxpayers of America?

That is really the whole point of this, which is, if we can give the President the leverage, he can do the best job he can to try to provide Iraq going forward with as little debt as possible. But if these other countries will not forgive the debt, then the American taxpayer will have a chance to be paid back. And that is what the fundamental purpose of the language in the amendment really is.

I want to make just a couple of comments about some of these other countries in the world that are owed this money. Remember, we are loaning this money to a legitimate government in the future in Iraq. This is a legitimate, democratically elected government going forward, a free people going forward that the loan is going to.

Who did France, Germany, Russia, and others loan that money to? An illegitimate regime, the brutal regime of Saddam Hussein. And the argument that they should be paid back for loaning a brutal dictator money, and the American people not paid back for loaning a legitimate free people money, is just very difficult to justify for this Senator. That is why this Senator is so strongly supportive of this amendment.

We hope this amendment is adopted. We think it has a good chance of being adopted tonight.

So I will close by saying that working across the aisle, doing what is right—and I have heard people say, you are just trying to pander to people back home. Frankly, I do not know how many people back home are even paying attention. On a night like tonight, I think most people are going to pay attention to the Red Sox and the Yankees and not to what we are doing here.

In a bipartisan fashion, we are just doing what we believe is right. And the people on the other side of this issue believe what they are doing is right. It is OK to fundamentally disagree. What I hope does not happen in this debate tonight is that we impugn each other's motives. There are true, fundamental differences of belief on the way we should go forward.

We are presenting one alternative that we believe strongly we should go forward with. So I hope the debate stays on a high ground, and let the votes fall where they may. That is the kind of debate we need in the Senate.

I thank the chief sponsor of this bill for yielding me time, and I yield the floor, Mr. President.

The PRESIDING OFFICER. Who yields time?

The Senator from Indiana.

Mr. BAYH. Mr. President, I thank our distinguished colleague for his comments and his leadership.

Mr. President, as you know, this has been a truly bipartisan undertaking by those of us who supported this effort in Iraq from the beginning, members on your side of the aisle and members on my side of the aisle.

So I commend my colleague for his leadership and his courage. It is a pleasure to work with him.

I now yield time to our distinguished colleague from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. NELSON of Nebraska. Mr. President, I thank my colleague from Indiana for the opportunity to speak in support of this amendment. I thank my colleagues who are cosponsoring this amendment: Senators ENSIGN, COLLINS, SNOWE, LINDSEY GRAHAM, and the Presiding Officer, Senator CHAMBLISS. It is a pleasure to be working with them in a bipartisan way on what I think is an important point to the American people and an important point as a message to the world.

When the President delivered his address announcing the \$87 billion he would ask Congress to approve for postwar military operations and construction and reconstruction in Iraq, known as the supplemental, there was clearly a collective gasp from the American people. This was primarily because I do not believe the American public was prepared, before the war, for the cost of reconstruction after the war.

Americans clearly want our mission in Iraq to succeed. We cannot fail. And

we want our young men and women to come home safely. Now our No. 1 priority must be that we do everything in our power to make sure that happens in a fiscally responsible way for the United States and Iraq.

The American role in the liberation of Iraq planted the seeds for democracy. The creation of the Coalition Provisional Authority, led by Ambassador Bremer, and the interim Iraqi Governing Council, have laid the foundation for what I hope will be a lasting Iraqi Republic.

Now is the time to seek greater international support for security, perhaps through NATO, as I have previously suggested, and also to seek more international support through the United Nations, to help democracy and freedom in Iraq by the drafting of a constitution, the holding of legitimate elections, and the participation by all Iraqis in the political process.

Funds for military operations must not be delayed and should be quickly appropriated so that the 140,000 American troops in theater, and those supporting them, will have the tools they need to do their job.

Our soldiers should not be held hostage because of deliberations on controversial portions of this supplemental.

The reconstruction funding the President requested may be the appropriate amount to accomplish our goals. However, as we have all indicated, we have concerns with the way the funding is being made to the Iraqis. The President's reconstruction request simply gives money to Iraq as a grant. It asks the American taxpayer to pick up the entire cost for postwar construction with the hope that we will get others to be donors in this process. It asks nothing from the international community at the present time, and certainly it asks nothing of Iraq in return.

The United States liberated Iraq, but should reconstruction become the sole responsibility of the American people with the expectation and the hope we might get additional contributions from the donors conference? Furthermore, the question can be, Is that the best for Iraq? I don't think so.

The amendment we offer today will ask that the international community do more to aid Iraq in their reconstruction, while simultaneously easing the financial burden that Iraq now carries because of the policies of a brutal tyrant. In contrast to the administration's proposed total direct grant, which does not ask Iraq to contribute financially to its own recovery, this amendment is both generous and fair.

As my colleague from Indiana has indicated, the amendment first provides for a grant covering \$5 billion for building Iraq's security services. That is a grant. And it provides \$5.2 billion in emergency economic assistance. That is a grant. It also asks the administration to notify all relevant congressional committees of every \$250 million obligated out of the \$5.2 billion so that

there is some transparency and accountability on how these dollars are going to be spent.

Most importantly, our proposal asks America to negotiate with the world on behalf of Iraq. Iraq, unfortunately, due to the tyrannical powers and programs of Saddam Hussein, owes money in reparations to Kuwait and Saudi Arabia. It also has debts to France and Russia primarily for military purposes. France and Russia are owed \$6 billion and \$6.9 billion, respectively. Saudi Arabia is owed approximately \$25 billion. This is debt that was incurred by Iraq as a result of the tyrannical forces, powers, and programs of Saddam Hussein.

Our colleague from Oklahoma has proposed a sense-of-the-Senate resolution which will be voted on later this evening, as will this amendment. He has asked that we request the countries that own the debt to forgive the debt. I think that is a start that is halfway to the conclusion that this amendment brings us. But it is only halfway. It is asking rather than providing leverage where I think we will absolutely have the opportunity to seek the forgiveness of this debt. So that if France, Russia, and others can forgive Iraq's debt, the international community would consider this as a positive step toward independence. This immense gesture would enable the Iraqi economic engine to become energized, free of a burden most Iraqis never wanted in the first place.

It is estimated as well that Iraq's proven oil reserves are worth \$2.8 trillion and its potential oil reserves might be worth \$5.5 trillion. Freeing the Iraqis of their prewar debt would help them use their oil resources immediately to provide for their people and their reconstruction.

Our amendment is the only amendment offered that directly addresses the issue of Iraqi debt. Our amendment provides an incentive to those nations to forgive Iraq of its Saddam-era debt. It is my hope the administration and the Iraqi Governing Council will be able to satisfactorily and successfully negotiate with the international community to eliminate 90 percent of the prewar bilateral Iraqi debt. If those negotiations are indeed successful, this amendment would provide that the remaining \$10 billion in reconstruction funding to the Iraqi people would be in the form of a grant. It will be convertible from a loan to a grant in exchange for the forgiveness of 90 percent of the prewar bilateral Iraqi debt.

If the negotiations are unsuccessful, which we hope they would not be, then the \$10 billion will be appropriated as a long-term loan to the Iraqi Governing Council and all prewar debts will be subordinated to the U.S. postwar debt of \$10 billion. This would allow the Iraqi people to get the same jump-start on rebuilding their country while delaying their payments to us and the world until this Iraqi nation has established an economy and can meet its responsibilities to the world community.

The loan would be secured by revenues from Iraqi oil exports in the future.

There are some who will charge that making reconstruction funds available as a loan is evidence that the United States is after Iraq's oil. In my estimation, they will hold that contention regardless of what we do or don't do in regard to funding reconstruction. In fact, the use of the funds to rebuild within Iraq is evidence to the contrary. But even if we can't prove to the rest of the world that we are not after the oil, we must pursue a loan approach as we are proposing.

I can understand that the administration does not want to add to the debt of the Iraqi people. This isn't, as long as the prewar Saddam Hussein indebtedness is forgiven. We owe it to our taxpayers to be just as concerned about growing our budget deficit as we are about Iraq's deficit.

I hope my colleagues will join in support of this generous and fair amendment, recognizing that those who said an entity doesn't exist, that that argument just doesn't wash. If it exists for a grant, it exists for a loan. There are those who have said we are loading it up with debt. It is just the opposite. They have even cited post-World War I Germany with the debt that was added there. The intent here is to clear the debt, to clear it up so we put Iraq on a firm financial footing as it moves forward. All we ask is the help of the other nations.

This provides leverage to go to the donors conference and say: We are prepared to make a grant. We just want to make sure the debt that is existing prior to the war, the Saddam-era debt, is forgiven.

I appreciate the opportunity. It is a pleasure to work with my colleagues. I thank my colleague from Indiana.

Mr. BAYH. Mr. President, we are grateful for the leadership and the eloquence of our colleague from Nebraska. He was a successful businessman, an outstanding Governor, and now a very wise Member of this body. I thank him for his leadership.

The PRESIDING OFFICER. Who seeks time?

Mr. BAYH. I am pleased to yield time to the distinguished Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, before I give my remarks, let me thank my colleagues on both sides of the aisle who have worked so hard to craft this amendment. It has been a great pleasure to work with all of them. I believe the proposal we are advancing this evening not only reflects a great deal of thought and deliberation but is by far the best policy we could pursue.

The Senate is engaged in a historic debate: the consideration of the most comprehensive package of military and foreign reconstruction assistance since the Marshall plan. The administration has asked the Congress to appropriate \$87 billion, some of which would go to

Afghanistan, but the vast majority would go for Iraq.

As a member of the Senate Armed Services Committee, I visited Iraq last July. I am well aware of the urgent need for additional funding to support our troops. Rogue elements operating in Iraq, whether it is the remnants of the Baathist regime or terrorists from other countries, endanger our troops and threaten to undermine our efforts to establish a prosperous and democratic society. It is imperative that our troops have all the support they need to be as safe and as effective as possible. In that regard, it is indeed heartening that the \$66 billion included in this package that will be used to support our troops enjoys widespread support.

The stakes are very high. We simply cannot fail in Iraq. The sacrifices of our young men and women in uniform cannot be in vain. This funding will help to support their efforts and to ensure their success.

I also recognize that Iraq needs our assistance in constructing a modern infrastructure and rebuilding its security services. There are \$20 billion included in this bill targeted for those purposes. I note the significance of that amount; it is more than our entire foreign aid budget. So this is a very significant assistance package we are considering tonight.

It is vital that basic services be restored to the Iraqi people as soon as possible so that their hardships do not continue. Without reliable electricity and clean water, the Iraqi people cannot rebuild their lives, their country, and their economy. I believe there are, however, ways to structure this assistance to provide the Iraqis with the help they need while lessening the impact on the American taxpayer. That is the goal of the bipartisan amendment we have put forth this evening.

While I fully support the President's overall budget request, we have an obligation to explore ways to lessen the burden on the American taxpayer. To accomplish this goal, our amendment proposes that part of this assistance be provided to the Iraqi people in the form of a loan, to be repaid at some point in the future when Iraq once again becomes the prosperous nation it has the capacity to be.

When I visited Iraq, I was struck by how little damage the war actually inflicted on the infrastructure of that nation. I saw firsthand evidence of how our precision weaponry and the care our troops took were successful in targeting installations that posed a threat to our troops or supported the regime of Saddam Hussein while sparing the civilian community.

I was also struck, however, by the dreadfully poor infrastructure of communities throughout the nation. Basic elements of a modern nation, such as the electricity, clean water, schools, hospitals, roads, and bridges, were ignored by Saddam Hussein as he looted the country and left it in shambles. In

fact, when you think about it, what we are really talking about is construction costs, not reconstruction. Iraq lacks many of the elements of a modern and well-functioning infrastructure.

I do not believe it is in any way unfair to ask the Iraqi people to invest in their own future by repaying the American taxpayers some of the funding used to construct their infrastructure, particularly when they clearly will have the ability someday to do so, for Iraq is not Afghanistan; Iraq has an educated population, abundant natural resources and, most notably, the second largest oil reserves in the world.

The administration projects that Iraq will be generating \$20 billion in annual oil revenue within just 2 years. With such economic assets, Iraq undoubtedly one day will have the financial wherewithal to repay this loan. Moreover, asking the Iraqis to take some responsibility for rebuilding their own country will help give them a sense of ownership, increasing the chances that our reconstruction efforts will endure long after our troops have returned home.

One of the arguments put forth by opponents of the loan concept is that Iraq is already burdened with an estimated \$100 billion to \$125 billion in debt from Saddam Hussein's regime. But what is often left out is that some of the largest holders of that debt are Saudi Arabia, France, Germany, and Russia. If it were up to the leaders of three of those nations, the Iraqi people would still be suffering under the brutal and repressive regime of Saddam Hussein.

The American people will be justifiably outraged if one dime of their money is sent to France while the American people are pouring millions of their hard-earned tax dollars into rebuilding Iraq. France, Germany, and Russia should not be paid for the debts incurred by one of the most despicable and violent leaders in decades while the American taxpayer invests billions in the rebuilding and stabilization of Iraq.

I also point out that structuring our assistance as loans is not without precedent. Most of the large-scale infrastructure projects undertaken in postconflict Bosnia have been administered through the World Bank in the form of loans with reasonable repayment conditions. If this approach is not hindering the reconstruction of Bosnia, the same surely should hold true for Iraq, a country with far greater economic resources.

That is why we have joined this evening to offer this amendment. This amendment ensures that the American taxpayer will eventually be reimbursed for a portion of our investment in Iraq. Under our proposal, \$10 billion in our construction assistance will be made available for use as loans while the other \$10 billion will be available as grants.

So you can see we have taken a very reasonable, moderate approach in con-

structing this amendment. By making available \$5 billion in grants for rebuilding Iraq's security services and yet another \$5 billion to jump start the reconstruction process, our approach ensures that the administration has the funds necessary to address the immediate and pressing needs.

Furthermore, the amendment requires the administration to notify congressional committees after the expenditure of every \$250 million of the funds. This provision will help to enhance accountability. The President is then authorized to use the remaining \$10 billion as loans to the Iraqi Governing Council or its successor.

Here is an important provision of our amendment. We say that if, however, 90 percent of Iraq's bilateral foreign debt is forgiven, then the remaining assistance will be converted to grants and the loans already obligated will be forgiven. So this is a very generous proposal.

This provision will encourage other countries to forgive at least a portion of their debt and ensure that we are not financing the rebuilding of Iraq's infrastructure while nations that loaned money to Saddam Hussein are repaid.

In addition, the amendment includes a sense-of-the-Senate provision encouraging all the nations to forgive their pre-liberation bilateral debt and to provide robust levels of reconstruction aid to postwar Iraq at the upcoming donors conference.

The American people are very generous. They not only want to give our troops the support they need but they want to provide help to the Iraqi people. The American people understand that Iraq cannot repay this money immediately. That is not what we are asking. But the American taxpayer does deserve to be repaid eventually for some of our investment in this country. And Iraq deserves to be treated as a country that has the enormous economic potential that it clearly has. Structuring our reconstruction assistance as a loan is a reasonable approach that satisfies both concerns.

Again, I acknowledge the hard work of the group of Senators, including the Presiding Officer, who have worked very hard to come up with what I believe is a commonsense approach to this aid package.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I yield myself 5 minutes in opposition to the amendment.

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

Mr. NICKLES. Mr. President, first, I wish to tell my colleagues who debated on the other side of the issue that I have great respect for their position. I just happen to disagree with it.

I stated some time ago that I had hoped a significant portion of the \$20

billion for reconstruction of Iraq could be in the form of a loan. I would like to see that be the case. I just happen to think, upon further review, that it is not possible now. It might be possible a year from now, but it is not possible now, at least in my opinion.

There is no government in Iraq today. Hopefully, there will be. It is our objective to have a democracy in Iraq. It is our objective to have Iraq run by Iraqis. There is nobody in Iraq who can sign a note and say: We will borrow \$10 billion and pay you back. Nobody. I guess one could say Ambassador Bremer could do it.

I listened to Ambassador Bremer, and I have great confidence in him. I think he has done a great job. This amendment is saying we know better than he does. He happens to be living in Iraq. He is working there. He is risking his life daily. I don't know how many assassination attempts have been made on his life and on the lives of the people working with him. I actually have a former staff member who is working in the Iraqi government. She is fluent in Arabic. I happen to think they have made a good choice.

Maybe in the future loans can be made, but right now there is not an Iraqi government. There is no one to sign the note. There is no one who can say: We will make payments and pay this back.

Frankly, if one looks at their current situation—Iraq is a country that was so ignored by Saddam Hussein, so devastated by his terrible plundering of the country for military purposes, that their ability to pay back debt is nonexistent for some time.

Iraq has inherited a lot of debt. I have an amendment we will be voting on shortly that says countries that own Saddam Hussein's incurred debt should forgive that debt. I hope that amendment will be supported, and I hope that will send a signal to those countries that hold some of that paper.

That paper is worthless. Saddam Hussein did not make payments on it. There is no way in the world future Iraqis could inherit that debt and prosper. So it needs to be written off.

If we say, before you write that off, we want to add another \$10 billion, even though you don't have a government, we want to add another \$10 billion on top of that, and, oh, yes, we want to be paid back, but we want you to write off the \$100 billion or the \$150 billion of debt previously owned, I think that complicates that message.

Maybe I am wrong, but when we are saying we want to lend \$10 billion and we want to be paid off, but you other countries who hold a bunch of Iraqi debt, you should forgive that, I think it will get lost in the translation. This amendment says \$10 billion will be released when and if 90 percent of that debt is forgiven. Maybe it is a carrot, maybe it is an incentive that \$10 billion will never be spent. I do know there is not a government that can sign this note. There is not an Iraqi

government that can make the payment. Maybe it will make people feel better to say it is a loan, but there is nobody to sign that note. There is nobody who has the authority and who is supported by the Iraqi people who can say: Yes, we will be making these payments.

Likewise, it greatly complicates our efforts to get other countries that currently hold worthless Iraqi paper to write off that debt. They are going to say: United States, if you are going to take on \$10 billion of loans and you expect to be paid, then we expect to be paid. I think it will greatly complicate efforts to get other countries to write off their debt.

Let me say this about Ambassador Bremer. He has done a fantastic job. Do we support him or not? I asked Secretary Powell yesterday: Is there a government in Iraq that can pay this note back?

He said no.

Is there anybody there who can pay this note back?

He said no. That is our Secretary of State.

I asked basically the same questions of Ambassador Bremer. Is this possible?

He said no. He was strongly urging us to go the grant approach; give them the flexibility to get this country going, not complicate their efforts when they are trying to get other countries to write off some of the existing worthless debt.

I have confidence in Ambassador Bremer. I have confidence in Secretary Powell. I think this amendment is very well intended. Again, I have no complaints whatsoever about the authors of this amendment. I respect them greatly as colleagues, but I think they made a mistake, and I urge our colleagues to vote no on this amendment when we vote.

I yield the floor.

THE PRESIDING OFFICER. Who yields time?

Mr. STEVENS. Mr. President, I yield 5 minutes to Senator ROBERTS.

THE PRESIDING OFFICER. The Senator from Kansas is recognized for 5 minutes.

Mr. ROBERTS. I thank the Chair.

Mr. President, I am going to start off with a quote from Winston Churchill and people are going to say: Why on Earth would I be quoting Winston Churchill in this regard as to whether or not we will come to the assistance of the Iraqis with a loan or a grant? But I think it has application, and it refers back to what the distinguished Senator from Indiana said. I would like to repeat what the Senator from Oklahoma has stated. I have nothing but admiration for the work the Senator from Indiana and others who have spoken to this amendment have done on this issue. Senator BAYH is a very valued member of the Intelligence Committee.

Let me get back to my point, and that is, Churchill said on hearing about the attack on Pearl Harbor—if you

stop and think about it, 9/11 is our modern-day Pearl Harbor, so I think it is an apt quote. He said:

Silly people, that was the description many gave in discounting the force of the United States. Some said they were soft, others that they would never be united, that they would never come to grips, they would never stand bloodletting, that their system of government and democracy would paralyze their war effort.

Let me repeat that:

that their system of government and democracy would paralyze their war effort.

Now we will see the weakness of this numerous but remote, wealthy and very talkative people.

Then Churchill said:

But, I had studied the American Civil War fought out to the last desperate inch. American blood flowed in my veins. I thought of a remark made to me years before—the United States is like a gigantic boiler. Once the fire of freedom is lighted under it, there is no limit to the power it can generate. It is a matter of resolve.

Let me repeat that:

It is a matter of resolve.

Why do I bring up the Churchill quote and the issue of resolve in regard to whether or not we apply a grant or a loan to the Iraqi people?

I think it is a question of resolve in the eyes of more especially those in the Arab world, more especially the Iraqis. In the last 2 days, I have had visits from three ambassadors. I am not going to go into their names or countries. It was a confidential discussion. Obviously, they were countries directly involved in this whole effort. They asked me quite frankly about American resolve. They asked me about the whole WMD issue, whether or not the American people still had the resolve to see this through.

Then they asked me about this loan situation and this grant situation. They were very mindful of the attitude the Senator from Indiana already spoke to that there will be those in the Arab world, our adversaries, if you will, who will interpret this as a grab that they originally described as to why the United States became involved in this conflict—a grab for the oil of Iraq.

On April 8, 2003, the President and the Prime Minister of Britain said in a joint statement regarding the future of Iraq:

We reaffirm our commitment to protect Iraq's natural resources, as the patrimony of the people of Iraq, which should be used only for their benefit.

U.S. interests in Iraq lie solely with the development of a free and democratic nation. Congress should not now add a condition of our involvement that suggests the United States had an interest in Iraqi oil all along. Using the Iraq's oil as collateral for loans would play now into the hands of those who wrongly attributed an oil motive. That is in reference to a statement made by both the President and the Prime Minister of Britain.

Now, the distinguished Senator from Indiana said that is not true. I do not

think it is true either, but I think it is true in the minds of many Arab leaders. I do not know who is paying attention to this debate tonight. There are not many Members present. We are going to have a vote later, but most Americans are probably watching the playoffs in regard to the World Series, so I doubt if too many people are paying attention.

I tell my colleagues who will pay attention: Every intelligence community and every Arab leader in the world will go over every word of what we say tonight. I have had three ambassadors come to me wondering about the resolve of the United States and are we reneging in regard to our support for the war. Rightly or wrongly, I think that is a real problem.

I think we also have a real problem with the timing of this in regard to the loan, just as the President goes overseas, goes to the donors conference. People say, well, this will allow us a seat at the table. My colleagues, we are the table.

The PRESIDING OFFICER. The Senator has used 5 minutes. Does he request more time?

Mr. ROBERTS. I request an additional 30 seconds, if that would be possible.

The PRESIDING OFFICER. Without objection.

Mr. ROBERTS. In summing up, I support the amendment that has been introduced by the Senator from Oklahoma and would say it is a matter of resolve in the eyes of the Arab world. It is much larger than Iraq and much larger than a \$10 billion loan or \$5 billion here or \$5 billion there. In fact, it will be viewed in the Arab world, in the Arab community, as a test of America's resolve, and I do not want us to fail that test.

The PRESIDING OFFICER. Who yields time?

Mr. BAYH. Mr. President, I am pleased to yield 5 minutes to the distinguished Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 5 minutes.

Mr. GRAHAM of South Carolina. Mr. President, probably by the end of the week, if things stay the way they have been, unfortunately we will have some injured troops and maybe some will lose their lives.

There is a resolve by the American people and this body to stay the course. If anybody has looked at what we have done in a reasonable, rational manner—and that is all I ask the world to do—they will see great resolve on our part. The biggest contribution we have made to the Iraqi people has nothing to do with money. It is the 350, somewhere in that number, growing by the day, young men and women. That is our biggest contribution. We have spent a lot of money, a billion dollars a week, to try to transform a country from tyranny to civility, and the middle is chaos. We are making great im-

provements. That is an honest statement.

Having been to Iraq, one can see the resolve in the soldiers' eyes. I dare say there may be some men and women in the Armed Forces who are so decent that they would say: Give the Iraqi people money, we do not want to be paid back. That is the strength of our country.

We are in it for the long haul. There is more dying to come. There is more money to be spent. If we try to build up the infrastructure in the next months to come, chances are it will be attacked because we have not secured the country yet. To expect it to be secured in 6 months is impossible, because the Iraqi Army and all the bad people who are in it have gone into the civilian population.

Senator McCONNELL is right; they are not just killing Americans. They are killing people who are trying to transform the country into democracy.

People may say, oh, this loan proves they were over there for our oil. I cannot tell my colleagues how much it bothers me to hear that because my colleagues know it is not true and I know it is not true. Nobody in a rational thought process would send 350 people and climbing to their death, spend \$70 billion and climbing, to make a \$10 billion loan that may never be collected.

So people can say what they want to say. If our country gives in to that way of thinking, and if we are swayed by people who hate us to begin with and we change our policy based on people who are never going to be with us, we will never get this right.

My hope is that the Iraqi people who see our soldiers on the ground, see the schools being opened and built, and the hospitals being repaired would be the first to reject this kind of reasoning, because God knows we are not there to take anything they have. We are there to help them, but we are also there to help us.

Why did we go to war? Why did we pick people from South Carolina, California, and all the places in between to go to a foreign land and risk their lives and have some die? To make sure that Saddam Hussein could do no more damage to the region or us than he has already done.

President Bush has shown great leadership. He has said that the 21st century will not be ruled or dictated by terrorists, dictators, and murderers. He is absolutely right. God bless him for his resolve.

This amendment puts \$10 billion on the table, unencumbered, to spend however you would like. This chart shows from \$95 billion to \$153 billion of debt incurred to Saddam Hussein. The reason I am so passionate about this, I do not want to give in to a great lie. We cannot buy our way out of this problem. We cannot take \$10 billion of taxpayer money and people are losing their jobs to buy our way out of a great lie.

It would be terrible if the people of this country, who have sacrificed so much, wound up not getting a dime back for doing a good thing, and all they invested in Iraq to produce profit and money went to pay the people back who kept Saddam Hussein in power. That is unacceptable to me, and that is the scenario we are charting. Please do not do that. It would be bad for everyone. It would not make the world safer.

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

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. STEVENS. I yield 5 minutes to Senator SESSIONS.

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). The Senator from Alabama is recognized for 5 minutes.

Mr. SESSIONS. I thank the distinguished chairman of the Appropriations Committee, Senator STEVENS, and appreciate his leadership in this matter. He has been in this body a long time. He has served his country in the military, and I think he sized up this matter quite correctly. We are at war.

I was at the Walter Reed Hospital a couple of weeks ago, meeting soldiers who served in Iraq. They have been wounded, some seriously. Most who I met were getting better. They were great in spirit and were most impressive young people.

We are in a war. We have an \$87 billion request, and \$67 billion of that is going to be to fund our military at \$4 billion a month. Twenty billion dollars is what has been set aside for infrastructure.

My goal, and I believe the goal of this country, is to stabilize Iraq, create a healthy environment as best we can, and to continue to draw down our troops in a rapid way; get out and come home. The \$20 billion gives us the best chance to do that. That means we need money for police.

When I visited Iraq in August, I went to observe the police training. I wanted to do that because I was a Federal prosecutor for a number of years and I wanted to see how they were doing. They are doing very well. They are being targeted now because they are doing so well.

We need money to get electricity. Electricity needs to be on in Baghdad. When we get the electricity on, that country is going to be better off. It is going to be more stable and there is going to be less violence. That is what the infrastructure money does.

I do not see how this President can ask other countries to not try to collect on debts they have to the Saddam Hussein regime if he is asking that the money we put in for this infrastructure be classified as a debt. I just do not believe that is good policy for him. I think it is going to complicate matters in many different ways. Secretary of State Colin Powell indicated those ways to us recently. The entire administration, the Vice President, those

who dealt with this issue so closely, are passionately of the belief it would be a colossal error for us to try to put a mortgage on Iraq in order to get paid back for half, I guess, now of the money we are providing to improve the infrastructure in that country. It does not make good sense to me.

I think the right thing to do is for us to step forward as we are doing, be bold and courageous, complete this job, improve the infrastructure, establish a police force that has ability and integrity, a security force that can protect areas of the country that are at risk, and bring on an Iraqi Army.

I visited the training camps for the Iraqi Army. We have the potential to do even more than we are doing, in bringing on those troops even more rapidly than we are doing. If we spend that money for that purpose, I believe this country can be in a position to continue to draw down our troops.

We had 250,000 troops at the peak of this effort. We are now down to 138,000. I see no reason that number cannot continue to go down. Whole areas of the country are doing very well. We have to be pleased with what has happened in Mosul in the north, where the 101st and General Petraus have done so well; Kirkuk in the south. Basra is doing exceedingly well.

We have seen reports recently of the economic vitality on the streets of the country. I believe it is just a big mistake for us to try to now come in and worry about whether this ought to be a loan.

I don't take a back seat to anybody in this Senate on trying to preserve the taxpayers' money. In fact, most of the people I hear who want to make this a loan and are so worried about collecting this money back have not been counted on a lot of tough votes on spending when we have had some real challenges here, to contain the growth in spending. So it is painful to me to think about \$67 billion, \$87 billion to be spent there. But we made a commitment. This Senate voted over three-fourths to support this effort. We had no doubt when we entered this effort that it was going to be costly. In fact, we have to be pleased the war went better than we could ever have expected it to go. It went faster.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. SESSIONS. I thank the Chair and will just conclude by saying I believe the amendment should not be adopted. We ought to make this a grant. Let's go forward, stabilize this country, and bring our soldiers home.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. I yield 5 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SANTORUM. I thank the Senator from Alaska for yielding the time, and

I compliment Members on both sides of this issue for the excellent debate, the tone of this debate.

It is a very important debate we are engaged in right now. This is probably the most important decision we will make because it is going to shape the postwar policy of a reconstruction that will have a dramatic impact on the national security of this country. So I think people are taking this vote very seriously and I think they should take it seriously because it has incredible ramifications.

This is a vote I believe we will look back on as one of the most significant votes we will cast in the area of foreign policy, certainly in the time I have been in the Senate, in Congress. So I am pleased to see there is a good, active debate. The words being exchanged I think have been helpful.

A lot of the comments I heard from some of my colleagues who support the Bayh amendment, which I do not, have been reassuring to me. The intent of this amendment is not to show a lack of resolve on the part of any Member of the Senate that the policy of this administration in Iraq is being supported by those who may differ with the way the package is put together. Those words are important. Those words matter.

My concern with those words is those words do matter, those words are important, but what matters more and what is more important are actions. There are too many people around this world who are not going to hear these words, but they are going to see the action. There are too many people in this world who will ignore the words and focus and take advantage of them to portray America really differently and portray this Senate differently than what the words in support of the Bayh amendment articulate.

Yes, words matter. Intent of the offerors of this amendment, supporters of this amendment, matters. But the problem is the action of what is going to occur matters most. The action here is clear. We are saying to a country that is flat on its back economically, that has just gone through a 25-year-plus horrific regime, has just been through a war, we are saying to them: We came there to liberate you, to create freedom and rebuild your society into one that is peaceful and democratic, and, oh, by the way—and it is the “oh, by the way” this amendment is all about. The “oh, by the way” is we want some of that money back.

Of course, the only way they can pay it back, and this is what the world community will see, this is what the people in the Arab world will see, is through oil revenues.

That “oh, by the way” action trumps all of the words we heard here tonight which are no, we are not after oil, we are not after this. But it really doesn't matter what we say because what will be interpreted is what we do.

The impact of that in this very fragile postwar period is profound, the im-

act on the donors conference which is coming up, where we are asking those around the world to contribute money, not to loan the money but to give the money. These are people who did not participate, in many cases, in supporting the United States action. So we are asking them, for humanitarian purposes, for purposes of promoting stability in the world, to support reconstruction in some cases where they didn't support the action in the first place. To go there with less than generous support—although I agree with many of my colleagues, we have been generous. The American public has been incredibly generous. But to have those strings attached is going to send a message that is not going to be positive in getting additional contributions from the donor nations. That will have a serious impact on the buy-in we need to make postwar Iraq successful.

It was said by someone in the administration yesterday at our luncheon that there are now elections being held in Saudi Arabia, local elections for the first time as a result of the model that is being set in Iraq. The impact of a successful Iraq, a democratic Iraq, on that region of the world is like the MasterCard commercial—it is priceless. It is priceless.

Why we, in any small way, would put that in jeopardy or give those who would like to see it not succeed an opportunity to use this vote and this action by the Senate to undermine that objective is to me something that does not make sense.

So I hope my colleagues understand, this is an important vote, one we will look back on throughout history, like I believe those in 1948 look back on their vote on the Marshall plan. I hope we will get a vote to defeat this amendment.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. STEVENS. I yield to the Senator from Georgia 8 minutes.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Thank you, Mr. President.

I say to Senators BAYH, NELSON, GRAHAM, COLLINS, SNOWE, and ENSIGN what a pleasure it is to work with all of you on this issue where we know we are doing the right thing for America and the American people as well as for the people of Iraq.

I start out by saying that nobody, according to my political opponents, has been a stronger supporter of this administration and this President than this Senator from Georgia. I continue to support my President. I support his request for \$87 billion in funding for Iraq. The only thing I disagree with the administration about is how we structure that funding. None of us disagrees about the fact that we need the \$67 billion for the military operation in Iraq. But to take the remainder of the \$20 billion and to put half of it in the form of a grant to tell the people of Iraq we

are going to give you the money to go in and rebuild your infrastructure is certainly reasonable. To tell them also that we want you to make an investment in Iraq just like we as the American taxpayers are making an investment in Iraq is also reasonable.

There are three reasons that I feel so strongly about this issue. Before I talk about those three reasons, I wish to address one issue on which I know our political enemies in the press, particularly in other parts of the world, are going to be attacking us as Members of the Senate tomorrow if this amendment does pass. That attack is going to be geared to saying: Here we go, we told you all along that the Americans came into Iraq because they wanted our oil. My friend from Oklahoma has already addressed this issue. What he has said is very clear; that is, the debt that Iraq now owes—it is listed on this chart that has been entered into the RECORD—there is no money left. No money is left to pay this debt.

To say we went into Iraq for oil because we are asking the Iraqi people to make an investment in infrastructure is simply not true. There is no way you can say it is true.

Let me get to my three reasons.

First of all, should the American taxpayer invest money in Iraq so that the Iraqi people can have their infrastructure rebuilt and have their economy revitalized so that these debts can be repaid? My friend from Maine has already addressed this issue, and I think the answer is very clear.

Second, if America is to invest in Iraq in rebuilding its infrastructure, is it unreasonable to ask the Iraqi people to share in that investment?

What is going to happen when we start investing over there and start rebuilding their infrastructure? I can tell you what is going to happen—some of the same things we have already seen happen. We have seen pipelines attacked by the terrorist community in that part of the world. We have seen bombs blown up in front of the hotels in Baghdad. We have seen other entities, including Americans, attacked on a regular basis.

When we rebuild the infrastructure, we can expect the terrorist community, which is alive and well in that part of the world, to continue to come out and attack those investments we are making.

If the Iraqi people share in that investment, are they going to be more likely to help us in preventing those attacks and also in bringing the perpetrators of those attacks to justice? You bet they will. I think there is every reason in the world to ask them to make a joint investment with us.

Third, my goal is that when the American presence in Iraq is gone, all of these debts are relieved. How do we best do that? Do we best do that by investing \$20 billion and saying: OK, we are going to rebuild your infrastructure? You go out, and because your economy is back up and running, you

take care of those debts. No. They are not going to leave them debt free if we do that.

If the President goes to the donors conference next week or calls up President Putin or any of these other countries and says, Look, my country is owed \$10 billion, we invested \$10 billion to rebuild the infrastructure, if you forgive your debt, we will forgive our debt, does that give a moral leverage in what he would have if he went in and said, We put \$20 billion in there, why don't you forgive your debt? Be a nice guy and forgive it? The nice guys have already spoken—Germany, France, and these other countries such as Russia have already spoken. They are not going to be nice guys. We simply can't expect that from them.

We need to give the President the leverage he can use to go in and get these debts forgiven. When that happens—and I sincerely hope it does happen in the short term—then our \$10 billion in the form of a loan is going to be converted to a grant, and it won't be repaid.

That is what we are here debating tonight—whether or not we are going to give the President the right kind of leverage he needs to deal with these countries that sit in creditor status with Iraq today.

What has been our investment in Iraq? Our investment has been whatever it costs us to this point in time. I don't know how many billions of dollars—maybe \$100 billion. I don't know what it is. How much is it going to cost us in the future? It is going to cost us another \$21 billion, or is it another \$87 billion? That is going to get us through the next year. Next year we will be back here debating on another supplemental on continuing the effort in Iraq.

All we are asking the Iraqi people to do is to take part of that \$130 billion, \$150 billion, or \$170 billion—whatever it has been today—and share part of it with us; share \$10 billion with us.

Second, there is not a country on this chart, outside of the U.K., that has lost one life as a result of the conflict in Iraq and freeing and liberating the Iraqi people. As of today, we have lost 332 American lives—just as of today. A young soldier from Valdosta, GA, was found floating in a river. He apparently drowned over there. We have lost 332 brave American men and women. These countries, outside of the U.K., have lost none. They have made no investment of life in the freedom of Iraq.

Let me close by answering my friend from Oklahoma, who is truly one of my dearest friends and a guy I respect so much. But when he says, from the standpoint of to whom we are going to lend this money, there is nobody to sign a note, what are we going to do with this \$21 billion? Are we going to stand in a hotel window and throw it on the streets of Baghdad? Give me a break. There is somebody in place to give the money to. There is somebody in place to lend the money to. All you

have to do is think about what we are going to do with the money. We are going to rebuild the infrastructure in Iraq. There is somebody who owns that infrastructure. I don't care whether it is the former government or the Coalition Provisional Authority. There is an entity in place that is capable of signing a note. That is simply a very weak argument, to say that we don't have the legal capacity to make this loan.

Again, I am very proud of the fact that we have come together in a bipartisan way to do what we think is right for the American people.

Again, I am thankful for the leadership of Senator BAYH, Senator COLLINS, and Senator ENSIGN, who were so instrumental in this.

I ask my colleagues to think seriously about this because it is maybe the most important vote we will make. The future of our children and grandchildren, particularly when it comes to rooting out terrorism around the world, may rest in this vote. I am very confident that the right vote is in support of this amendment.

I thank the Chair.

Mr. BAYH. I ask my colleague: The Senator from Michigan has been waiting quite some time.

Mr. STEVENS. I have had the Senator from Washington waiting for a substantial amount of time, too.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I yield 5 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I rise to join my well-meaning colleagues on both sides of this debate in trying to determine the best mechanism for not only our leadership in Iraq and getting the Iraqi people on their feet, but also in getting other countries to help by forgiving Iraqi debt.

It is crucial that we in this Chamber send a strong message to the Iraqi people that we will be the world's most outspoken advocate for Iraqi reconstruction and that the United States will play a leadership role.

Now I don't impugn the motives of other Members who want to qualify our assistance through a loan formula.

I share my colleagues' concerns that the funding for Iraq reconstruction is a serious cost that we need to thoroughly consider and oversee.

However, I think it is critically important to realize that Americans have already been making a serious investment in this region in order to ensure that we are so close to achieving: A stable, peaceful, democratic Iraq.

We spent billions of dollars to expel Hussein out of Kuwait; we spent billions throughout the nineties patrolling a no-fly zone; and we spent billions to liberate Iraq, and we are spending billions to secure and stabilize the country.

We are now the closest we have ever been to achieving the very goal that we have sacrificed lives and spent billions to achieve.

We are very close to taking the Iraqi people off their knees and putting them on their feet. Yet, the right way to do this is by helping them build a strong economy not by saddling the Iraqis with further debt.

Let's consider what we are saying when we ask the Iraqi people to take on this loan. Think about it. Iraq's annual oil revenues may be somewhere around \$15 billion, but we are on the verge of adding to an existing debt level of \$200 billion—and expecting them to pay with their oil revenues.

To think that Iraq can pay off a loan by oil revenues when its debt is thirteen times its annual oil revenues is ridiculous. A future Iraq would end up spending half of its oil revenues on interest payments alone.

Is that the message we want to send to the Iraqi people?

Is that the message we want to send to the mayor of Kirkuk who I met?

To the governor of Basra who doesn't have enough electricity to serve his community?

To the members of the Iraqi council, who are not only giving their time to serve their country, but are risking their lives.

To the woman of the Iraqi council who spent 16 years in hiding with other women only to rejoice when she found out that the United States was coming to give them an opportunity to meet and express their opinions in public.

These courageous leaders have stepped out to rebuild this country, and are willing to give their lives to do so.

We need to help these people re-build their country, not pile on additional debt.

Now is not the time for the United States to back away from its leadership role in nurturing Iraq's future.

Make no mistake, I am disappointed like all my colleagues that the American economy isn't recovering as well as it should.

I am disappointed in our terribly low levels of domestic investment.

I have as much concern as anyone over our domestic economy—my home state of Washington is still facing a terribly high 7.5 percent unemployment rate.

But we cannot tell the American people that we are going to solve their problem by somehow holding down the Iraqi people to a future debt that will not let them stand on their feet.

The United States must play a leadership role in Iraq reconstruction.

And it is very hard to play a leadership role when our commitment to Iraq reconstruction is qualified by the conditions of a loan.

We need to say to the rest of the world community that it is time for them to help build Iraq, too.

We need to say that if they are serious in their commitments about rebuilding Iraq, as the U.N. did in its resolution today, then get behind that message and deliver.

But to say that out of the \$87 billion that we are talking about, that some-

how \$10 billion of it ought to be paid back in a loan—only if the other countries are not willing to commit to debt forgiveness—is not the message of a leader.

A leader who believes in the Iraqi people will stand behind them and give them the ability to get their country on their feet. We must be this leader and get them on their feet and get our troops back home.

Mr. BAYH. I yield 8 minutes to the Senator from Michigan.

Mr. STEVENS. Mr. President, after that, I yield to Senator BURNS 5 minutes from our side.

The PRESIDING OFFICER. The Senator is requesting that Senator BURNS follow Senator LEVIN.

Mr. BAYH. If the Senator from Montana would like to follow the Senator from Michigan, I have no problem.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I first thank the Senators who have been so deeply engaged in coming up with a bipartisan amendment. It is critically important there be a bipartisan amendment relative to issues of war, peace, reconstruction, and the aftermath of war. I congratulate them on it. I support this amendment.

The administration has requested approximately \$20 billion for the reconstruction of Iraq and the entire sum is intended to be a grant. We are told that Saddam Hussein's debts are so great that we cannot contemplate the new Iraq taking out a loan against their huge resource, the second largest oil reserves in the world, perhaps \$1 trillion or more, so that they can become involved in their own reconstruction. Only a grant, we are told, will do, even though this is a country with a tremendous resource. We are told they cannot contribute to their own reconstruction financially.

It was just last March Deputy Secretary of Defense Wolfowitz said that "we are dealing with a country that can really finance its own reconstruction, and relatively soon." And it can. It surely can help finance its own reconstruction and would be far better off if it did help to finance its own reconstruction.

If the Iraqis possessed billions of dollars in gold bullion, I cannot imagine anyone talking about granting them \$20 billion. They have \$1 trillion in liquid goal. Yet the suggestion for us to propose to Iraq that they can stand on their own feet, that they can contribute to their own reconstruction by a tiny fraction of that asset being used, somehow or other that does not mean we are leading—I reject that. We have led with our lives, almost 350 American lives. Every one of those lives shows resolve. Every one of the 1,700 Americans who have been injured show resolve. And we are going to continue to show resolve with our lives on the line.

To suggest that Iraq, with an asset of \$1 trillion, somehow or other should not be part of its own reconstruction

financially is portrayed here as a lack of leadership. To me, it is a central element of wisdom and recognizing that Iraq has a right to be treated as a country that has great resources, great capabilities and we need to treat them as a partner.

What is missing from the Bremer plan is a sense of ownership by Iraq of its own reconstruction. The money involved in the plan is U.S. money being appropriated to a U.S. administrator, who is going to spend the money pretty much as he sees fit. That is not the best way to succeed in Iraq. The best way is Iraq having the will to succeed.

There has been a suggestion that somehow or other we do not have the resolve if we become partners with Iraq. It is quite the opposite. Iraq must have the will to succeed and contribute to its own reconstruction with a tiny fraction of its own resources as a reflection of that will to succeed.

If Iraqi money were involved, I don't think this plan would have proposed new ZIP Codes for Iraq; sending Iraqi students, at huge expense, to business schools; some kind of a big honeypot for U.S. consultants. Is that how the Iraqis would be spending their money? I doubt it. When we talked to the Iraqis who came here, we asked them if they had a role in this plan? We were told, no; this was our plan.

This has got to be their plan for their own reconstruction. They have to own it. It is their country. We can help them. We can be a partner, and God knows we have been. All the blood that we have shed for their liberation has surely made us a partner. Nobody is going to be able to misconstrue this as our aiming at their oil resource. No one can misconstrue a grant of \$10 billion, and a following loan of another \$10 billion if others will contribute, as somehow or other targeting their resources. Nobody is going to buy it. There may be an effort made to misconstrue it, but nobody is going to buy that. We shed too much blood. We have spent too much money in Iraq for this to be misconstrued this way.

One other thing: Our simply giving them billions without their participating, and then our deciding how to spend it, is going to keep America as the target of terrorists, not just because of the military power that we deploy so visibly, but because of the reconstruction projects that we choose so unilaterally. If an electric power plant is built with our money—it's a visible U.S. target for terrorists. If its built with Iraqi money—it's less of a lightning rod.

The distinction is important in another way. Iraqis will have more incentives to protect and to fight what their money builds. For those reasons alone, the future of Iraq will be more assured if Iraqis have the financial stake to succeed.

This has to be a partnership. We must join with Iraq in the reconstruction. We should not dominate. We should not control. We should not determine. Their resources should be

spent on their own reconstruction, with them, surely in part, choosing their priorities as to what is important for them.

That is what we should all want for Iraq. And our simply saying, here is \$20 billion, these are the ways we will spend the \$20 billion—is not the way to help Iraq get back on its feet. It is the way to signal to the world that we control, we dominate, and that is the worst message that we can send to the world.

Mr. President, do I have time remaining?

The PRESIDING OFFICER. The Senator has 40 seconds.

Mr. LEVIN. Mr. President, my own preference would have been, instead of a direct loan from us, that there be a loan from a third party, guaranteed by us. That is my preference because that would have taken away any possibility of misconstruing what we are doing, any propaganda value that might be gained by anybody else by saying somehow or other the United States is going to be a creditor, therefore, we have designs on Iraq. That could have been avoided if there were a third party making the loan, with our guarantee. If this amendment were not adopted—and I hope it will be—I would offer such a loan guarantee amendment as a preferable way to go. But this amendment is preferable to the grant approach of the administration.

I yield the floor.

Mr. SARBANES. Will the Senator from Indiana yield for a question?

Does the Senator have control of the time?

The PRESIDING OFFICER. Under the previous order, the Senator from Montana is recognized for 5 minutes.

Mr. BURNS. Mr. President, I say to my friend from Maryland, if he wants to ask a question, I don't see any harm in that.

Mr. SARBANES. No.

Mr. President, does the time then come back to the Senator from Indiana?

The PRESIDING OFFICER. Correct. The Senator from Indiana can seek recognition at that time. The Senator from Indiana has 13 minutes.

Mr. SARBANES. Mr. President, I will defer until the Senator concludes, and then I will seek to have an exchange with the Senator.

The PRESIDING OFFICER (Mr. CHAMBLISS). The Senator from Montana.

Mr. BURNS. Mr. President, we just got back from Iraq last Saturday. I just want to share with you a couple of thoughts that I had while I was there and coming back because once you go and you look and you see and you feel what is going on in that country—I am going to oppose this amendment, but I am opposing the amendment, and I am opposing the idea, but not because some of my good colleagues, for whom I have the utmost respect, are promoting this.

There are as many Iraqis and more dying today than there are Americans.

If we lose one American life, it is a tragedy. But their new police department that is on the street is doing a good job, and they are paying with their lives also.

I am not going to get into whether we can afford it or we can't afford it or whether they can afford it or they can't afford it. But this investment, my colleagues, is probably one of the biggest ones we will make. The returns in the next 20 years will be way beyond expectation. We are changing something in the Middle East that has not even been touched since the end of World War I.

We went into those communities where poverty is rampant, with trash, garbage. Kids are happy. They come up to you. We talked to parents in refurbished schools. And, by the way, we have refurbished 1,500 of them, done by an Iraqi contractor who hired 30,000 Iraqi workmen to do it.

We talked to parents. I talked to one woman there and asked: Do you want us to go away?

She said: No, absolutely not.

And I asked her: Give me one reason, one reason.

She said: My little girl is going to school.

Little girls did not go to school under Saddam Hussein. Think about that impact on that neighborhood. I am talking ground level, folks. This is not the palaces. This is not the CPA or the IGC. These are people who are on the street.

What kind of a message is this: "Well, we will loan you the money, but expect you to pay it back"? And they will say: "Gee, thanks. The last thing we need is another loan."

We have all been down that street. We loan; we lose control of the money. Is it spent where it is supposed to be spent? Does it really build the infrastructure? Or do we see somebody going out and buying a Mercedes-Benz and putting it in their trunk and saying: "Well, I have had enough of this"? We have seen that happen, too. That has been our experience with some of our foreign aid.

We control it. But I want to get back to this issue that we are going to change some things over there on the success of Iraq. We don't know whether their constitution will be like ours. I daresay it will not. But it will be some form of representative government, which to us is a baby step, but to them it is a giant step.

If you throw a map down on the floor and you take a look at all of the Middle East, here is what we have done: We have invested in a corridor that will be the economic road for not only Iraq but for Jordan, for Egypt, for all the countries that border Iraq because, for the first time, we will have a communications and transportation system that is free and open, and even in the fly zones that run from the Mediterranean to the Persian Gulf.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BURNS. Mr. President, I ask unanimous consent that I have 5 more minutes.

The PRESIDING OFFICER. Does the Senator yield the time?

Mr. STEVENS. I am sorry, I do not have an additional 5 minutes.

Mr. BURNS. Will you give me another minute to close?

Mr. STEVENS. I yield the Senator 1 minute.

The PRESIDING OFFICER. The Senator is recognized for 1 additional minute.

Mr. BURNS. Mr. President, if you think, why is King Abdullah of Jordan so supportive of us? Why is Turkey so supportive of what we are trying to do? It is very simple: because the corridor of freedom is being opened.

Now you tell me if there is not a better investment in this world. And you have cracked closed societies. Would Saudi Arabia announce they are going to have free elections had we not done what we have done?

We cannot make it in the form of a loan because we lose control of it. Let's help those people. They want to do it. Their will for freedom is just as strong as ours. How strong is our will? How strong is ours?

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. SARBANES. Mr. President, will the Senator yield for a question?

Mr. BAYH. Yes.

Mr. SARBANES. I want to make sure, as I understand the Senator's amendment, \$10 billion of this \$87 billion which he proposes as a loan on the reconstruction side, under the very terms of his amendment would be forgiven if 90 percent of Iraq's outstanding debt were forgiven by other countries; is that correct?

Mr. BAYH. That is correct.

Mr. SARBANES. I want to commend the Senator for the wisdom of his amendment. If we do not adopt this amendment, the United States presumably will go to a debtors conference trying to persuade people that they should forgive the debt to Iraq. If your amendment passes, the United States is in a position at that debtors conference to say: If you will forgive your debt, we will forgive this debt. In fact, the amendment, by its terms, would require that.

If we make it all a grant, we will go to the debtors conference and we will say to them: We made a grant. Now you should forgive your debt.

They are going to say: Well, that is over and done with. That is water over the dam. That grant has happened. What do you have to give us here at this conference?

So presumably at that point, we are going to come up with another chunk of money, would that be correct?

Mr. BAYH. The Senator understands the amendment perfectly. It provides an incentive for the rest of the countries to forgive their odious debt they extended to Saddam, and if they do

not, it puts our country in a position of maximum leverage to insist that they do in any debtors conference.

Mr. SARBANES. I thank the Senator.

Mr. BAYH. I am pleased to yield 4 minutes to the distinguished Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, as usual the Senator from Maryland has put his finger on one of the most important aspects of this amendment. It is one of the reasons I rise to support the Bayh-Nelson-Ensign-Collins-Snowe amendment. It is a very sound proposal. It establishes several important principles relative to the steadfast commitment of this Congress to finish a job that has already been started.

As the chief sponsor of this amendment stated in his opening remarks, whether you voted to use force to overthrow this regime or not, the fact is, we are there now. We have an important job to complete. This is one of the most challenging tasks ever undertaken by the people of the United States. The Bayh amendment outlines a roadmap that might actually get us to where we want to go. Words such as freedom, education, prosperity, democracy, vibrancy, a free enterprise economy, I have heard my colleagues speak with passion. This amendment is an attempt not to undermine those principles but to ensure that we will actually get there, to the goal of this whole effort.

I am afraid without this amendment, the plan before the Senate, which we are well aware of, will not get us where we want to go.

It establishes a couple of important priorities. It says Iraqi security is important. It says the Congress, by good faith, will put up the \$5 billion which, by the way, dwarfs the contributions of all other countries. And it sets up an incentive, a very important incentive, for the other nations to forgive the debts. It highlights the strength of the resources in Iraq and opens the opportunity to perhaps expand on that by rebuilding with the Iraqi-owned resources, once this plan is laid down.

The Bush-Bremer plan of billion-dollar grants only, often, and alone will simply not work. Let me repeat: The plan we have before us—not this amendment—the plan that has been presented of billion-dollar grants only, often, and alone will not work. It can't be sustained. The American people don't support it now. They will not support it in 30 days. They will not support it in 4 months. They will not support it in 4 years. The little girl the Senator from Montana spoke so passionately about is in school today. This amendment is about keeping her in school 2 years from now and 3 years from now and seeing that she graduates from college.

This amendment lays a sustainable roadmap to get us where we want to go. That is why I support it. That is why it

is important. The RAND, World Bank, and Institutes of International Finance have estimated the cost will exceed \$36 billion, \$75 billion over the next not 30 days but 5 to 7 years. We need this amendment to get us on the right roadmap, laying down the right plan so we can sustain it to complete the task ahead of us which is very important, very complex and, as I said, one of the most challenging.

I support the amendment and urge my colleagues to do so as well.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. Mr. President, I yield the Senator from Virginia 5 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 5 minutes.

Mr. WARNER. Mr. President, I thank the distinguished manager, and I commend the Senate for an excellent debate. I rise today to oppose this amendment that would use loans for much needed reconstruction, and I urge my colleagues to do the same. Seldom do we have choices before us as fundamental as this one. We can truly help the Iraqi people and secure an important opportunity for change in this part of the world, or we can turn our backs and watch this fledgling nation drown in a sea of debt. The second choice would represent failure. There is no choice. Failure is not an option. We must go forward; we must stay the course and help the people of Iraq win the peace without conditions.

We have achieved extraordinary success, in a relatively short period, in Iraq. Saddam Hussein and the threat he posed are gone; the future is hopeful for the Iraqi people. We must send a strong message of resolve to our fellow countrymen, to our troops, to our coalition partners, and to the rest of the world, that we will see this through to completion—to win the peace.

Over the July 4, recess, I traveled, along with eight colleagues from the Armed Forces and Intelligence Committees, to Iraq. During the 3 days we spent in Iraq, we met with Coalition Provisional Authority leaders, military leaders, soldiers, and local Iraqi leaders. Their courage, dedication and determination in a very difficult environment was inspiring. We saw the enormity of the task with our own eyes—the antiquated, dilapidated oil infrastructure; the mismanaged irrigation system; the piles of garbage and open sewers; and the cowed and brutalized, but hopeful people of Iraq. These problems will not be fully fixed overnight, or even with this significant infusion of resources. But, it is an important step forward. We must quickly build on the foundation that has been laid by Ambassador Bremer, his international team, and the Iraqi people, to sustain and accelerate the momentum for building a secure, and economically viable, democracy in Iraq.

Over the past few weeks, I have had the opportunity to meet with several Iraqi leaders. Recently, I met members

of the Iraqi Governing Council. We noted the tragic absence of Ms. Akila al-Hashimi, a member of the Governing Council who was scheduled to travel to the United States this week but was gunned down last week outside her home in Baghdad, most likely by remnants of the Ba'athist regime intent on intimidating the new Iraqi leaders. She symbolized the courage, hope, and determination of many Iraqis to build a new, democratic Iraq, even in the face of great personal risk. We mourn her loss, along with the people of Iraq, and we must now renew our pledge to help Iraq establish the security, quality of life, and opportunity to enjoy the liberties of a free, democratic nation. Her colleagues on the Iraqi Governing Council are clearly committed to achieving these goals and deserve our support.

Some have suggested that providing \$20.3 billion dollars for Iraqi reconstruction is too generous and that full or partial repayment should be formulated. This notion is borne from the belief that Iraq is a potentially prosperous nation, well-endowed with oil reserves, that should be able to pay for its own reconstruction. I respectfully disagree.

The idea of loans for Iraqi reconstruction, instead of grants, would be a terrible mistake. Iraq already has crushing debt, accumulated during Saddam Hussein's brutal, incompetent reign. Estimates of this debt range from \$180 billion to almost \$400 billion. Additional debt or encumbrances on future earnings now would be economically disastrous, and send the wrong message to Iraqis and, indeed, the world.

General Jay Garner and Ambassador Bremer have both forcefully argued that Iraq must be granted significant debt reduction or forgiveness. The United States will seek to convince the principal holders of Iraqi loans—Russia, France, Germany and Saudi Arabia—to foregive some of all of these loans. To add additional loans, at the same time we are asking others to forgive loans, would be counterproductive and hypocritical.

Later this month, the U.S. will hold a donors' conference in Madrid to solicit contributions from the international community for Iraqi reconstruction. To ask others to make grants to Iraq after we have structured some or all of our contribution to Iraqi reconstruction as loans would undercut our Government's efforts to obtain international support.

In the conversations with Iraqi leaders I mentioned earlier, they were emphatic in their opposition to reconstruction support being structured as loans, especially if these loans were made in the form of "liens" against potential Iraqi oil revenues. They rightfully argued that the Iraqi people and the larger Arab and Islamic world would regard such a move negatively

and conclude that their earlier suspicions that the U.S. was more interested in Iraqi oil than Iraqi liberation were true.

We have an opportunity before us to send a message of full commitment to Iraq and of a balanced, fair U.S. foreign policy in the larger Middle East region, by providing this reconstruction assistance as grants to Iraq. A loan program using Iraqi oil as collateral would be viewed as just the opposite, and would be counterproductive to our larger goals and interests in this important region.

There is a perception, I fear, that this supplemental will fully fund Iraq's reconstruction. Nothing could be further from the truth. The reconstruction needs of Iraq are enormous—not because of war damage, but because of three-plus decades of neglect, mismanagement and greed by Saddam Hussein's regime. The fund included in this supplemental will only begin to address these daunting needs, but adoption of this package will put the Iraqis in a much better position to help themselves in the future. The Iraqi leaders I spoke with want nothing more than to do just that, but they need our help for now, not with crippling conditions attached.

Some have compared this supplemental for the reconstruction of Iraq and Afghanistan to the Marshall plan that funded the reconstruction of Europe following World War II. Most would agree that the investment of our Nation in the Marshall plan has been paid back a hundred-fold.

Some have correctly pointed out that the Marshall plan included loans that had to be paid back and the requirement for matching funds by the beneficiary nations, in some cases. The bulk of Marshall plan assistance, however, was in the form of grants. Students of history, of which there are many in this chamber, will recall, also, that while the Marshall plan began in 1948, it was preceded by a series of programs over a number of years, to provide financial support to meet the immediate needs of devastated European nations, including Germany. In today's dollar, the equivalent of over \$100 billion in aid was provided by the U.S. to these nations before the Marshall plan went into effect. Included in this aid was over \$35 billion in grants to put these nations in a position to help themselves with subsequent assistance.

The situation is similar in Iraq today. This is a nation crippled by multiple wars, mismanagement, and neglect. The Iraqis are not yet in a position to help themselves, but they can be with our help.

Providing loans to Iraq is an idea that may have merit in the future, but not now. By voting overwhelmingly to authorize the use of force in Iraq, we accepted the responsibilities and challenges of subsequent reconstruction. We must not now shrink from that responsibility. We must first provide the unconditional assistance that will lay

the foundation for full reconstruction. That is in Iraq's best interest; it is in America's best interest.

Let us join together to provide the resources that will meet the immediate needs of the Iraqi people and best serve our interests in Iraq and the larger Middle East region. I urge my colleagues to defeat this amendment and send a message to the Iraqi people that we are committed to their liberation and reconstruction unconditionally.

I was very deeply influenced and moved by the Senator from Washington, Senator CANTWELL. She hit it. What is the message we send forth from this Chamber tonight?

I must admit, in the briefings and so forth that took place today before the Armed Services Committee, I repeatedly heard, we are not getting the message out in that part of the world about what we are trying to do and the successes we have had to date in helping the people. Consequently, a vote that would carry this amendment will just spread through that world and be interpreted by that press. It will undo so much of what we have been able to achieve thus far in trying to convince that world we are there for their own interests, not for oil, not to profit from a loan or give a loan. It will be misinterpreted as a consequence of a very small amount of funding in this whole \$87 billion.

I would like to put a question to my good friend, fellow member of the Armed Services Committee, who is a strong supporter of the men and women of the Armed Forces, a simple question: Does this amendment make the streets safer for the men and women of the Armed Forces tonight, tomorrow tonight, and in the days and weeks to come, together with their coalition partners? If somehow you can convince me this will bring about a greater measure of safety—this is the thing that concerns me above all. The sacrifices being made by the men and women of the Armed Forces, their families here at home, people in the villages and towns who watched them march off to take up their stations in this battle for freedom. I cannot fairly discern any basis that this will help to make the streets safer for the uniformed people now serving in the coalition forces.

I ask that most respectfully of my good friend and distinguished member of our committee.

Mr. BAYH. Mr. President, I appreciate my colleague's question. The timekeeper informs me I don't have much time left. I will answer succinctly if the time is not deducted from our time.

Mr. WARNER. It should not take very long.

Mr. BAYH. The chairman of the committee, for whom I have the utmost respect with regard to his comments about the message we send, I think would agree that there is no vote we can cast tonight, or no amount of money that we can spend that could

compare possibly to the message our brave men and women are giving to the Iraqi people every day with their presence and the heroic efforts they are making to rebuild that nation. I think that is eloquent testimony that far surpasses anything we might do.

To directly answer your question, my answer would be, yes, we provide an immediate \$5 billion to meet every security need that has been asked for by the Iraqi government. That is over and above the \$67 billion for all of the American security costs while we are there. So there is a complete grant of every security need.

With regard to the domestic reconstruction, we provide \$5 billion immediately—

Mr. WARNER. I think the Senator has answered the question. I believe we just have an honest difference of opinion. I think the press in that part of the world will be whipped into a frenzy, with those who will be saying "we are winning, we are winning." That troubles me. I think that will endanger the security of our people in uniform when they are trying to carry out this mission. The press will be whipped up, and this will be the most clear symbolism that those who are against—

Mr. BAYH. May I ask the question? The Senator is concerned that those who wish us ill in that part of the world may say they are winning. In what way will they say they are winning?

Mr. WARNER. They will say it is because we are there for oil, and they will say, oh, they are going to make the Iraqis borrow the money. They don't understand the nuances, the technicalities of a loan, and so forth.

What they will understand is that the Senate did not stand in support of the Commander in Chief, and I am fearful that the press will seize upon this and it will endanger the safety of our people. I say that as a friend and most respectfully.

The PRESIDING OFFICER. The time of the Senator has expired.

Who yields time?

Mr. STEVENS. Mr. President, I yield 5 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 5 minutes.

Mr. ALEXANDER. Mr. President, President Harry Truman once said that "the only thing new is what we have forgotten about history." I am reminded of our history when I think about this debate on giving a loan. I am thinking of the choices we made when dealing with Germany after World War I, and then after World War II. After World War I, we made a choice that was a grave mistake. We defeated Germany, left them in ruins, sent them a bill, and we went home. What was the result? Adolf Hitler.

As early as 1922, Hitler was railing against the Treaty of Versailles, talking about the payments Germany was forced to make. Eleven years later, in

1933, he became Chancellor of Germany. He was democratically elected. He, again, blamed the Treaty of Versailles and the payment of those debts for Germany's woes.

Under such a debt with a failed reconstruction policy, we can see the same thing happening in Iraq. Our post-World War I policy with Germany was an utter failure. It gave us World War II. After World War II, we almost made the same mistake. We began by making loans. This is a summary of the Marshall plan by the Marshall Foundation. I ask unanimous consent that this document be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A SUMMARY OF THE MARSHALL PLAN  
(From the Marshall Foundation Chart on  
Funding from USAID, 1975)

Even now a model for positive economic diplomacy, the Marshall Plan was a rational effort by the United States aimed at reducing the hunger, homelessness, sickness, unemployment, and political restlessness of the 270 million people in sixteen nations in West Europe. Marshall Plan funds were not mainly directed toward feeding individuals or building individual houses, schools, or factories, but at strengthening the economic superstructure (particularly the iron-steel and power industries). The program cost the American taxpayers \$11,820,700,000 (plus \$1,505,100,000 in loans that were repaid) over four years and worked because it was aimed at aiding a well-educated, industrialized people temporarily down but not out. The Marshall Plan significantly magnified their own efforts and reduced the suffering and time West Europe took to recover from the war. The program—whose official title was "European Recovery Program"—aimed at: (1) increasing production; (2) expanding European foreign trade; (3) facilitating European economic cooperation and integration; and (4) controlling inflation, which was the program's chief failure.

The idea of massive U.S. loans to individual countries had already been tried (nearly \$20 billion—mainly long-term, low interest loans—since the war's end) and had failed to make significant headway against Europe's social and economic problems. The plan that Marshall enunciated at Harvard University on June 5, 1947, was revolutionary in that it required the recipients to organize to produce a rational, multilateral approach to their common economic problems. Another innovative feature was its limited duration: four years maximum, thereby assuring American taxpayers and their representatives that the program would not be an indefinite commitment.

The economic problems in 1947-48 included not only the lack of capital to invest, but also the need for Europeans to overcome a U.S. trade surplus with them so massive as to imperil further trade and to encourage unmanageable inflation. Marshall Plan money helped stimulate the revival of European trade with the world and increased trade among European countries.

Americans were reluctant to invest in Europe because their profits were available only in local currencies that were little desired by U.S. businesses and investors. The Marshall Plan guaranteed that these investors would be able to convert their profits earned in European currencies into U.S. dollars. Grants and loans in U.S. dollars enabled managers in Europe to purchase in America

specialty tools for their new industries. Marshall Plan money also paid for industrial technicians and farmers to visit U.S. industries and farms to study American techniques. Plan funds even paid the postage on privately contributed relief packages.

Many people in Washington helped to implement and manage the European Recovery Program that Marshall Plan first outlined at Harvard; this is why, in addition to his normal modesty, Marshall refused to call the idea the "Marshall Plan." He always believed that his greatest contribution to the program was his 1947-48 nationwide campaign to convince the American people—and through them the Congress—of its necessity; he likened his efforts in scope and intensity to a campaign for the presidency.

Over its four-year life, the Marshall Plan cost the U.S. 2.5 to 5 times the percent of national income as current foreign aid programs. One would need to multiply the program's \$13.3 billion cost by 10 or perhaps even 20 times to have the same impact on the U.S. economy now as the Marshall Plan had between 1948 and 1952. (Most of the money was spent between 1948 and the beginning of the Korean War (June 25, 1950); after June 30, 1951, the remaining aid was folded into the Mutual Defense Assistance Program.)

On December 10, 1953, George C. Marshall received the Nobel Peace Prize in Oslo, Norway. He accepted it, not as his individual triumph, but as the representative of the American people, whose efforts and money had made the program a success.

MARSHALL PLAN EXPENDITURES—ECONOMIC  
ASSISTANCE, APRIL 3, 1948 TO JUNE 30, 1952  
(In millions of dollars)

| Country                                       | Total      | Grants     | Loans              |
|---|------------|------------|--------------------|
| Total for all countries .....                 | \$13,325.8 | \$11,820.7 | \$1,505.1          |
| Austria .....                                 | 677.8      | 677.8      | .....              |
| Belgium-Luxembourg .....                      | 559.3      | 491.3      | <sup>1</sup> 68.0  |
| Denmark .....                                 | 273.0      | 239.7      | 33.3               |
| France .....                                  | 2,713.6    | 2,488.0    | 225.6              |
| Germany, Federal Republic of .....            | 1,390.6    | 1,173.7    | <sup>2</sup> 216.9 |
| Greece .....                                  | 706.7      | 706.7      | .....              |
| Iceland .....                                 | 29.3       | 24.0       | 5.3                |
| Ireland .....                                 | 147.5      | 19.3       | 128.2              |
| Italy (including Trieste) .....               | 1,508.8    | 1,413.2    | 95.6               |
| Netherlands (*East Indies) <sup>3</sup> ..... | 1,083.5    | 916.8      | 166.7              |
| Norway .....                                  | 255.3      | 216.1      | 39.2               |
| Portugal .....                                | 51.2       | 15.1       | 36.1               |
| Sweden .....                                  | 107.3      | 86.9       | 20.4               |
| Turkey .....                                  | 225.1      | 140.1      | 85.0               |
| United Kingdom .....                          | 3,189.8    | 2,805.0    | 384.8              |
| Regional .....                                | 4,407.0    | 4,407.0    | .....              |

<sup>1</sup> Loan total includes \$65.0 million for Belgium and \$3.0 million for Luxembourg; grant detail between the two countries cannot be identified.

<sup>2</sup> Includes an original loan figure of \$16.9 million, plus \$200.0 million representing a pro-rated share of grants converted to loans under an agreement signed February 27, 1953.

<sup>3</sup> Marshall Plan aid to the Netherlands East Indies (now Indonesia) was extended through the Netherlands prior to transfer of sovereignty on December 30, 1949. The aid totals for the Netherlands East Indies are as follows: Total \$101.4 million, Grants \$84.2 million, Loans \$17.2 million.

<sup>4</sup> Includes U.S. contribution to the European Payments Union (EPU) capital fund, \$361.4 million; General Freight Account, \$33.5 million; and European Technical Assistance Authorizations (multi-country or regional), \$12.1 million.

Mr. ALEXANDER. The Marshall Foundation said:

The idea of massive U.S. loans to individual countries had already been tried [right after World War II] (nearly \$20 billion—mainly long-term low-interest loans—since the war's end) and had failed to make significant headway against Europe's social and economic problems.

But there was a better idea, a different choice that someone learned from history. It was George C. Marshall. The Marshall plan was a 4-year plan, \$13.3 billion, helping to rebuild the economies of 16 countries. Nearly \$12 billion was grants, about \$1 billion was loan, and what was the result? A continent that had been fighting itself

for a thousand years became democratic, stopped fighting among themselves, and became our allies.

That is why we need a "Marshall plan" for Iraq. We need a 4- or 5-year plan for building a democracy. The Marshall plan was used for a variety of purposes. It paid for the building of railroads, water systems, medicines, modernizing factories, restoring ports to allow foreign trade, and much, much more.

We should do the same in Iraq. It cost \$13 billion from 1948 to 1952—more than \$100 billion in today's dollars. We can learn a valuable lesson from our experiences with Germany after World War I, a terrible failure, and after World War II, a remarkable success. After World War I, we made Germany pay its debts and we left them in ruins. We sent them a bill. We went home. We got Adolf Hitler. After World War II, we pursued the Marshall plan. It cost us some money. We gave them the money but as a result we got peace, new democratic economies, and our greatest allies.

President Kennedy said it best in 1961. In his inaugural address, he said:

We shall pay any price, we shall bear any burden . . . to assure the survival and success of liberty.

The people of Iraq need our support. We paid for German reconstruction under the Marshall plan because it was in our interest. We should do the same in Iraq and support the President's request. We cannot afford, in our own interest, to do anything less.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. How much time remains on our side?

The PRESIDING OFFICER. There are 38 minutes 20 seconds remaining.

Mr. STEVENS. I yield 5 minutes to the Senator from Colorado.

Mr. ALLARD. Mr. President, I rise in support of the Nickles amendment and in opposition to the Bayh amendment. I believe in truth in lending, and I think there are some Members of the Senate who think somehow if we talk about this loan, it is going to be acceptable to the American people. Frankly, I believe the loan is going to be a grant.

We just need to be upfront with the American people and say that the \$20 billion in the President's request is going to be a grant and explain it to the American people. Iraq has a huge debt—from sources I have heard in testimony—of anywhere between \$100 billion to \$200 billion. We just heard on the news this evening where one of their major pipelines has been blown up so they are not going to have any ability to expect to export oil. The oil they have now will be used for domestic purposes. That is as a result of an attack by terrorists this particular evening as we are debating.

Let's be honest; whether this is couched as a loan or a grant, it is going to be a grant. It is something we are going to have to give to the American

people in order to move forward with the development of the infrastructure in that country, which I happen to believe is essential if we want to get our troops home quickly. We simply have to get that in place along with security forces. The only way that will happen is if we give the full amount of \$87 billion available for the reconstruction and for the security in Iraq.

We have heard time and time again about the complications of going the route of a loan. In fact, Ambassador Bremer testified before several committees in the Senate, and he has actually sent a letter to the chairman, the Honorable TED STEVENS. I will read from it. He says:

I understand there are various proposals being offered which would convert portions of the funding request to a loan mechanism of some type. Any such proposal would merely add further debt to the already-huge debt currently owed by the Iraqis. As you know from my testimony three weeks ago, I am concerned that, as was the case in the young, fragile democracy in Weimar, Germany, such a situation could destabilize the young Iraqi democracy before it even gets off the ground. Moreover, if the United States makes its contribution in the form of a loan, we will encourage other nations to follow that example at the Madrid Donors Conference next week—further exacerbating Iraq's debt situation, I might add, complicating the eventual process of restructuring the country's overall debt burden.

I sat down with a group of people and I visited with Colin Powell. He also urges us, in the strongest terms, to not make this a loan and that we grant these dollars. It gives us an opportunity to maintain control of those dollars.

We have to keep in mind that Iraq has established trade agreements with many of those countries that opposed our presence in Iraq. If this goes to a loan, they will control the money; they will be the ones letting out the contracts. I feel their inclination would be to disburse it all over the international community. That means that countries such as France, Germany, and Russia will be looked to also to share in the contracting out of the building of the infrastructure in Iraq.

The other advantage of a grant is it gives us control of the moneys as they are spent in Iraq.

Finally, a loan means Iraq is going to have that control. It means it is going to complicate our ability to work with other countries with the loss of control. We ought to be straightforward with the American people. We need to tell them this is going to be a grant and account for it accordingly and move forward with the rapid reconstruction of the infrastructure in Iraq. That is the best policy. It is a straightforward policy.

I believe if we are true and straightforward with the American people, the American people will understand the need to move forward with the full \$87 billion the President requested.

Mr. President, I yield back my time.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. I yield 10 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 10 minutes.

Mr. McCONNELL. Mr. President, this has been an extraordinarily good day for the President's policy in Iraq. The naysayers said: Go get international support, Mr. President. Let's prove we can get the rest of the world behind us.

Today, by a vote of 15 to 0—15 to 0—the United Nations passed a resolution. It was one that simply suggested we do what we were going to do anyway. It is a thoroughly acceptable resolution.

To get a 15-to-0 vote, that means the President had the support of the Russians, the French, the Germans, and, believe it or not, the Syrians. This administration's policy in Iraq, as adopted by the United Nations today, had the support of the Syrians. The only remaining obstacle appears to be the Senate, and we will get an opportunity at around 9:30 p.m. to see if the Senate will join with the Russians, the French, the Germans, and the Syrians to do the right thing and begin to rebuild Iraq.

There are some Senators who have argued that somehow this loan-grant issue really is not that important or they have better judgment than the President, the Vice President, and the Secretary of State, and others about how to structure this.

It seems to this Senator that those who are skilled at conducting foreign policy have gotten it right, and their judgment is that you cannot go to a donor conference next week in Madrid and ask countries to grant—not loan—grant money to share the costs with us of reconstructing Iraq if we say we are going to try to get paid back.

Let's take a look at what we know is going to happen at the donor conference already. The Japanese are down for \$1.5 billion, not an insubstantial amount of money; the British, \$900 million; the Canadians, \$224 million; the European Union, \$234 million. These are all grants, not loans. The Japanese, the British, the Canadians, the European Union are not saying you have to pay us back. They know Iraq is on its back after 25 or 30 years of Saddam Hussein.

In addition to that, there are over 50 countries that have either already provided or have pledged humanitarian assistance; to name a few of them: Kuwait, Spain, Australia, Korea, Germany, Denmark, and the United Arab Emirates; and there are going to be others. They are all going to be at Madrid next week looking at this United Nations resolution that passed 15 to 0 today, with the support of the Russians, the French, the Germans and, for goodness' sake, the Syrians. This is the time to speak with a united voice.

The administration has united the world. They may have been divided about whether this war should have been fought in the first place, but on the issue of reconstruction of Iraq, we

are moving toward world unity, and we ought not to disrupt that here tonight.

I had an opportunity last week, along with Senator THOMAS, whom I see in the Chamber, Senator BURNS, Senator CRAIG, and Senator CHAFFEE, to go to Iraq and take a look firsthand at what is happening there. I must tell you, Mr. President, there is a lot of good news in Iraq. We have a hard time picking it up watching the evening news. They teach them in journalism school that good news is not news. I think you can accept that and still say that in Iraq good news is news because they had no good news for 30 years—no good news. Saddam Hussein murdered 300,000 of his own people during that quarter of a century. There was no good news in Iraq. Now 9 out of 10 things that are happening there are good: 13,000 construction projects completed; 1,500 schools renovated; local elections up in Mosul. They had a provincial election in the Ninawa province, and they have elected officials up there. We sat down with them and talked with them. They are brave people.

In the violence area where obviously there is still much to be done, the Iraqis themselves are providing a lot of security. The attack on the Baghdad Hotel was thwarted. Some people were killed, indeed, but the bomber wanted to get into the hotel and blow it all up. He was thwarted by Iraqi security.

Part of this Iraqi security force is up to 60,000 people now and growing on a daily basis. The attack on the Turkish Embassy was thwarted, not by us but by Iraqi security. We are on the way to putting the security force in place so that the Iraqis can carry this job forward.

Let's compare it to Bosnia. I was one of a minority of Republicans who supported President Clinton on Bosnia and Kosovo. I met the head of the 101st headquartered in Kentucky and Tennessee. He was in Bosnia, too. General Petraeus said we made more progress in Iraq in 6 months than we made in Bosnia in 6 years—more progress in 6 months than in Bosnia in 6 years. Great progress is being made.

This is a time to unify behind the reconstruction policy in Iraq. Now is the time to do that.

The last stumbling block is this amendment in the Senate tonight. The House is going to finish up tonight, and we are going to finish up tonight or tomorrow, and this is probably the last vote with any real drama attached to it. No matter how long you have been in the Senate, you haven't cast a more important vote than this one. We are casting votes all the time around here, and if you are in my job, you are twisting arms every day on some issue, but it reminds me of what Orwell said in "Animal Farm." He said all pigs were equal, but then some pigs were more equal than others. All votes are equal, but some votes are more equal than others. This is a more equal vote. This is a big vote, one that makes a difference for America and for the world

and certainly for the Iraqis for whom this policy is so important.

There are 170 newspapers in Iraq. I do not think anybody in America knows that, but there are 170 newspapers in Iraq. They have by far more newspapers in Iraq than we have in my hometown. Some of them are even more credible than the New York Times, arguably. The streets are crowded with people engaged in commerce with their little businesses, which the Iraqis are quite good at when allowed to be. Just this week, they have a new currency. I happened to have picked up a souvenir, the last of the previous currency. It has a picture of Saddam Hussein on it. I can tell my colleagues this: The new currency being issued over the next few weeks in Iraq has no picture of Saddam Hussein on it.

Today we heard—Senator THOMAS and I were at the same meeting—that international bankers are interested in coming into Iraq. So everything is heading in the right direction. Let's not get off track tonight by leaving the impression with the Iraqi people that we came into the country to help them and then to send them a bill for it. I hope the amendment will be defeated.

I yield the floor.

The PRESIDING OFFICER (Mr. ENSIGN). Who yields time?

Mr. STEVENS. Mr. President, I yield 10 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 10 minutes.

Mr. MCCAIN. Mr. President, I rise in opposition to the amendment. I congratulate all of my colleagues on a very important and well-conducted debate.

I strongly oppose the Bayh amendment because its enactment would undermine the central purpose of our mission in Iraq, which is to empower the Iraqi people to build a prosperous and secure future in which their country's natural resources support progressive government and economic prosperity, not additional debt payments to rich Western powers.

I oppose the amendment because I believe decisions on how to finance Iraq's reconstruction should be made in Washington, not in Moscow, Paris, Berlin, or Bonn, whose leaders' decisions, if this amendment were enacted, could determine what form United States assistance takes. I cannot accept the prospect that the United States, with our British allies, who liberated Iraq, would now cede our leadership on reconstructing it to Jacques Chirac and Gerhard Schroeder.

Let's talk about what is at stake. Things are not going as well in Iraq as we would hope. They are not going as poorly as some would allege. In the northern part of Iraq, in the southern part of Iraq, democracy and reconstruction are proceeding apace. As I said, things are not going as well in some parts of Iraq but they are going

very well in other parts. The fact is that every few days, tragically, we lose additional American lives. This is the result primarily of a concerted effort in what we know of as the Sunni triangle, of a rare combustible mixture of ex-Baathists, criminals who were released from prison, terrorists from outside the country of Iraq who have infiltrated into the country, and former military people who really know that they will never attain their goals unless the United States is driven out of Iraq. These people have done very bad things. We know all about them. We hear about them or see them every single day.

What are they telling the people of Iraq? They are telling the people of Iraq the following: The United States of America is not on your side. The United States of America supported Saddam Hussein all during the 1980s. They propped up his regime, as a matter of fact. They turned a blind eye while he used weapons of mass destruction twice, once against the Iranians and once against his own people.

In 1991, the Americans told the people of Iraq that Saddam Hussein was on his way out the door. That turned out not to be the case. Saddam Hussein stayed in power and slaughtered thousands of people who rose up against him in places such as Basra. In the 1990s, the Iraqi economy was crippled by economic sanctions imposed by coalitions led by the United States of America, and now the United States of America is about to do what they came for, and that is to take your oil.

Now, I can rebut every single one of those arguments that these bad people are making to the people in the Sunni triangle, but, frankly, I am not there to talk to them. Nor is there much besides Al-Jazeera for them to watch.

The battle for the hearts and minds of the Iraqi people is not over by a long shot, and the passage of this amendment will send a clear signal that the United States is really there for the oil as they alleged all along.

The Washington Post, on October 15, 2003, stated that Iraq is already burdened with \$200 billion in debt. Either much of that will be forgiven, in which case the United States reconstruction loan will prove mostly symbolic, or Iraq will struggle for years under a crushing debt burden—by the way, the estimates are that the interest on that debt is as high as \$6 billion or \$7 billion a year—in which case, another loan only adds to the memory. To make a loan in these circumstances is like swimming out to a drowning man and handing him a 10-pound weight. That is from the Washington Post on October 15, that well-known, conservative, right-wing periodical.

I do not know who is going to volunteer to go to the donors meeting if this amendment is passed. If we go to the donors meeting and say, my dear friends, we want you to give money for Iraq but, by the way, we are only going to loan it to them, the rest of you give

the money but we are going to loan it to them, I am sure there is somebody who is highly paid in the State Department who will carry out that task, but it cannot be a pleasant one because it is hypocrisy. How can we ask other countries to give money when ours is in the form of a loan?

I would like to express a little sympathy for my colleagues who support this amendment. It is tough going home when people are without jobs and the economy is still stumbling along and say, we are going to give all this money to Iraq and, by the way, I know that the local highway needs to be fixed and a bridge needs to be built. It is tough, but I want to tell my colleagues what is at stake here.

The reason these bad guys came from all of these other countries into Iraq, the reason the Muslim extremists all over the Middle East are doing everything they can to incite people against America, the reason we are seeing such fierce opposition in some quarters, is that they know that the day democracy flourishes in Iraq, their day is over. The day of the Middle East despot is gone. The day of the Muslim extremist is gone. No longer will the madrasahs, funded by the Saudis, function anymore to train people who are terrorists who will then sacrifice their lives as well as taking others'.

The seminal event since the Vietnam war in American history is now, and there has never been more at stake. We paid a very heavy price for a long time for our failure in Vietnam. We should not pay that price here because we send a signal to the Iraqi people that our commitment to democracy and freedom is somehow contingent upon their ability to pay us back a loan which will then be gauged by the willingness of other countries. Are we going to be the Blanche DuBois of loans? Are we going to be dependent upon the generosity of others? Is it going to be Mr. Chirac and Mr. Schroeder who determine whether we give money to the Iraqis?

I don't think we should. I think this has been a fine debate. I hope we will vote to turn down this amendment. I hope we will vote to maintain the commitment we made when we sent our young men and women to fight and some to die in a conflict which is important, not only to the future of the Middle East but the future of the United States of America.

I yield my time.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. How much time remains?

The PRESIDING OFFICER. There remain 14½ minutes on the majority side and 6½ on the minority side. The Senator from Indiana.

Mr. BAYH. I will yield a minute and a half to my distinguished colleague from Maryland.

Ms. MIKULSKI. Mr. President, I rise as an enthusiastic supporter of this wonderful bipartisan agreement, the

Bayh-Ensign amendment. I do it because it meets four of my principles on supplemental spending.

No. 1, there must be international burden sharing.

With international burden sharing, if the stability of Iraq is in the world's interest, then the world should help pay for the reconstruction. If we say we are going to go it alone, they are going to let us go it alone. If we say we are going to go grants, they will say fine with us.

We need a coalition of the willing. We need a coalition of the wallet.

No. 2, in helping Iraq, we should have loans, not giveaways.

Iraq has the world's largest oil reserves, capable of pumping out millions of barrels a day. These profits should help pay for reconstruction.

There are those who say Iraq has debt. Well, so does America. America has a lot of debt and we think that this debt, the very balanced approach of the Bayh-Ensign amendment, will provide 50 percent as a grant for \$10 billion, including \$5 billion for police and military, but the other will be converted to a grant only if 90 percent of Iraq's pre-liberation bilateral debts are absolved.

That is what I call burden sharing. We need the world's help. Iraq needs the world's help. I am glad we have a legislative framework to do it.

No. 3, is accountability to stop waste, cronyism contracting, and profiteering.

No. 4, the administration must lay out a plan to end the occupation of Iraq. There was a plan for the war. Now we need a plan for the peace.

What will this amendment do? Half the requested aid to Iraq will be provided as a grant, a total of \$10 billion, including \$5 billion to rebuild Iraq's police and military forces. The other half of the requested aid will be a loan.

So the President can lend up to \$10 billion to Iraq. The loan would be converted to a grant and only if 90 percent of Iraq's pre-liberation bilateral debts are absolved.

The amendment also expresses the sense of the Senate that all countries should forgive the bilateral debts owed by Saddam Hussein's regime and provide robust levels of reconstruction aid at the Madrid Donors Conference.

Why is this amendment important? I support this amendment because it is consistent with my principles for aid to Iraq: No. 1, international burden-sharing; No. 2, loans, not give-aways.

The amendment clearly supports international burden-sharing, not just with words of encouragement but by providing an incentive for other countries to forgive Iraq's debts. Ambassador Bremer says Iraq can't afford to borrow more because it is already shackled with \$200 billion in debt. I say America can't afford more debt, not when we're facing a \$2 trillion deficit. The Iraqi debts were racked up by Saddam Hussein to pay for his wars against Iran. Most is owed to Saudi Arabia, Kuwait and other Gulf states,

and to Russia and France. Saudi Arabia and Kuwait and Russia and France should forgive Iraq's debt as their share of rebuilding costs. If these countries let Iraq start with a clean slate then Iraq's oil income can be used to pay for Iraq's reconstruction.

The amendment also promotes my principle that U.S. aid to Iraq should be loans, not giveaways. Until and unless 90 percent of Iraq's debts are forgiven, half of U.S. aid will be in the form of loans.

I supported Senator DORGAN's effort to make all of America's new aid to Iraq loans rather than grants—the full \$20 billion.

Here's why. Iraq can afford to pay. Iraq oil sales can finance building Iraq's infrastructure so we can use American tax dollars to build America's infrastructure. Iraq already has a very developed infrastructure and suffered relatively little damage during the war.

It's certainly the complete opposite of the situation in Afghanistan, where that's a country that has no prospect of being self-sufficient for quite some time to come . . . We're dealing with a country that can really finance its own reconstruction and relatively soon.

That's not just me talking. That's the testimony of Deputy Secretary of Defense Paul Wolfowitz back in March.

Iraq has the world's second-largest proven oil reserves and could have even more oil and natural gas. Iraqi oilfields are already producing close to 2 million barrels a day. That means billions of dollars a year in oil revenue. According to Ambassador Bremer, by 2005, Iraq will produce enough oil to take care of its basic needs and have additional funds.

I understand that Ambassador Bremer doesn't want to delay reconstruction in Iraq until after Iraq has a constitution and an elected government. I remind the Senate that we have already provided aid to meet Iraq's immediate needs. Just this April Congress provided \$75 billion requested by the President. That supplemental bill covered ongoing military operations in Iraq. It also included \$2.5 billion for Iraq Relief and Reconstruction. That was grant aid.

I believe the aid we provide now should be all loans, but half is better than none. America's taxpayers stand to get \$10 billion back from Iraq's oil revenues under this amendment.

I appreciate the efforts of the cosponsors, my Republican colleagues, Senators ENSIGN, SNOWE, COLLINS, GRAHAM, and CHAMBLISS, and my Democratic colleagues, Senators BAYH and NELSON. They worked together on a bipartisan basis to improve this bill.

I urge my colleagues to join in support of this bipartisan amendment to promote burden-sharing and to provide loans, not giveaways.

Ms. SNOWE. Mr. President, I rise today in support of fiscal year 2004 supplemental appropriations request for military operations and reconstruction

activities in Iraq and Afghanistan. I am also pleased to cosponsor this amendment with my colleagues Senator BAYH, BEN NELSON, CHAMBLISS, ENSIGN, DORGAN, LINDSEY GRAHAM, and my fellow Senator from Maine, Senator COLLINS. This amendment directs that \$10 billion of the funds requested for the rehabilitation and reconstruction of the Iraq's infrastructure be provided as loans rather than grants.

It is incumbent upon us as stewards of the public trust to scrutinize this \$87 billion supplemental legislation, to assure ourselves of the soundness of the proposals and to understand what it is the American people are being asked to provide. I believe that we all fundamentally agree that the \$65.6 billion requested to support our military forces in the field must be made available immediately. As our troops continue to root out the remnants of Hussein's horrific regime and work to ensure stability in Iraq, we must do no less than provide them with the most advanced technology, the most reliable force protection equipment, and the best personal care available.

Rather, the amendment before us focuses on the \$20.3 billion designated for the rehabilitation and reconstruction of Iraq. I have maintained during this debate that a portion of these reconstruction funds should be in the form of loans, and this amendment designates \$10 billion of the \$20.3 billion toward that very end. At the same time, the amendment contains a "trigger with a purpose"—designed to both encourage existing creditor countries to forgive at least 90 percent of the debt owned on loans that were made to the former regime of Saddam Hussein, and to foster within Iraq itself a greater sense of responsibility toward, and a stake in, their own long-term rebuilding success.

I know some have said that loans simply aren't feasible. But let's take a look at the totality of what we're talking about. While American men and women are putting themselves in harm's way day in and day out in securing the liberation of the people of Iraq, we are also in the process of spending \$100 billion and more for that very same purpose.

And let there be no mistake—the American people aren't making a distinction between the money we are spending to support our troops and the additional funds being proposed to rebuild Iraq when it comes to the total measure of our Nation's sacrifice toward this cause. So asking Iraq to repay one-tenth of that \$100 billion in the form of loans hardly seems unreasonable.

But what about those who have argued there is no legitimate government in Iraq that can obligate the nation to the repayment of loans? Well, just today, the U.N. Security Council passed Resolution 1511 which specifically determines that the Governing

Council and its ministers are the principal bodies of the Iraqi interim administration which “embodies the sovereignty of the State of Iraq during the transitional period until an internationally recognized, representative government is established.” So this interim administration discussed in Resolution 1511 will be that legitimate government to which U.S. loans are made, while Iraq moves forward toward complete self-governance.

Still others say that providing loans to Iraq would run counter to the U.S. policy of shifting away from loans for development because of the ineffectiveness of such programs in the past. But that policy is predicated on the fact that many heavily-indebted, poor countries do not have the resources to both service debt and institute economic and social reform. Iraq, in contrast, is tremendously rich in resources to an extent sufficient to service this debt and continue to make future investments in their own infrastructure.

Of course, as I have mentioned, there is also that “trigger with a purpose”. What exactly is that purpose? Well, I would hope we can all agree that long-term stability in Iraq is a global concern that requires global action and a global commitment. A secure, stable Iraq is not only in the best interests of the Middle East, it is also unquestionably in the best interest of freedom-loving nations everywhere.

What we are saying with this amendment is, we have been willing to send our American men and women to liberate Iraq . . . we have been willing to spend \$100 billion—and undoubtedly that figure will only climb in the future—for that worthy cause . . . and we’re even willing to make that ten percent we expend as loans into full fledged grants—if only those nations who loaned money to the horrific, corrupt Hussein regime in the past will forgive those loans. We are saying, the United States has been willing to accept the overwhelming responsibility for the liberation and rebuilding of Iraq—in money and in lives—now, all we ask is that you, as a creditor nation, contribute to the cause by forgiving loans that only ultimately enriched a criminal, self-aggrandizing regime we all agree we’re better off without today.

The bottom line is, this amendment sends a message to these creditor nations that they can have a positive role in ensuring a better future for Iraq, not only by lessening Iraq’s debt load by the forgiveness of their own loans, but also by triggering our provision that transitions our \$10 billion loan into grants. This is a win-win for the international community and for Iraq—and in the long run, with the reduced debt burden for Iraq, it may even save some additional American taxpayer dollars that would have otherwise been expended for further Iraqi rebuilding.

Frankly, I don’t believe for a moment that taxpayer money sent to Iraq for reconstruction should in any way,

shape or form be used to pay back loans made to the heinous regime of Saddam Hussein. So I hope that with the passage of this amendment creditor nations will do the right thing and vitiate their claims against Iraq.

Moreover it should be noted that the amendment provides \$5.1 billion in direct funding for the purpose of re-establishing the rule of law through the establishment fire and civil defense forces, police forces, a more fully developed judicial system, and the development and enforcement of public safety requirements.

The fact is, the sooner we can transfer the responsibility of providing basic police, fire and first responder services to the Iraqi people, the sooner we can begin to remove our troops from the front line and focus them on the missions they are trained for—conducting combat-type operations against the forces bent on attacking American interests at home and abroad. Additionally, as we have learned in Eastern Europe and Latin America, the rule of law is critical to the effective transition of a state-based economy to a free-market economy.

Finally, the amendment would provide \$5.1 billion immediately to Ambassador Bremer as “seed” money for the infrastructure projects he identified in the request.

In closing, I do not believe that the provision of \$10 billion in loans to the Iraqi people for the reconstruction of their nation will unduly burden them or their economy. Instead, by investing these loans in Iraq, we are working to restore their national pride and enhance their sense of responsibility as we work toward the common goal of a free and stable Iraq. Furthermore, I do not believe it is too much to ask that, as we stand willing to turn our loans into grants, creditor nations who loaned money to the Hussein regime help the cause by wiping their debt slate clean.

I urge my colleagues to support this amendment.

Mrs. CLINTON. Mr. President, I am an original cosponsor to the Bayh-Nelson amendment to this Supplemental Appropriations bill. This amendment would authorize the President to lend \$10 billion in reconstruction funds to the Iraqi Governing Council or its recognized successor. These funds could be converted to grants provided that 90 percent of Iraq’s pre-liberation bilateral debts are absolved, including loan forgiveness for any funds obligated as loans. It also provides the sense of the Senate that it is the strong preference of the United States that all countries forgive their pre-liberation bilateral debts owed by the Saddam regime and provide robust levels of reconstruction aid to post-liberation Iraq at the October 23 Madrid Donors Conference.

The American people are being asked to contribute over \$20 billion of their taxpayer dollars for the reconstruction of Iraq. Before the war against Iraq, the administration was vague about

how much security and reconstruction funding would be needed in Iraq. Instead, Congress was told by administration officials, as my colleague Senator DORGAN has pointed out, that we could expect Iraqi oil revenues to pay for Iraqi reconstruction or that other nations would join us in shouldering the burden of rebuilding Iraq.

Now the administration argues that it needs over \$20 billion for Iraq’s reconstruction. The administration argues that this money must be given as grants and not loans. However, once the money is used to rebuild Iraq’s infrastructure and economy, the Iraqi government will then be obligated to pay back other nations who hold Iraqi debt. Nations like France and Russia, who loaned money to Saddam Hussein’s regime, will receive debt payments off the backs of the U.S. taxpayer.

This amendment directly addresses this problem by requiring 90 percent of Iraqi debt to be forgiven before \$10 billion can be converted to grants. It gives an incentive to the administration to engage in diplomacy with nations that hold Iraqi debt in order to encourage them to forgive it. And it will ensure that other nations’ taxpayers are not treated more generously than U.S. taxpayers.

In these difficult economic times with U.S. deficits ballooning, the administration is asking the American people to increase the fiscal burden without any hope of recouping these funds. The American taxpayer should not be treated more shabbily than debtors from other nations and we should be encouraging other nations to help rebuild Iraq’s economy.

Taxpayers are concerned that we are simply passing on the bill for this and other problems to our children. They are concerned that this Congress can find the resources for Iraq, but at the same time can’t find the resources for after-school programs, for prescription drug benefits, and for rebuilding the infrastructure here at home.

We need to allay some of the very legitimate concerns of the American taxpayers. They are concerned about our ballooning debts and shrinking services while we send billions overseas. We need to address these concerns of every American. By ensuring that taxpayer funds are treated just as dearly as the debts owed to other nations, we can begin to address those concerns.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. STEVENS. How much more time now remains?

The PRESIDING OFFICER. There remain 14½ minutes on your side.

Mr. STEVENS. Mr. President, I was prepared to yield time to another Senator who is not here.

Let me just say this. I am impressed with the debate. There is clearly a division in the Senate. But I do hope Senators will keep in mind that the President of the United States is traveling

abroad on a very important mission. We have been appealed to before, on this side, when Presidents have been traveling abroad, to honor the position of the Presidency and not to take positions that would embarrass him when he is abroad.

I believe there is no question that the problem we face in Iraq is the populace of Iraq that wants to be part of a new government, wants to have a new government, a new democratic government, really faces a quandary of what can they do? How can they be involved? How can they get their electricity back? How can they get their police service back? How can they get their banks open? How can they get their hospitals open? How can they get potable water? How can they be sure they have the capability to present a firm, new constitution that will be approved by their people?

That takes the money the President has requested. I believe if we do not take action to get this money into Iraq and get it moving so they can have the momentum of building a new government, the hearts and minds of those people will be hardened against us. As they are hardened against us, we will have more violence in the street and our soldiers, people in uniform, even the people who are there in civilian capacity now, will be at greater risk.

I think that is what the Senator from Arizona has been saying. The risk we face is, if we do not support these loans, our men and women in uniform are going to be in greater harm's way.

If you want to support the troops—and I have heard that from every Member of the Senate so far—if you want to support these troops, support the President on this issue and do not approve these loans. As to the concept of loans, I am sure, sometime, there will be some way the people of Iraq are going to under—see the debt they have to the United States when they become a real, strong government.

Look what happened to us after World War II. We did not saddle France and Germany with loans. We forgave all the indebtedness, even the indebtedness we had from prior to that war. We helped them through the Marshall Plan to get going.

These grants that we have in this part of this bill are absolutely essential to the continued safety, improvement of the safety of our men and women in uniform. I appeal to those who say they support the troops to support the President. He is the Commander in Chief of these troops and he has told us, his military commanders have told us, they need this money.

It goes hand in glove with the \$66 billion here, to assure they have the right equipment, the right protection while they are there. But let's take the actions necessary to get them out of there.

I hope we would have the support of the Senate to do that tonight.

Mr. THOMAS addressed the Chair.

Mr. STEVENS. Mr. President, how much time do I have?

The PRESIDING OFFICER. Eleven minutes.

Mr. STEVENS. I will yield 2 minutes. I believe the leader is on his way to take the remainder of our time.

Mr. THOMAS. Mr. President, I had the honor to travel last week with the Senator to Iraq and to Afghanistan. Frankly, it was a very interesting meeting, one that makes us feel a little differently, being on the ground, than it is when we hear what we hear.

I wish to make I think a fairly practical point, and that is that when we were there, obviously, we had a lot of security things to do. We have a lot of problems there.

On the other hand, they have a plan that is being put into place for the schools, for the hospitals, for the government. They are making great progress. So we are talking here about \$87 billion, \$67 of which goes to support the troops. The other goes to try to get Iraq on its own feet.

I have to suggest from a point of view of someone who is inclined not to want to spend a lot of money, if we really want to get them going on their own and get our troops out of there, the best way to do it is for us to take this money and to help them get on their feet.

The biggest cost is maintaining our troops there. We can move that much more quickly if this \$20 billion is put in the hands of our folks who are there now and we can move to get the Iraqis on their own feet and get our troops home more quickly than if we have to do this again to support the troops.

I am talking about a very practical expenditure matter. I think we are much better off to go ahead and do this \$20 billion as a grant, be able to have authority over how it is spent, and be able to get our troops home more quickly.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. I yield the remainder of our time to the leader.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, we have reached a point in this debate where each of us must make difficult decisions. We debated many amendments over the past 2 weeks and we have, in my view, come to a point about which most all of us agree; that is, we are at war against terrorists in Afghanistan and Iraq, and the assistance that we are considering is integral to our victory and the safe return of our soldiers, the men and women who represent us in Afghanistan and Iraq.

I am confident, when the final vote is taken on the \$87 billion, that there will be an overwhelming bipartisan majority in favor of this commitment—in favor of this legislation. But now the Senate has moved on to consider the very best way, the very best manner in which to deliver this assistance, which we all know is so important.

How best can we stabilize the country in which our men and women right

now are serving us right this very moment, risking their own lives so others and, indeed, we can live in safety.

I respectfully suggest the amendment which we will be voting upon shortly and which we are now considering simply does not help in this regard. In fact, I would argue it has the very real potential of complicating and, yes, even undermining our ability to do what we all want; that is, to successfully stabilize Iraq.

Let me suggest what this amendment is not. The amendment before us purports to save money for the American taxpayer by insisting upon foreign help and foreign assistance by making this a loan that will be paid back by the Iraqi people. But, as has been discussed on the floor already, the Congressional Budget Office, due to Iraq's already crushing burden, will score or value this amendment in the same way as if it were a grant. In other words, there is absolutely no savings to the American taxpayer, who might be listening right now, as a result of this amendment.

This amendment purports to provide an incentive for other countries to relieve that crushing burden, that \$200 billion of debt that is already as we speak on the backs of the Iraqi people. This logic completely escapes me.

As we began this debate tonight, the newly liberated country of Iraq was \$200 billion in debt. By the time this debate finishes tonight, if this amendment were to pass, Iraq would be \$210 billion in debt.

By a single vote, we might—I hope and pray we don't—catapult the United States to the front of the line as Iraq's greatest creditor if this amendment were to pass. Iraq would owe more to us than to France, or to Germany, or to Russia.

The Washington Post I thought captured the essence in the editorial yesterday when it said it is the equivalent of swimming out to a drowning man and handing him a 10-pound weight.

If the idea is that by in some way adding to Iraq's debt we will create an incentive for other countries to move toward debt forgiveness, I am confused. How is seizing the moral low ground advantageous in that debate? If we want others to forgive Iraqi debt, we must stop piling that debt on.

I remain utterly unconvinced by the suggestion that by adding to this burden of Iraqi debt and then tying the forgiveness of our debt to the willingness of France and Russia and Germany to relieve 90 percent of their debt, that we will leverage the desired result. France, Russia, and Germany showed no shame whatsoever in loaning their money to prop up Saddam Hussein, one of the world's most brutal dictators. Despite the abundant evidence that he used weapons of mass destruction on his own people, invaded surrounding neighbors, and tortured and mass-murdered his own people, these three nations could not find the

resolve to support the coalition's successful effort to remove Saddam Hussein from power. They will find their conscience now?

Hope does spring eternal.

This amendment purports to talk about what the Iraqi people should do to help themselves, but it offers them less help than the President proposed. This amendment purports to talk about what our allies should do, but we do not and cannot govern their actions either.

What this amendment and this debate truly speaks to is who we are as a people. Throughout history, the American people have responded again and again to the tyranny of dictators, to defend the name of freedom, to liberate the oppressed, to relieve the plight of the downtrodden. We send our soldiers to fight and to die in foreign lands. We send the hard-earned tax dollars of our citizenry to the impoverished and sick around the world.

When communism collapsed in Europe, we were there with billions of dollars in assistance to heal the wounds of tyranny.

When Israel and Egypt found the courage to negotiate peace at Camp David, we were there with billions of dollars in assistance to make it a lasting peace.

Earlier this year, we approved \$15 billion to treat and care for those who suffer from HIV/AIDS. Now we stand with billions more to help the people of Iraq to stand with the free nations of the world.

Why? We help others because it is good and it is right. We do so without the expectation of gratitude because that is who we are as a people. As the beneficiaries of the blessings of liberty, we understand freedom is not free. The American people are a generous and good people. We do not sell our commitment to liberty, and we do not loan our good will to the needy.

So what are we to do with this amendment and this vote tonight? What are we to do? For me it is an easy question. We vote no. There is nothing in this amendment that will make the President's job easier or our soldiers safer. Nothing in this amendment will save the taxpayers money or ease the burden upon the people of Iraq. Others of good conscience think otherwise, and that is their right as elected representatives to this body. For those who have not decided, I ask you to vote no.

The PRESIDING OFFICER. Who yields time?

Mr. BAYH. Mr. President, I yield 3 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 3 minutes.

Mr. GRAHAM of South Carolina. Mr. President, I am new to the Senate. This has been a terrific debate in the best traditions of the Senate. I come to this conclusion after having listened to people I admire and respect, such as

our leader, the President, the Vice President, and Secretary Powell. I asked myself: Who are you to disagree?

I thought about it, and I came to this conclusion. I do disagree. I know they are genuine in their beliefs, but I just do not believe we are being unfair to the people of Iraq. We have lost 332 lives liberating Iraq. We are spending \$1 billion a week, and all we are asking for is once the country gets something going—we are going to build schools and hospitals, we are going to do great things for the Iraqi people—but once the oil refineries are fixed, because that is what makes the money, and once we do other things to get you back in business, consider helping us because we are deep in debt. We borrowed every penny of this \$87 billion. And I would vote tomorrow to borrow more money to make our country safe.

We have one of the highest deficits in our Nation's history because our economy has turned down. But we have to win this war. The only way we will lose this war—here is where I am tonight—is if the American people leave. It is very hard for me to go home and explain how you have to give \$20 billion to a country that is sitting on \$1 trillion worth of oil and the net result of this policy we are pursuing is the people who died to liberate Iraq are going to be left holding the bag, and the only people who will get paid back are the people who lent money to Saddam Hussein. If we follow that policy, people will leave us because it is not fair to the taxpayer. We need to make sure we don't divide ourselves here at home.

This is very important, not just for international politics but for domestic politics.

The French and the Germans voted today for a resolution, but in the same breath they said they would send no troops and no money.

We are pretty much alone for a while. Let us stay together and not ask more of the American people. It would be unfair to ask.

I really do love my country. We give \$15 billion in aid to Africa and we don't want a penny back. We are giving \$10 billion in grants, and we don't want a penny back. But if we are going to build your infrastructure to make you prosperous, help us because we are in debt. And if other countries will do the right thing, we will even forgive that.

The biggest thing we have done for Iraq is give our young men and women, and more are going to die. That is a fact.

Tonight is important. We need to stay together and look at the American taxpayer, and say, Yes, you can be helped too. Don't feel guilty to ask for some of your money back, because you have given and you have given, and there is more to give.

Please vote for this amendment for the sake of the American people.

The PRESIDING OFFICER (Mr. ALEXANDER). Who yields time?

Mr. BAYH. How much time remains?

The PRESIDING OFFICER. One minute 40 seconds on your side and 1 minute 40 seconds on the other side.

Mr. BAYH. I thank all the cosponsors on both sides of the aisle for their support and say to my colleagues, all of us are committed to the success in Iraq. To achieve that success we must have the help of the rest the world and the help of the Iraqi people on their own behalf.

Several arguments have been offered in opposition to our amendment. Let me address them. First, there is no government in power to take on these obligations. Really? Was Saddam Hussein in power to burden the Iraqi people with these loans? I suggest the current council has at least as much legitimacy as Saddam Hussein. If his loans were legitimate, so are the actions of the council.

It is said this is a test of our resolve. That is true. But the surest way to assure the resolve of the American people is to do what is just and fair and right. How can we possibly say to the American people the French, the Germans, and the Russians may get repaid, those who propped up Saddam Hussein, but those who paid to liberate the country receive nothing. Is that fair? That would undermine the resolve.

There is a perception this is all about the oil. That is a lie. We know it is a lie. It is a demonstrable lie. I say to my colleagues, no great power, including our country, can base its policy upon falsehoods and lies. We must base our policy upon the truth and the facts. We know why we are in Iraq.

It is also said this will undermine our effort to achieve loan forgiveness. On the contrary. This will provide an incentive for others to forgive their loan and puts us in a position of maximum leverage to insist they do. If they drag their heels and refuse, it is said we will lose control of this money. No, my friends, we include a specific provision providing Ambassador Bremer with veto power over expenditures.

Finally, this is about American leadership. We lead when we do the right thing. I ask for your support for this amendment. It will accomplish our objectives in Iraq.

Mr. STEVENS. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. STEVENS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1876

The PRESIDING OFFICER. There are 2 minutes evenly divided prior to the vote.

Mr. NICKLES. I urge our colleagues to vote in favor of this sense-of-the-Senate resolution which urges countries that currently hold Iraqi debt that was incurred by Saddam Hussein to forgive that debt. If they do not, the Iraqi people and the Iraqi economy will suffocate.

The Congressional Research Service says there is from \$95 to \$153 billion

worth of debt. They cannot service that debt and grow as an economy. That debt is owned or held by Saudi Arabia. They have \$25 billion. It is held by Kuwait, \$15 to \$27 billion; Russia, \$3 to \$16 billion; Japan, \$3 to \$7 billion; Germany, \$2 to \$4 billion; France, \$2 to \$8 billion.

We urge the countries that took debt, made loans to Saddam Hussein's regime, to forgive that debt and allow the Iraqi people and their economy to grow.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

Mr. REID. We yield back our time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

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

The result was announced—"yeas" 98, "nays" 0, as follows:

[Rollcall Vote No. 388 Leg.]

YEAS—98

|           |             |             |
|-----------|-------------|-------------|
| Akaka     | Dole        | Lott        |
| Alexander | Domenici    | Lugar       |
| Allard    | Dorgan      | McCain      |
| Allen     | Durbin      | McConnell   |
| Baucus    | Edwards     | Mikulski    |
| Bayh      | Ensign      | Miller      |
| Bennett   | Enzi        | Murkowski   |
| Biden     | Feingold    | Murray      |
| Bingaman  | Feinstein   | Nelson (FL) |
| Bond      | Fitzgerald  | Nelson (NE) |
| Boxer     | Frist       | Nickles     |
| Breaux    | Graham (FL) | Pryor       |
| Brownback | Graham (SC) | Reed        |
| Bunning   | Grassley    | Reid        |
| Burns     | Gregg       | Roberts     |
| Campbell  | Hagel       | Rockefeller |
| Cantwell  | Harkin      | Santorum    |
| Carper    | Hatch       | Sarbanes    |
| Chafee    | Hollings    | Schumer     |
| Chambliss | Hutchison   | Sessions    |
| Clinton   | Inhofe      | Shelby      |
| Cochran   | Inouye      | Smith       |
| Coleman   | Jeffords    | Snowe       |
| Collins   | Johnson     | Specter     |
| Conrad    | Kennedy     | Stabenow    |
| Cornyn    | Kerry       | Stevens     |
| Corzine   | Kohl        | Sununu      |
| Craig     | Kyl         | Talent      |
| Crapo     | Landrieu    | Thomas      |
| Daschle   | Lautenberg  | Voinovich   |
| Dayton    | Leahy       | Warner      |
| DeWine    | Levin       | Wyden       |
| Dodd      | Lincoln     |             |

NOT VOTING—2

Byrd Lieberman

The amendment (No. 1876) was agreed to.

AMENDMENT NO. 1871

The PRESIDING OFFICER. Under the previous order, there are 2 minutes evenly divided in relation to the Bayh amendment.

Mr. STEVENS. Is it 1 minute a side or 2 minutes a side? I thought I had a standing order there would be 2 minutes before every vote.

The PRESIDING OFFICER. This order says 2 minutes evenly divided.

Mr. STEVENS. I am sorry. I ask unanimous consent that it be 2 minutes on each side.

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

Mr. STEVENS. Mr. President, I yield 1 minute to the Senator from New Mexico and 1 minute to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I only have a minute. I want you to take a trip with me. I want you to take a trip to Iraq. The first thing we are going to do is walk up to a soldier. His name is Joe Chavis. We are going to say: Hi, Joe, how are you? I see that tank of yours. It needs repairing. Hey, Joe, that electric line isn't working and those kids don't have any electricity. Which do you think we ought to do: Fix your tank or fix the electricity?

Sergeant Chavis says: Fix the electricity, Senator.

I walked down the road a little bit and I saw another soldier, a woman who was there in military uniform.

I said: Ma'am, I understand that you don't have the vests that you need to protect yourself. But I also noticed over there a schoolhouse is broken down and it needs fixing. I said: What do you need most?

She said: Fix the schoolhouse.

I did that five times. Every time the soldier said: Fix whatever it is, give them whatever it is and wait on me. I can wait.

I think you should all understand that is what is going on. If we don't do that, they will be there forever. That is why they are saying, fix the other things and don't worry so much about us.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, this has been a very important debate. I congratulate all who took part. This is obviously a very important and critical vote. This vote is a message to our constituents about how we feel about foreign aid. It is a message to the Iraqis about what we expect from them and what they can expect from us. It is a message to our allies about their obligations to peace in the Middle East and our willingness to meet our own.

Ultimately, this vote speaks to who we are as a nation and as a people. We won the peace. Let's win the reconstruction and democracy and freedom for the Iraqi people. I ask you to vote no on this amendment.

Mr. BAYH. Mr. President, how much time does our side have?

The PRESIDING OFFICER. Two minutes.

Mr. BAYH. I yield 1 minute of my time to the distinguished Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, everything that the Senator from New Mexico asked, this amendment doesn't take away any of that. The full \$20 bil-

lion stays within this amendment. The difference is, do we give it all in a grant and does that strengthen the President's hand or do we give half of it in a grant and half of it in a loan? We believe if you give half in a loan, the President's hand is strengthened on getting other countries that are owed money from the previous Saddam Hussein regime to forgive that debt. I make no apologies for the American people to say, if France, Germany, and Russia can be paid back, then we should be paid back. I hope all of the debt is forgiven. I think that is best for Iraq. But if the rest of the countries don't forgive their debt, then the American taxpayer should be paid back.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. BAYH. Mr. President, it has been said that our decision tonight will determine whether America is perceived as a leader in the world. What kind of message will we send after all the dying and treasure and blood we have expended in Iraq? Can there be any doubt about American leadership and about the message we send? When we removed Saddam Hussein, America sent a message that we lead to stand for freedom—the freedom to choose your own government, the freedom to run your own economy.

Tonight, again, we lead with \$72 billion free and clear in grants for the security of Iraq; further, \$5 billion for the immediate reconstruction needs, free and clear to Iraq; further, \$10 billion for the long-term reconstruction needs for the people of Iraq is a loan to be forgiven if the rest of the world will join us in this cause.

That is American leadership. That is the message we send. That is why we ask for your support.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. DASCHLE. Mr. President, I ask unanimous consent that this be a 10-minute vote. A number of Senators still hope to offer amendments tonight, and that would save us some time.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. Mr. President, I am compelled to object because I think there are some people who have left the building already. I inquired whether it was going to be a 10-minute vote. I asked the Parliamentarian if we had agreed, and then I told them we had not. I urge the leader to leave it the normal 15 minutes.

The PRESIDING OFFICER. Objection is heard.

All time has expired.

The question is on agreeing to the amendment.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

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

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 389 Leg.]

YEAS—51

|           |             |             |
|-----------|-------------|-------------|
| Akaka     | Dorgan      | Leahy       |
| Baucus    | Durbin      | Levin       |
| Bayh      | Edwards     | Lincoln     |
| Bingaman  | Ensign      | Mikulski    |
| Boxer     | Feingold    | Murkowski   |
| Breaux    | Feinstein   | Murray      |
| Brownback | Graham (FL) | Nelson (FL) |
| Campbell  | Graham (SC) | Nelson (NE) |
| Carper    | Harkin      | Pryor       |
| Chambliss | Hollings    | Reed        |
| Clinton   | Jeffords    | Reid        |
| Collins   | Johnson     | Rockefeller |
| Conrad    | Kennedy     | Sarbanes    |
| Corzine   | Kerry       | Schumer     |
| Daschle   | Kohl        | Snowe       |
| Dayton    | Landrieu    | Stabenow    |
| Dodd      | Lautenberg  | Wyden       |

NAYS—47

|           |            |           |
|-----------|------------|-----------|
| Alexander | Dole       | McConnell |
| Allard    | Domenici   | Miller    |
| Allen     | Enzi       | Nickles   |
| Bennett   | Fitzgerald | Roberts   |
| Biden     | Frist      | Santorum  |
| Bond      | Grassley   | Sessions  |
| Bunning   | Gregg      | Shelby    |
| Burns     | Hagel      | Smith     |
| Cantwell  | Hatch      | Specter   |
| Chafee    | Hutchison  | Stevens   |
| Cochran   | Inhofe     | Sununu    |
| Coleman   | Inouye     | Talent    |
| Cornyn    | Kyl        | Thomas    |
| Craig     | Lott       | Voinovich |
| Crapo     | Lugar      | Warner    |
| DeWine    | McCain     |           |

NOT VOTING—2

Byrd Lieberman

The amendment (No. 1871) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, there will be no further votes tonight. What we plan to do now is ask Members who still have amendments to be considered to consult with us. We are prepared to accept some of them. We will have an early session of the Senate tomorrow starting at 9. We will start voting on the amendments that are still pending that have not been resolved tonight. There are still a couple of amendments that Members wish to offer tomorrow, but first we will vote on the pending amendments. So all Senators should be on notice there will be votes starting immediately in the morning. After the first vote, I shall ask that the amendments be 10 minutes each so that there will be a series of probably 19 to 20 amendments, as I count them right now, that could well be voted on before we will then take up the several amendments, two to three amendments, that Members wish to debate.

Mr. REID. Will the Senator yield?

Mr. STEVENS. I do yield.

Mr. REID. Senator BYRD has asked me to announce that tonight we would have Senator BOXER offer an amendment. She is going to just take a couple of minutes. Senator LEAHY has an important amendment. He will take a reasonably short period of time. Sen-

ator DURBIN has an amendment. He will take a short period of time, and then Senator CORZINE and Senator LANDRIEU, in that order.

Mr. STEVENS. I am not agreeing to any order, Mr. President. We have a list of amendments. We are going to go down the list of amendments and see who is here.

Mr. REID. Mr. President, I do not know then how to operate.

The PRESIDING OFFICER. The Senate will come to order.

Mr. STEVENS. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Alaska has the floor.

Mr. STEVENS. I am perfectly ready to start considering amendments, but I am not going to have any time agreement right now on any amendment.

Mr. REID. Mr. President, will the Senator yield?

Mr. STEVENS. Yes.

Mr. REID. Mr. President, I have not asked for any time agreement. I am trying to help. I am trying to move this along. I personally do not care if we ever finish this bill. I am trying to work and move this bill along. I was asked to have some people offer some amendments who have a vote. I have spent probably an hour and a half getting these people lined up to offer amendments.

If we are going to finish this bill tomorrow, then we have to do it this way. Otherwise, count me out of the ball game. Somebody else can figure out how to do it.

Mr. STEVENS. The Senators are at liberty to offer their amendments as they wish tonight. We will be glad to stay as long as Senators want to offer amendments and present them to us. We are trying to work out those amendments with people who want to settle amendments first, not those who want to bring up amendments and demand a vote tomorrow. There are a bunch of Senators willing to compromise on amendments and I want to let them proceed and have them go home before the other people who want to offer amendments, argue, and then have a vote tomorrow.

I think that is a logical progress.

Mr. REID. If the Senator will yield. I then say to Senator BOXER, Senator LEAHY, Senator DURBIN, Senator CORZINE, and Senator LANDRIEU, go home. We will do them tomorrow.

Mr. STEVENS. That is perfectly all right with me, Mr. President. I am here until Saturday, Sunday, whatever it takes. The bill will be finished sometime before the end of this week.

To stand up and say these people are going to come first before those we have been negotiating with, we told them we will accept amendments and can handle those, I think that is wrong. So if Senators want to go home, go home. If they want to stay here and settle this bill, stay.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska still has the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska still has the floor.

Mr. STEVENS. Mr. President, the Senator from Texas, Mrs. HUTCHISON, has an amendment that has been cleared on both sides. She wants to make a few remarks on that amendment. I welcome her offering that amendment at this time and discussing it.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I will be very brief. I am happy to work within the system. I have a sense-of-the-Senate amendment.

Mr. LEAHY. Mr. President, may we have order.

The PRESIDING OFFICER. The Senator will suspend.

Mrs. HUTCHISON. I send up a modified amendment.

Mr. LEAHY. The Senator from Texas is entitled to be heard. If we could have order, Mr. President.

The PRESIDING OFFICER. The Senate will come to order. Senators engaging in conversations, please take those conversations from the Senate floor.

Mrs. BOXER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator will suspend. The Senate is not in order.

Mrs. BOXER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Texas has the floor. Conversations will be taken from the floor. The Senate will come to order.

AMENDMENT NO. 1877, AS MODIFIED

Mrs. HUTCHISON. Mr. President, I send a modified version of my amendment No. 1877 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 assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 1877, as modified.

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

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

The amendment is as follows:

(Purpose: To express the sense of Congress on reconstruction efforts in Iraq)

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

SEC. 2313. (a) Congress makes the following findings:

(1) A coalition of allied countries led by the United States entered Iraq on March 19, 2003, to liberate the people of Iraq from the tyrannical rule of Saddam Hussein and the Baathist party and to remove a threat to global security and stability.

(2) Achieving stability in Iraq will require substantial monetary investments to develop a secure environment and improve the physical infrastructure.

(3) A stable and prosperous Iraq is important to peace and economic development in the Middle East and elsewhere.

(4) As of October 2003, the United States has provided the majority of the personnel and financial contributions to the effort to rebuild Iraq.

(5) Congress fully supports efforts to establish a stable economic, social, and political environment in Iraq.

(6) The President is currently seeking to increase global participation in the effort to stabilize and reconstruct Iraq.

(7) While the United States should aid the people of Iraq, the participation of the people of Iraq in the reconstruction effort is essential for the success of such effort.

(b) It is the sense of Congress that the President should—

(1) make every effort to increase the level of financial commitment from other nations to improve the physical, political, economic, and social infrastructure of Iraq; and

(2) seek to provide aid from the United States to Iraq in a manner that promotes economic growth in Iraq and limits the long-term cost to taxpayers in the United States.

Mrs. HUTCHISON. Mr. President, I will be brief. The sense of the Senate says we support helping Iraq as it builds a new democracy and believe we need to finish what we have started there and in Afghanistan. It is critical that this reconstruction effort have a multilateral approach, that our allies would help us in the war on terrorism, because our allies are reaping the benefits of this war on terrorism. No one will be free in the world if we lose the war on terrorism. It is essential we have all of the support we need to finish this job. So we ask the administration to continue to seek commitments during the donors conference and afterward. It encourages the President to provide aid in a way that promotes economic growth in Iraq and limits the long-term cost to our taxpayers. The President is in the best position to determine how to accomplish this, and we must support him in every way.

That is my amendment, my sense of the Senate. I hope we can support it and vote for it.

Mr. STEVENS. Mr. President, this amendment has been cleared on both sides. I ask the Senate consider and adopt this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mrs. BOXER. I object to the unanimous consent request.

Mr. STEVENS. I did not ask unanimous consent.

The PRESIDING OFFICER. The question is whether there is further debate on the amendment.

The Senator from California.

Mrs. BOXER. Mr. President, I believe this is open for debate. I want to express myself tonight. I have not said this before, but I have to tell you that the Senator from Nevada has been working so diligently with his colleagues on the other side to move along the business of this body.

He suggested that four of us who have very brief amendments be allowed to go forward—not in advance of the other side. I don't have any problem with a few people going first or alternating back and forth. But I have to say, I feel very bad about this, and I

am not going to be cooperating tonight if we are not going to allow this to take on some kind of comity at this late hour where we hear from Senator HUTCHISON, who has a very good amendment, and then we go to our side, and back and forth.

I want to speak just as one Senator to say I feel bad about the way things are deteriorating tonight and I am not going to cooperate.

Mr. REID. Will the Senator yield?

Mrs. BOXER. Yes.

Mr. REID. The Senator from California and I came to Washington together many years ago. We are very close friends. I consider Senator BOXER a sister. I appreciate her saying a few words on my behalf. But I think probably part of the blame was mine. I know the Senator from Alaska very well, and I probably would have been well advised, when he was raising his voice a little bit, for me not to raise my voice. The fact of the matter is, we both have been working on this bill for hours and days, and probably we are both a little testy. So I think there is blame to go around on both sides. I do appreciate my friend from California defending me. She has made her point, at least as confirming our friendship, and I think Senator STEVENS and I can work this out and move the bill along.

I do appreciate very much my friend from California sticking up for me as she has done tonight and has done for the last 22 years we have been together.

Mr. STEVENS addressed the Chair.

Mr. LEAHY. Mr. President, will the Senator from Alaska yield?

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Can we get this amendment adopted? May we adopt the amendment?

The PRESIDING OFFICER. Is there further debate on the amendment? The question is on agreeing to the amendment.

The amendment (No. 1877), as modified, was agreed to.

Mr. STEVENS. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. The procedure we had, and I told people on this side we would do, we have two amendments on this side, one amendment on that side, that have been cleared and we will let them go home. I am perfectly willing to go to anyone else who wants to talk, but as the manager of the bill we have the right to say to people: Look, if you will agree to offer these and make these changes, we will take them up right away, as soon as this vote is over. That I did, so I don't apologize to anyone.

I would like to yield to my friend from Vermont.

Mr. LEAHY. Mr. President, I will be very brief. As I look around, there is only one person on this floor who has served longer than I have and that is

the Senator from Alaska. I know the difficulties—both he and I have gone back and forth, sometimes one is chairman, sometimes the other is, on different committees—how difficult it is to keep a major bill going through. I understand his concern in doing it.

The senior Senator from Nevada has done the job of being whip for our side better than anybody I have ever known who served here. There is a great deal of respect for his integrity on both sides of the aisle, as there is for the senior Senator from Alaska. I know both have been trying to work this out. I hope we would just continue that way. It is not an easy process. There are differences of opinion on a number of these amendments. But I know both the Senator from Alaska and the Senator from Nevada are two of the finest people I have served with, and I hope we would allow the two of them to work, as they do so very well, and Members on both sides of the aisle would work with them and allow them to work out the schedule.

The Senator from Vermont is perfectly satisfied with that kind of arrangement.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I said I wouldn't apologize. I do apologize to my friend from Nevada if I offended him. I did not intend to offend him. He is a valuable Member of the Senate and has worked, whether in the majority or minority, assiduously to see the Senate does its work. I don't argue with that at all. I have great fondness for the Senator from Nevada.

I wish I lived in Nevada. I might even vote for him if I lived there.

I see the current occupant of the chair is laughing at that, but it is true.

The difficulty I have is I think we don't communicate well enough across this aisle in terms of the plans we each make as manager of our side on this particular bill.

Right now the Senator from Nevada has an amendment by Senator NELSON we agreed to clear. I am pleased to yield the floor.

AMENDMENT NO. 1858, AS MODIFIED

Mr. REID. I send a modification of the Nelson amendment to the desk.

Mr. President, this is an amendment offered by Senator NELSON. He has been in negotiations with the majority staff for several days now.

Mr. STEVENS. It is acceptable.

Mr. REID. I urge its adoption.

Mr. STEVENS. I urge its adoption also.

The PRESIDING OFFICER. Is there further debate? Without objection, the amendment is agreed to.

The amendment (No. 1858), as modified, was agreed to, as follows:

At the end of title I, add the following:

SEC. 316. Of the amounts appropriated by this title, \$10,000,000 shall be available only for the Family Readiness Program of the National Guard.

Mr. STEVENS. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1867

Mr. STEVENS. Mr. President, I have the amendment for Senator WARNER, for himself, Mr. SARBANES, and Mr. EDWARDS. It has been cleared on both sides. According to my information, it is amendment No. 1867.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

That amendment is currently pending.

AMENDMENT NO. 1880 TO AMENDMENT NO. 1867

Mr. STEVENS. Mr. President, I also have a second-degree amendment to that amendment. I ask that amendment be adopted. This is the hurricane flood damage amendment. We are taking out of the bill those items which were not relevant to the bill. I send that amendment to the desk.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. WARNER, proposes an amendment numbered 1880 to amendment numbered 1867.

The amendment is as follows:

(Purpose: To designate the amount designated for disaster relief provided in connection with Department of Defense infrastructure damaged or destroyed by Hurricane Isabel as an emergency requirement.)

At the end of line 8, strike “.” and insert the following:

“: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress): provided further that the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes the designation of the entire amount of the request as an emergency requirement as defined in House Concurrent Resolution 95, the concurrent resolution on the budget for fiscal year 2004, is transmitted by the President to the Congress.”

Mr. STEVENS. I ask consideration of the amendment, the adoption of the amendment, and consideration of the amendment as amended.

Mr. REID. This amendment is also one that has been reviewed by the two Senators from Maryland. They both think this is good. There has been tremendous damage at the Naval Academy. This covers that also.

The PRESIDING OFFICER. Without objection, the second-degree amendment is agreed to.

The amendment (No. 1880) was agreed to.

The question is on agreeing to the first-degree amendment, as amended.

Without objection, that amendment is agreed to.

The amendment (No. 1867), as amended, was agreed to.

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

AMENDMENT NO. 1843

Mr. STEVENS. Mr. President, I want to state to the Senator from California that on amendment No. 1843 we sent a notice to the Senator that we are prepared to accept that retroactive assistance meal reimbursement amendment, if she is prepared to offer it tonight. That is Senator BOXER's amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous consent to lay the pending amendment aside, and I call up my amendment which is at the desk.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 1843.

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

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

The amendment is as follows:

(Purpose: To make retroactive the relief of hospitalized members of the uniformed services from the obligation to pay for food or subsistence while hospitalized; and to provide an offset for the additional cost)

On page 20, strike lines 9 through line 12, and insert the following:

(b) Section 1075(b) of title 10, United States Code, as added by subsection (a), shall take effect as of September 11, 2001, and shall apply with respect to injuries or diseases incurred on or after that date.

(c) The amount appropriated by chapter 2 of title II under the heading “IRAQ RELIEF AND RECONSTRUCTION FUND” is hereby reduced by \$1,500,000, to be derived from the amount set aside under such heading for transportation and telecommunications for the Iraqi Postal Authority for the administration of a zip code system.

Mrs. BOXER. Mr. President, today, I am offering an amendment that will help service members who have been hospitalized after being wounded or becoming ill during combat or other operations in Iraq, Afghanistan and during the war on terror since September 11, 2001.

Right now, when one of our soldiers is wounded, they are evacuated to a military hospital. When they are discharged from the hospital, they receive a bill for their hospital food. The current daily rate for those charges is \$8.10.

I want to thank my good friend and colleague from Florida, Senator BOB GRAHAM, for offering leadership on this issue. Accepted as part of the manager's package, his amendment exempts service members who are hospitalized from combat injuries and other conditions from having to pay for their meals. His amendment addresses the problem prospectively—in the future.

My amendment supplements his—by closing the loop. It will require the Department of Defense to reimburse troops who paid for meals while hospitalized as a result of either injury or illness while in combat or training for combat since September 11, 2001.

I recently learned about a Marine staff sergeant who was injured when an Iraqi dropped a grenade in the HUMVEE he was driving. As a result of the explosion, he lost part of his foot, and spent 26 days in the hospital recovering. He was then discharged to return home and to his job as a sheriff's dep-

uty. At the same time, he was handed a bill for \$210.60 for his food.

Mr. President, \$210.60 may not seem like a lot of money to some of us. But to an enlisted person with a family making under \$20,000 a year—this is a serious financial burden.

When service members are discharged, we should express our gratitude for their profound personal sacrifice, not hand them a bill for their hospital food.

My amendment is simple and corrects this stunning injustice. It shows our strong support for the courageous men and women who fought in Afghanistan and Iraq and have returned, wounded, ill, missing limbs, too often permanently disabled.

The price to the Government for correcting this serious affront to our service members is very, very small indeed. This amendment costs just \$1.5 million, with the offset found in the account to create new zip codes in Iraq, which the House eliminated in their bill last week.

I understand the Department of Defense has recouped only \$1.5 million this year for hospital meals from all hospitalized service members worldwide. We are talking about just \$1.5 million from over 2 million active and reserve forces across the globe.

What I am proposing is much more limited in scope. It would only reimburse service members who have been wounded or become ill due to combat or training for combat since September 11, 2001. According to the Defense Department, approximately 2,000 service members have been injured or wounded in action in Iraq. Considerably less were injured in our operations in Afghanistan. The Defense Department says the total for both conflicts may be roughly 3,500 people.

I am talking about giving back a small amount to our troops for their extraordinary sacrifice. It would mean a great deal to the service members and military families who face extended separations, financial hardship, and sometimes serious injury.

We were very fortunate that Representative BILL YOUNG from Florida discovered that our service men and women who are in hospitals were being asked to pay for meals as they checked out of the hospital. Some of them had horrible injuries and some lost limbs. Congressman YOUNG fixed the problem, and Senator GRAHAM, working with Senator STEVENS and others, fixed the problem. But the fix has only been for the future. It has not been fixed for those who actually went to war in Afghanistan and Iraq and are getting hit with these bills.

I recently learned about a marine staff sergeant who was injured when an Iraqi dropped a grenade on a Humvee he was driving, and he lost part of his foot. He spent 26 days in a hospital. When he was discharged to return home as a sheriff's deputy, he was handed a \$210.60 bill for his food. That may not seem like a lot to some, but

when you are earning approximately \$20,000 a year, it is a serious financial burden.

I know we all want to fix this. What we have done in the amendment is very simple. We pay back those who served in Afghanistan and in Iraq who wound up in hospitals and were billed for their food, and we pay for it with an offset. The amendment will cost \$1.5 million. We pay for it in an offset found in the account for a new ZIP Code in Iraq. I think it is very important for us to do this. It is much more important than new ZIP Codes in Iraq.

I am very hopeful that tomorrow we will have an overwhelming vote in favor of this amendment.

I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment, there is not.

Mr. STEVENS. Mr. President, I wish to make a comment. The Senator from California is absolutely right. If there is a saint in this town, it is Mrs. Bill Young. She has been extremely helpful to all of the soldiers and sailors at Walter Reed and at Bethesda. Just today, she called me and told me that the admiral at Bethesda told her he is under orders to send bills for about \$5,000 to several different military people who are in the hospital for reimbursement of their meals. I told my staff to notify the admiral that we had fixed it in this bill, or I would personally guarantee the payment, and not just have standard garnishing of these kids' salaries.

I commend the Senator for the amendment. We attempted to fix that in one former bill. But that bill hasn't become law. I think the bill will become law very fast.

I support the Senator's amendment and urge its adoption.

AMENDMENT NO. 1843, AS MODIFIED

Mr. REID. Mr. President, I ask unanimous consent that the Boxer amendment be modified.

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

The amendment (No. 1843), as modified, is as follows:

On page 20, strike lines 9 through line 12, and insert the following:

(b) Section 1075(b) of title 10, United States Code, as added by subsection (a), shall take effect as of September 11, 2001, and shall apply with respect to injuries or diseases incurred on or after that date.

Mr. REID. Mr. President, I have an amendment, if I could be heard briefly.

Mr. STEVENS. Is that modification of the amendment we just agreed to the yeas and nays on? I have no objection.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, the Senator from California was concerned about the modification. This had been approved by staff. She wanted to make sure everyone understood that the money she is seeking would be paid for out of existing funds rather than offset. That is the purpose of the modification.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I wonder if I could ask the Senator from Alaska this question. We will not have an offset. I have agreed not to have an offset. Is it the chairman's understanding that the \$1.5 million will come from—

Mr. STEVENS. From the funds that are in the bill. Those amounts are de minimis, really. There will be no budget point of order against that.

Mrs. BOXER. And it will happen.

Mr. STEVENS. It will happen. It is in another bill also. The question is which bill gets there first.

Mrs. BOXER. This is retroactive. We took care of it prospectively. This is to actually write checks to people.

Mr. STEVENS. The Senator is right. Our current amendment which we have out there somewhere goes through 2004. The Senator's amendment goes back to 2001.

We are happy to accept that, but the moneys are there. It is carryover money from past years.

Mrs. BOXER. As long as I am clear on that, I am very happy. I thank everyone.

Mr. STEVENS. I congratulate the Senator. It is a good amendment.

We have no objection to Senator DASCHLE's amendment, if it is cleared by Senator BYRD.

We have that, by the way, in the managers' package. We worked it out with Senator BYRD's staff and mine. We will be happy to adopt it now, if the Senator would like to do that.

Mr. REID. Mr. President, I am told by staff that in the usual fine work of Senators REID and STEVENS there has been a slight misstep. This was already approved earlier today.

Mr. REID. Unless Senator STEVENS has something else—I know it is in order—I call up the amendment of the Senator from Vermont who has been waiting around for a while. He has a short statement to make.

Mr. STEVENS. I have no objection. I would like to confer with the Senator and Members on that side on items we believe are subject to budget points of order and give notice of that.

Mr. REID. We will do that as he is speaking.

Mr. STEVENS. Very well.

AMENDMENT NO. 1807, AS MODIFIED

Mr. REID. I ask unanimous consent that the pending amendments be laid aside.

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

Mr. REID. I call up amendment numbered 1807 on behalf of Senators LEAHY and CHAFEE and ask unanimous consent that the amendment be modified with the changes at the desk.

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

The amendment will be so modified.

The amendment (No. 1807), as modified, is as follows:

(Purpose: To provide for humanitarian assistance and reconstruction of Liberia)

Beginning on page 29, strike line 13 and all that follows through page 31, line 5, and insert the following:

INTERNATIONAL DISASTER ASSISTANCE AND MILITARY ASSISTANCE

For an additional amount for "International Disaster Assistance" for relief, rehabilitation, and reconstruction assistance for Liberia, and for an additional amount for military assistance programs for Liberia for which funds were appropriated by title III of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2003 (division E of Public Law 108-7; 117 Stat. 176), \$200,000,000, to remain available until expended, of which \$100,000,000 shall be derived by transfer from 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".

Mr. REID. I ask unanimous consent that Senators COLEMAN, DASCHLE, BIDEN, LIEBERMAN, FEINGOLD, REED of Rhode Island, and LAUTENBERG be added as cosponsors.

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. CHAFEE, for himself, Mr. LEAHY, Mr. COLEMAN, Mr. DASCHLE, Mr. BIDEN, Mr. LIEBERMAN, Mr. FEINGOLD, Mr. REED, and Mr. LAUTENBERG, proposes an amendment numbered 1807, as modified.

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

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

Mr. LEAHY. This amendment addresses the humanitarian crisis in Liberia. This is a bipartisan amendment, supported by Senators CHAFEE, COLEMAN, BIDEN, LIEBERMAN, FEINGOLD, REED, LAUTENBERG, and LANDRIEU.

Anyone who has read a newspaper or watched CNN over the past couple of months knows about the tremendous suffering in Liberia today.

Three-quarters of Liberians do not have access to safe drinking water.

Three-quarters are living in poverty.

Three-quarters do not have access to acceptable sanitation.

Eighty-five percent of Liberians are unemployed.

These numbers, provided by the U.N. are absolutely appalling. To me, this is more than enough reason to act.

We have deep historical ties to its people. Presidents James Monroe and Andrew Jackson, along with some of the most notable Senators ever to serve in this body, Henry Clay and Daniel Webster, helped create the nation of Liberia. Liberia's flag is nearly identical to our own.

We have heard urgent pleas from the Liberian people for the U.S. to help.

Archbishop Michael Francis of Monrovia, wrote a letter in support of this amendment. He wrote:

[We are at a critical juncture where an intervention by the United States, renewing its leadership role, will greatly help to ensure the stabilization of Liberia. It is for this reason that your amendment to include \$200 million in the FY 2004 Supplemental Appropriations bill to address relief and reconstruction needs in Liberia is timely and must be supported by the Senate body.

I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OCTOBER 14, 2003.

Hon. BILL FRIST,  
Majority Leader, U.S. Senate,  
Washington, DC.

Hon. THOMAS DASCHLE,  
Minority Leader, U.S. Senate,  
Washington, DC.

DEAR MAJORITY LEADER FRIST AND MINORITY LEADER DASCHLE: Thank you for your leadership on the important issues that face the African continent each day. Your important voice on many of the issues such as infectious disease, conflict resolution, human rights, and democratic transition the continent is incredibly appreciated, particularly by those of us on the ground who are working daily to affect the change necessary to bring peace, justice, and stability to our respective nations.

As you know, the on-going human rights crisis in Liberia continues to require close examination and a comprehensive response so that the country does not spiral back to the days when Liberia was governed by warlord Charles Taylor. As this transition progresses, we are at a critical juncture where an intervention by the United States, renewing its leadership role, will greatly help to ensure the stabilization of Liberia. Thus, I write to strongly urge your support for the Chafee-Leahy amendment which would include \$200 million in the FY2004 Supplemental Appropriations bill to address the relief and reconstruction needs of Liberia.

Liberia has endured years of a brutal conflict. The signing of a peace agreement in Accra, Ghana, as well as the deployment of peacekeeping troops to Liberia have paved the way for the best opportunity for peace and stability in the West African nation since the onset of civil strife in 1989.

We have seen that, despite a peace accord between rebel forces and the Government of Liberia, fighting continues in our war-ravaged nation. The inability of humanitarian organizations to safely deliver aid, given grave security problems, has precipitated a large-scale humanitarian crisis in the small West African nation. U.S. Agency for International Development estimates more than 500,000 Liberians are currently internally displaced. Many internally displaced and tens of thousands of refugees who fled to Liberia from other conflicts in the region have been cut off from outside assistance. Moreover, the country's physical infrastructure is in dire straits, and the peace process in Liberia is dependent on investments from the United States, which will help provide good governance, employment, law and order, and basic social services.

In testimony before the House International Relations Committee on October 2, 2003, Assistant Secretary of State for African Affairs Walter Kansteiner, III, agreed that at least \$200 million would be needed to address humanitarian and reconstruction needs in Liberia in FY2004. He also pledged to work with the Congress to include such funding in the supplemental bill.

Senators Lincoln Chafee (R-RI) and Patrick Leahy (D-VT) have introduced a corresponding amendment to address the humanitarian and reconstruction needs of Liberia in the supplemental. The \$200 million would come from funds already in the supplemental and would not raise the total amount of the bill.

Additionally these resources would assist by sending a strong, clear and unequivocal message to all the parties, expressing the United States' determination to play an active and robust role in the initiative aimed at ameliorating the Liberian crisis. I appeal to you to ensure that this funding remain consistent with our desire to avoid any rush to quick fixes and semi-solutions. Rather our collective strategy should be aimed at achieving the following strategic objectives:

1. Consolidating the cease fire and stabilizing the security situation on the ground;
2. Ensuring the demobilization of the militia and their proper reintegration into the civil society;
3. Creating a secure environment over the entire country;
4. Contributing to consolidating national unity and assisting in establishing a viable transitional government;
5. Reestablishing the necessary state structures for effective governance and ensuring that they function in a proper and durable way; and
6. Once these pre-conditions have been met, we must further assist in the preparation of free, fair, transparent, and democratic elections.

As you know, the supplemental request, as it was sent to Congress, fails to identify any resources to meet these urgent needs in Liberia. Without adding money to the 2004 supplemental, Liberia will receive no significant funding until FY2005, a full year after the outbreak of a fragile peace. I implore you, on behalf of the Liberian people, to assist us in addressing Liberia's human rights, peace building, and reconstruction needs. Without strong U.S. support, Liberia threatens to fall once more into violence and chaos, possibly becoming a haven for criminal and terrorist activity on the African continent.

The critical human rights needs of our brothers and sisters in Liberia and West Africa require your uncompromising support of the Chafee-Leahy amendment to include \$200 million for humanitarian and reconstruction needs in Liberia in the FY2004 Supplemental Appropriations bill when it comes to the Senate floor.

Sincerely,

ARCHBISHOP MICHAEL KPAKALA FRANCIS.

Mr. LEAHY. Archbishop Francis is said to be the only man in Liberia that Charles Taylor feared. This is because of the archbishop's tireless criticism of Charles Taylor and his brutal regime.

If we don't move decisively to help solidify the fragile peace in Liberia, fighting could easily resume and spread throughout the region. Guess who the world will look to help solve the crisis?

The United States. More lives will have been lost, more time will have been wasted and it will be more difficult and expensive to act.

Mr. President, this amendment gives the Senate a chance to take decisive action to address the crisis in Liberia. This amendment provides \$200 million in badly needed aid, and it allows the administration to determine the best way to spend these funds.

How did we arrive at this figure? Two hundred million dollars is what the Bush administration says we should

spend to respond to this crisis. On October 2, Assistant Secretary of State for Africa Walter Kansteiner told the House International Relations Committee that \$200 million is what the U.S. should contribute to Liberia.

In other words, this is the administration's own number.

This amendment is fully offset—it does not add one dime to the total amount of the supplemental. It also allows the administration to use these funds for virtually any purpose: humanitarian, reconstruction, or security assistance.

We have an \$87 billion bill before the Senate. But there is no money in this bill designated for Liberia.

We are already involved in Liberia. The United States worked to get rid of a despicable dictator who is wanted for war crimes. We sent the Marines to Liberia. The United States has deep historical ties to Liberia. We should do the job right—not just stick a band-aid on the problem and hope it goes away.

Mr. President, it is up to Congress to show leadership on this issue.

The House has acted. It has included \$100 million of international disaster assistance for Liberia and Sudan. The Senate should build on this effort. This amendment does that.

There should be no question. We should join together and pass this bipartisan amendment and help the people of Liberia. That is why I urge my colleagues to support this amendment.

I ask for the yeas and nays on the amendment.

THE PRESIDING OFFICER. Is there a sufficient second? At the moment, there is not a sufficient second.

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

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEAHY. I withhold the quorum call.

Mr. REID. I ask for the yeas and nays on the amendment offered by the Senator from Vermont.

THE PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that the pending amendment be set aside for the purpose of Senator DURBIN offering an amendment.

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

The Senator from Illinois.

AMENDMENT NO. 1837

Mr. DURBIN. Mr. President, I have an amendment at the desk on Reserve pay which I will be asking to be put in the queue for a vote tomorrow. This amendment I offered 2 days ago.

I am not going to belabor the issue other than to say to my colleagues, and for the record, that what it provides is that Federal employees who are members of the Guard and Reserves who are activated would have the difference in their pay—their military pay and their Federal pay—made up by the Federal agency for which they work. This is done by State governments and private companies and local units of government. It is not done by the Federal Government.

Frankly, this amendment was offered in good faith to have the Federal Government establish the standard so that activated Guard and Reserves who are Federal employees will receive this difference.

There are 1.2 million Guard and Reserves in America. Ten percent of them are Federal employees, 14,000 are now activated, and almost half of them have seen a cut in pay. Since activation has gone for an extended period of time, I will ask that that amendment be put in the queue tomorrow.

AMENDMENT NO. 1879

Mr. President, I have another amendment, but before I send the amendment to the desk, let me describe it to my colleagues.

I offered an amendment, earlier today, on the global AIDS epidemic, an amendment which said we have made a commitment as a nation to spend \$15 billion over the next 5 years to deal with this epidemic. This is an epidemic which President Bush acknowledged in his State of the Union Message and one that he has spoken of extensively here in the United States and while traveling abroad.

Unfortunately, the administration did not come up, in the first year, with \$3 billion to deal with the global AIDS epidemic.

We know there is a serious need across the world to spend the funds necessary. I would say to my colleagues who might ask, "Why would you raise the global AIDS epidemic on this emergency appropriations bill," consider the statement made by Secretary of State Colin Powell to the United Nations just a few weeks ago. I quote:

AIDS is more devastating than any terrorist attack, any conflict, or any weapon of mass destruction.

The extended quote will be made a part of the RECORD. But what I would like to say to my colleagues is this: I hope—as we consider what it takes to make this a safe world for future generations, as we consider what is necessary in the Middle East and Iraq—we also consider that we are living in a

world devastated by AIDS, that AIDS is an epidemic destabilizing countries, making them vulnerable to terrorist takeovers, and creating the kind of instability that guarantees the United States must pay heed.

There is a way to deal with this, and the way to do it is to keep our word.

My earlier version of this amendment was objected to by Senator STEVENS. He argued it included legislative language. We have stricken all legislative language in this amendment.

Secondly, this would not be subject to a budget point of order because the foreign operations appropriations bill has not passed, and the set-off in the amendment comes in emergency appropriations, so there is no problem with either the budget or the spend-out rate.

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

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 1879.

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

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

The amendment is as follows:

(Purpose: To provide funds for the prevention, treatment, and control of, and research on HIV/AIDS)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) GLOBAL HIV/AIDS FUNDING.—For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on HIV/AIDS, in addition to funds appropriated under the heading "Global AIDS Initiative" in the Foreign Operations, Export Financing, and Related Programs Act, 2004, \$879,700,000.

(b) OFFSET.—The total amount appropriated under title II under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE—FUNDS APPROPRIATED TO THE PRESIDENT—IRAQ RELIEF AND RECONSTRUCTION FUND" (other than the amount appropriated for Iraqi border enforcement and enhanced security communications and the amount appropriated for the establishment of an Iraqi national security force and Iraqi Defense Corps) shall be reduced by \$879,700,000.

Mr. DURBIN. Mr. President, as we consider this \$87 billion supplemental—and what is truly in the interest of our national security, for this generation and generations to come—these words from the Secretary of State about the impact of AIDS have special resonance: "more devastating than any terrorist attack, any conflict, or any weapon of mass destruction."

AIDS is fast becoming the worst plague the world has ever encountered. Already, 25 million people have been killed by the disease.

Today, another 42 million people around the world face a death sentence from AIDS because they have no access to life-saving treatment that can cost as little as a dollar a day.

As parents are dying, 14 million AIDS orphans have been left without the care and support that they need. Unless we act soon, there will be 25 million AIDS orphans by the end of the decade.

Each year the world loses a population greater than the city of Chicago because of AIDS. Yet, we know how to stop these deaths.

Keeping our promises in the fight against AIDS is in America's interest. AIDS represents not only a humanitarian crisis on a scale the world has never seen. AIDS also presents a growing security threat around the world.

Living up to the President's promises on AIDS makes good sense for our national security. It is also important for showing the world that we make good on our commitments.

As the CIA Director recently said about AIDS:

Is this a security issue? You bet it is. With more than 40 million people infected right now, a figure that—by 2010—may reach 100 million, AIDS is building dangerous momentum in regions beyond Africa.

As the disease spreads, it unravels social structures, decimates populations and destabilizes entire nations.

The National Intelligence Council found that in five of the world's most populous nations, the number of HIV-infected people will grow to an estimated 50 to 75 million by 2010.

AIDS is particularly devastating national armies around the world that ensure stability. In South Africa, according to the Rand Institute, some military units have infection rates as high as 90 percent.

Keeping our promises on AIDS is not only the compassionate thing to do, it is the smart thing to do in terms of our national security as well.

Today, we have a change to change the course of the AIDS pandemic and strengthen our national security by providing \$3 billion in the coming year.

In this State of the Union address, the President made a 5-year pledge of \$15 billion to help the millions of AIDS sufferers in Africa and around the world. We must keep that pledge today.

The President has said:

We can turn our eyes away in resignation and despair, or we can take decisive, historic action to turn the tide against this disease and give the hope of life to millions who need our help.

Unfortunately the President's budget failed to live up to the President's rhetoric. His budget fell nearly \$1 billion short of the \$3 billion for the coming year.

The President's shortchanging on AIDS will cost lives. The additional funding which we seek to restore today can put 1 million people on treatment and prevent 2.5 million new infections.

In July, 78 members of this body voted for sense of the Senate language calling for fully funding the \$3 billion to fight AIDS this year, even if it meant exceeding the levels authorized in the budget.

The President himself said that "we care more about results than words.

We're interested in lives saved." Now is our opportunity to go beyond words and fulfill the pledge that the President made in the State of the Union and that we made in July.

The amendment I am putting forward will close the gap between the rhetoric and the real needs of AIDS sufferers by fully funding the \$3 billion.

This amendment will provide the \$879.7 million necessary to close the gap and fully fund the \$3 billion pledge made in the authorizing legislation.

It will do so by reducing the \$20.3 Billion Iraq Relief and Reconstruction Fund in the supplemental by a pro-rata \$879.7 million. This allows the administration to choose where to take the reduction—and the options are many.

For example, the supplemental contains \$2.1 billion for "oil infrastructures"—\$900 million for importation of petroleum products into Iraq. Perhaps instead of spending nearly a billion dollars to import oil into Iraq, a billion dollars might be better spent treating 1 million additional people with AIDS and preventing an additional 2.5 million new infections.

The stakes could not be higher. As Majority Leader FRIST said recently:

History will judge whether a world led by America stood by and let transpire one of the greatest destructions of human life in recorded history—or performed one of its most heroic rescues.

Instead of fulfilling this pledge, the White House is claiming that the full amount cannot be spent in the coming year. All the leading development organizations and medical authorities reject this White House claim as baseless and have said so publicly.

Last month in Roll Call, all of the leading relief and development organizations in the United States placed an ad that endorsed the fact that the full \$3 billion could be well spent.

The White House is also ignoring the capacity of the Global Fund to Fight AIDS, TB and malaria—the most effective tool we have to beat AIDS. The Global Fund, Chaired by Secretary of Health and Human Services Tommy Thompson, is scaling up successful programs on the ground in Africa and is working to stop the next wave of the pandemic in places such as India and it needs hundreds of millions of dollars more by this fall to fund a new round of grants.

The White House is also forgetting the extraordinary needs of AIDS orphans. According to a soon to be released report by the Earth Institute at Columbia, orphans and vulnerable children need \$15 billion each year for basic health, education and community services.

The Global HIV Prevention Working Group found that AIDS prevention spending falls \$3.8 billion short of what is needed by 2005. Although we can spare babies a life with AIDS for the price of a Sunday newspaper, only 5 percent of women at risk have access to medication to prevent mother-to-child transmission.

I hope today that the 78 of my colleagues who committed to fully fund the \$3 billion to fight AIDS will join me in supporting this amendment. We have a unique chance to change the future and save many lives. Today, a 15-year-old boy in Botswana faces an 80 percent chance of dying of AIDS. If we act now, we can change the future for these children before it is too late.

Mr. President, at this point it is my understanding this amendment will be put in the queue with the others for consideration tomorrow. With that understanding, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 1881

Mr. REID. Mr. President, I have an amendment that has been cleared on both sides. I ask unanimous consent that the pending amendments be set aside and send an amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The pending amendments are set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. NELSON of Florida, proposes an amendment numbered 1881.

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

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

The amendment is as follows:

(Purpose: To require a report on the plans of the Navy for basing aircraft carriers through 2020)

At the end of title I, add the following:

SEC. 316. (a) FINDINGS.—Congress makes the following findings:

(1) The Committee on Armed Services of the Senate specified in Senate Report 107-151 to accompany S. 2514 (107th Congress) that the Chief of Naval Operations submit to the congressional defense committees a report, not later than June 2, 2003, on the plans of the Navy for basing aircraft carriers through 2015.

(2) As of October 16, 2003, the report has not been submitted.

(b) REPORT ON AIRCRAFT CARRIER BASING PLANS THROUGH 2020.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the plans of the Navy for basing aircraft carriers through 2020.

Mr. REID. Mr. President, I have been advised by the majority that this amendment has been approved on both sides.

Mr. STEVENS. The Senator is correct. It has been approved on our side for Mr. NELSON.

The PRESIDING OFFICER. Is there further debate on the amendment?

Without objection, the amendment is agreed to.

The amendment (No. 1881) was agreed to.

Mr. REID. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, if the Chair would allow, we now have two amendments we would like to offer tonight and debate tonight, one by the Senator from New Jersey, Mr. CORZINE, and the other by the Senator from Louisiana, Ms. LANDRIEU. And we have been told that the mother of two small babies is going to go first, Senator LANDRIEU. I will yield to her if there is no objection.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Thank you, Mr. President. I appreciate the courtesies. The children have been long in bed and are sound asleep before this hour. But I appreciate the courtesies extended to allow me to take a few minutes to explain this amendment.

AMENDMENT NO. 1859

Mr. President, I ask unanimous consent that the pending amendments be temporarily laid aside and call up amendment No. 1859, which is at the desk, on behalf of myself, Senator DORGAN, and Senator LEVIN.

The PRESIDING OFFICER. The amendment is already pending.

Ms. LANDRIEU. Mr. President, this is a modified amendment based on a concept that Senator DORGAN, Senator LEVIN, and others have been working on now for several weeks. It is a very important amendment to consider in terms of shaping a sustainable aid package for Iraq.

It does not address or take any money away from the \$20 billion. It simply establishes a framework whereby future reconstruction efforts in Iraq could be financed through a financing mechanism using the great oil wealth of that nation. It does not, in any way, affect the immediate \$20 billion which the Chair and others and I were proud to cosponsor and which was shaped and crafted over an hour ago on the Bayh amendment.

This is about the future, not the present. It does not have an effect on the \$20 billion.

Within an hour or two of this time, the Senate rose to the occasion. We had a very vigorous and enlightening, at times tough, but very good debate on the way we should put out our reconstruction efforts for Iraq. The Senate is fulfilling its role, shaping foreign policy, being a partner with the executive branch, and, in my opinion, since that amendment passed, improving the original plan.

As I said when I supported the Bayh amendment, the administration's original plan, which seems to people in Louisiana and to the American people to be billions of dollars of grants often, only, and alone will not work. Not only is it not popular, it is not sustainable in our democracy. Iraq doesn't have a democracy yet, but we do. In a democracy, we have to lay down plans that not only will the leadership support but the people support. Because without the people's support, no plan that

we lay down, either at the White House or in Congress, in the House or the Senate, is sustainable over a long period of time.

Why is that important? It is important because every study that has been conducted by independent think tanks and authorities has said that the task we have undertaken in Iraq is not going to be completed in the next 6 months or 1 year or 2 years. As the Presiding Officer knows, this is at a minimum a 5 to 7-year effort. Does that mean our troops will be there for 5 to 7 years? We hope not. Does it mean all the troops there now will have to be there in that number even 2 or 3 years? The effort itself of reconstruction—helping take a country that was cruelly administered by a dictator, taking it to a vibrant democracy with democratic institutions in place, based on the history and the region we are talking about—is not going to be easy.

Yes, I think the Iraqi people want that. Yes, we will be good partners. But it is not going to be easy. It is going to take time.

The amendment we spoke about earlier tonight, and voted on by a 52 or 53-vote margin, helps to take the original plan, which was not sustainable, and turn it into something that can be sustainable over time. It targeted the grants. It was strategic. It had strong incentives for debt forgiveness, which is a crucial aspect and principle of a strong reconstruction plan. And most importantly, it put up the \$20 billion right now so we can get started and build a strong foundation for a successful reconstruction plan.

This amendment I am offering tonight, and hopefully we will vote on tomorrow, is a complementary piece. It says that because Iraq has some of the richest oil reserves in the world, most people think they are the second largest resource of oil in the world, they could be the first because not all of the fields have been explored and developed. In fact, it has in some instances been barely touched.

Let me show a picture of the country. As you can see, these are the oil fields that are outlined right here in the north, in the center, right outside of Baghdad, and in the southern portion of the country. But the geologists, the industry publications believe that there is as much oil in this section of Iraq, in the southwestern section, as there is here. As you can see, there is not one designation on this map because it has been totally unexplored.

The reserves we are calculating—and they are in the hundreds of millions, billions of barrels of oil, and not even counting the gas—are well underestimated.

The point of this is that when these oil fields come back on line—and they are coming back on rather quickly with the support of the communities and with the support of American ingenuity and technology and know-how, and, by the way, that technology is improving and has improved substan-

tially—there is going to be even more oil and gas found, thus making the possibility of future construction and renovation and reconstruction definitely possible to be refinanced with these resources.

This amendment will help to ensure that the Iraqi people themselves are benefiting from their own oil reserves. It seeks to make that point in no uncertain terms. The reconstruction of Iraq for the benefit of the people of Iraq can be done and accomplished through a financing mechanism, allowing the oil reserves, which are plentiful and quite substantial, to be used in that way.

This is not Senator LANDRIEU's idea. I didn't come up with this idea. I heard about it. I heard administration officials speaking about it. In fact, Secretary Wolfowitz said just a year ago in an interview on this subject:

On a rough recollection, the oil revenues of that country could bring between \$50 and \$100 billion over the course of the next two or three years. . . . We're dealing with a country that can really finance its own reconstruction, and relatively soon.

This is what our own Secretary said. This Senate voted a few minutes ago to decide that, no, we were not going to move to this system right now. We were going to vote for this amendment that Senator BAYH and others offered. We said we would not move to the reconstruction based on the oil reserves at this time. Let's lay down the \$20 billion in the way that we did it, part in a loan that could be forgiven if other debts are forgiven, part immediately for the construction. But, in the future, my amendment says that establishing this financing mechanism could match what the administration originally said they wanted to do, which, of course, makes sense not only to me but to the American people.

The American people want us to be successful in Iraq. This is their challenge. It is not something that belongs only to the leaders here in Washington or the President or the White House. The American people are giving their own sons and daughters to the effort. They are sending their own family members to the effort. They want us to come up with a plan that can make sure they are not sending them in vain. It is not just a matter of getting the troops home. As a mother, as a parent, I can appreciate and understand that if we lost a child, I would want to make sure the death was not in vain, that we actually accomplished what we set out to do.

We have to get a plan that will work. The American people know one thing that won't work, and that is asking the American people to foot the bill, 100 percent of it, with limited help, with us carrying the burden of the troops and the finances over a long period of time. What the American people think would work, and I agree with them, is to jump-start it with some grants, do everything we can to make other nations relieve the debt, and then, over the

long run, establish a financing mechanism that the country of Iraq can themselves begin the reconstruction. And let me just say that it is not often that the administration agrees with the U.N. or that the U.N. agrees with the administration. We have been trying to find common ground now for months. The U.N. thinks one way and this administration thinks a different way, so they cannot get together.

Let me tell you one thing they agree on. This is U.N. Security Council Resolution 1483 that lifted sanctions on Iraq right after we were successful in the war. Summarizing, it says the U.N. itself says the oil resources in Iraq should not be used to pay down debt owed to other countries. It should not be, basically, given away to anyone. But what should it be used for? The U.N. said it should be used for the reconstruction of Iraq. So the U.N. and members of the administration, including the Vice President—and I will show you what the Vice President said just a few months ago, in March. He said in answer to Tim Russert on one of the talk shows:

In Iraq you've got a nation that's got the second largest oil reserves in the world, second only to Saudi Arabia. It will generate billions of dollars a year in cash flow if they get back to their production of roughly 3 million barrels of oil a day, and in the relatively near future.

He is saying, no, we are not going to have to pick up the \$100 billion, which is estimated; the Iraqis have that ability to do so themselves. Mr. President, this is something the U.N. supports. It is something the administration told the American people would be part of the reconstruction effort. Now we are finding, for some reason, a tremendous amount of resistance to this. It is hard to understand, and so that is why I am putting forth this amendment, which has been modified.

It doesn't try to substitute the financing mechanisms for any part of the \$20 billion. It says in the future, after we have allocated this \$20 billion, it is the sense of the Senate that the future reconstruction could be paid for using the Iraqi resources, which are plentiful—oil and gas.

Let me make one other point. I know my time is almost up. A lot has been said about the Marshall plan. One of the principles of the Marshall plan, one of the foundations on which the Marshall plan rested was the fact that Germany had more coal reserves than any country in Europe, and that because Germany was rich in coal, in natural resources, the U.S. plan that was fashioned in a way that was sustainable over a long period of time and could be based on the riches and resources of that coal was not to take it from Germany but to help Germany use its resources to rebuild itself, to establish peace and prosperity for itself and its neighbors.

So I don't have any reason to understand or know why the same administration that would say this is the way

we should proceed is now objecting to even outlining a possibility to use these resources, not for the people of the United States, not for the people of Europe, but for the Iraqis themselves. So that is the essence of the amendment that Senator DORGAN and Senator LEVIN and I have sent to the desk and asked for the Senate to consider. Hopefully, we will have a vote tomorrow.

To summarize briefly, the most important thing that we need to do is to, together with the President and the Congress and in partnership with the American people, right now, today, tonight, tomorrow, fashion a reconstruction plan that brings our troops home safely, minimizes the loss of life, and actually achieves our objectives.

A tremendous amount is riding on America's reputation, our position in the world, our pride, our word. It is resting on how well we do this. We have to have a plan that will work. What will work in the long run is unleashing the tremendous wealth of that nation, not for anybody else but for themselves, to fashion a plan that is good for the people of Iraq and for the American taxpayers who have already sacrificed a great deal in terms of treasure, life, and American blood—to come up with a plan that works for both countries and actually has a chance of working, so that this long-range strategy of peace in the Mideast we could actually accomplish.

So we offer this in good faith. I am sorry the other side has not yet accepted this amendment, so we are going to have to vote on it tomorrow. I hope that perhaps overnight, through the early hours of the morning, we can consider the great benefit of establishing such a financing mechanism and, that way, we will send the right signal to the Iraqi people that America is there to stay; that we have a plan that we can sustain in partnership with them using our strength and our technology and our ingenuity, their natural resources, to accomplish what their leaders have not been able to accomplish for them and which they tried to take from them.

Saddam Hussein took the oil revenues and used it for himself and his family, to build palaces. I know a little bit about this because I come from a State where the oil revenues are not always used on behalf of the people. I am very familiar with what happens when leaders take the public's resources and use it for their own benefit and not the people's: Children don't read, they don't go to college, hospitals are not built, roads stay gravel, highways don't get built, and jobs are not created. I know about that. I am saying this as passionately as I can to try to explain this. The people of Iraq need help with unleashing these resources for themselves, and setting up this financing mechanism is one of the best things we can do for them. It sends the right signal, and I am positive the American people would think that this makes a

lot of sense, it makes common sense. Instead of asking us to bring the troops home, or we cannot sustain it, they might say: Senator, we can do this, we can help and be there for as long as it takes because it is important for America to be successful.

That is the essence of the amendment. I thank my colleagues. The hour is late. I know others have to offer amendments. I thank the leader from Nevada. This will be in line for a vote tomorrow.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I ask unanimous consent that the pending amendment be set aside to allow Senator CORZINE to offer an amendment.

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

AMENDMENT NO. 1882

(Purpose: To establish a National Commission on the Development and Use of Intelligence Related to Iraq.)

Mr. CORZINE. Mr. President, in a few minutes I will be sending an amendment to the desk. This amendment calls for a bipartisan commission to study the development and use of intelligence related to Iraq. The mission would examine several key issues, including intelligence related to the following questions: Whether Iraq possessed chemical, biological, and nuclear weapons; whether Iraq had a link to al-Qaida; whether they attempted to acquire uranium in Africa; whether Iraq attempted to procure aluminum tubes for the development of nuclear weapons; whether Iraq possessed mobile laboratories for the production of weapons of mass destruction; whether Iraq possessed delivery systems for weapons of mass destruction.

Mr. President, this is the same amendment I offered in July. At that time, 45 Senators joined in the effort to establish an independent commission, reflecting broad public concern about the potential misuse of intelligence information leading up to the war.

Since then, however, additional troubling information has come out and these concerns have grown considerably in many people's minds. These concerns also have grown in the context of a larger intelligence shortcoming. One need only look at our failure thus far to find Osama bin Laden or Saddam Hussein, to know that we have a long way to go to ensure that our intelligence capacities are as strong as they can be.

Time after time we have seen news stories about the administration's selective use of intelligence. Just last night, it was reported in a very troubling report on "60 Minutes II" that a former aide to Secretary of State Powell, Greg Thielmann, a senior career State Department official, made serious charges against the Secretary and the administration.

According to Mr. Thielmann, at the time of Secretary Powell's dramatic prewar presentation to the United Nations, Iraq's weapons of mass destruc-

tion capability was so weak that it posed no threat to the United States and little threat even to its immediate neighbors.

According to Mr. Thielmann, the administration adopted a "faith-based approach to intelligence." He went on to say:

They knew what they wanted the intelligence to show. They were really blind and deaf to any kind of countervailing information the intelligence community would produce.

I have a full transcript of that interview which I ask unanimous consent to print in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From 60 Minutes II, Oct. 15, 2003]

THE MAN WHO KNEW; FORMER POWELL CHIEF OF INTELLIGENCE AND OTHERS DISAGREE WITH EVIDENCE PRESENTED TO UN FOR WAR IN IRAQ

SCOTT PELLEY (co-host). In the run-up to the war in Iraq, one moment seemed to be a turning point: the day Secretary of State Colin Powell went to the United Nations to make the case for the invasion. Millions of us watched as he laid out the evidence and reached a damning conclusion: that Saddam Hussein was in possession of weapons of mass destruction. But the man you will hear from tonight says that key evidence in that speech was misrepresented and the public was deceived. Greg Thielmann should know. He had been Powell's own chief of intelligence when it came to Iraqi weapons of mass destruction.

When you saw Secretary of State Powell make his presentation to the United Nations, what did you think?

Mr. GREG THIELMANN. I had a couple of initial reactions. Then I had a more mature reaction. I—I think my conclusion now is that it's probably one of the low points in his long and distinguished service to the nation.

PELLEY. At the end of the speech, the United Nations and the American people had been misinformed, in your opinion?

Mr. THIELMANN. I think so.

PELLEY. Greg Thielmann was a foreign service officer for 25 years. His last job at the State Department was acting director of the Office of Strategic Proliferation and Military Affairs, responsible for analyzing the Iraqi weapons threat for Secretary Powell.

You and your staff had the highest security clearances.

Mr. THIELMANN. That's right.

PELLEY. And you saw virtually everything.

Mr. THIELMANN. That's right.

PELLEY. Whether it came in to the CIA or the Defense Department, it all came through your office sooner or later.

Mr. THIELMANN. That's right, yes.

PELLEY. Thielmann was admired at State. One high-ranking official called him "honorable, knowledgeable, very experienced." Thielmann took a long-planned retirement four months before Powell's big moment at the UN. February 5th was the day the world was waiting for: Secretary Powell would reveal evidence against Saddam. The speech represented a change in Powell's thinking. Before 9/11, he said that Saddam had not developed any significant capability in weapons of mass destruction. But now, two years later, he warned that Saddam had stockpiled those very weapons.

Sec. COLIN POWELL (State Department). (From UN Speech) The gravity of this moment is matched by the gravity of the threat that Iraq's weapons of mass destruction pose to the world.

PELLEY. Do you believe that Iraq posed an imminent threat to the United States of America at the point we went to war?

Mr. THEILMANN. No. I—I think it didn't even constitute an imminent threat to its neighbors at the time we went to war.

PELLEY. Thielmann says that's what the intelligence really showed. For example, he points to the evidence behind Powell's charge that Iraq was importing these aluminum tubes to use in a program to build nuclear weapons.

Sec. POWELL. (From UN speech) Saddam Hussein is determined to get his hands on a nuclear bomb. He is so determined that he's made repeated covert attempts to acquire high-specification aluminum tubes from 11 different countries, even after inspections resumed.

Mr. THEILMANN. This is one of the most disturbing parts of Secretary Powell's speech for us.

PELLEY. The tubes were intercepted by intelligence agents in 2001. The CIA said that they were parts for a centrifuge to enrich uranium, fuel for an atom bomb. But Thielmann wasn't so sure. Experts at the Oak Ridge National Laboratory, the scientists who enriched uranium for American bombs, advised that the tubes were all wrong for a bomb program. At about the same time, Thielmann's office was working on another explanation. It turned out the tubes' dimensions perfectly matched an Iraqi conventional rocket.

Mr. THEILMANN. The aluminum was e—exactly, I think, what the Iraqis wanted for artillery.

PELLEY. And you sent that word up to the secretary of State—

Mr. THEILMANN. That's right.

PELLEY. Many months before.

Mr. THEILMANN. That's right.

Mr. HOUSTON WOOD: You'll see where it intersects. This is the velocity.

PELLEY. Houston Wood was a consultant who worked on the Oak Ridge analysis of the tubes. He watched Powell's speech, too.

When you saw the presentation in full with regard to the aluminum tubes, what were you thinking?

Mr. WOOD. I guess I was angry. I think that's probably the best emotion that I—best way to describe my emotions. I was angry at that.

PELLEY. Wood is among the world's authorities on uranium enrichment by centrifuge. He found that the tubes couldn't be what the CIA thought they were. They were too heavy, three times too thick and certain to leak.

Mr. WOOD. It wasn't going to work. No, they would—they would have failed.

PELLEY. Wood reached that conclusion back in 2001. Thielmann reported to Secretary Powell's office that he was confident the tubes were not for a nuclear program. Then about a year later, when the administration was building a case for war, the tubes were resurrected on the front page of *The New York Times*.

Mr. WOOD. I thought when I read that, "There must be some other tubes that people were talking about." I—I just wa—was flabbergasted that people were still pushing that those might be centrifuges.

PELLEY. Flabbergasted?

Mr. WOOD. Yeah. Yeah. So it just didn't—it didn't make any sense to me.

PELLEY. The *New York Times* reported that senior administration officials insisted the tubes were for an atom bomb program.

Was it clear to you that science wasn't pushing this forward?

Mr. WOOD. Yes. That's a very good way to put it. Science was not pushing this forward. Scientists had made their evaluation and made their determination, and now we didn't know what was happening.

PELLEY. In his UN speech, Secretary Powell acknowledged there was disagreement

about the tubes, but he said most experts agreed with the nuclear theory.

Sec. POWELL. (From UN speech) There is controversy about what these tubes are for. Most US experts think they are intended to serve as rotors in centrifuges used to enrich uranium.

Mr. WOOD. Most experts are located in Oak Ridge, and that was not the position there.

PELLEY. Do you know one in academia, in government, in a foreign country who disagrees with your appraisal, who says, "Yes, these are for nuclear weapons?"

Mr. WOOD. I don't know a single one anywhere.

PELLEY. Greg Thielmann says the nuclear case was filled with half-truths.

If the secretary took the information that his own intelligence bureau had developed and turned it on its head, which is what you're saying, to what end?

Mr. THEILMANN. I can only assume that he was doing it to loyally support the president of the United States and build the strongest possible case for arguing that there was no alternative to the use of military force.

PELLEY. That was a case the president himself was making only eight days before Secretary Powell's speech, but the argument in the State of the Union address turned out to be too strong.

President GEORGE W. BUSH. From State of the Union) The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa. Our intelligence sources tell us that he has attempted to purchase high strength aluminum tubes suitable for nuclear weapons production.

PELLEY. After the war, the White House said the African uranium claim was false and shouldn't have been in the president's address, but at the time, it was part of a campaign that painted the intelligence as irrefutable.

Vice President DICK CHENEY. There is no doubt that Saddam Hussein now has weapons of mass destruction. There is no doubt that he is amassing them to use against our friends, against our allies and against us.

PELLEY. But if there was no doubt in public, Greg Thielmann says there was plenty of doubt in the intelligence community. He says the administration took murky information out of the gray area and made it black and white.

Sec. POWELL. (From UN speech) My colleagues, every statement I make today is backed up by sources—solid sources. These are not assertions. What we're giving you are facts and conclusions based on solid intelligence.

PELLEY. Solid intelligence, Powell said, that proved Saddam had amassed chemical and biological weapons.

Sec. POWELL. (From UN speech) Our conservative estimate is that Iraq today has a stockpile of between 100 and 500 tons of chemical weapons agent. That is enough agent to fill 16,000 battlefield rockets.

PELLEY. And part of that stockpile, he said, was clearly in these bunkers.

Sec. POWELL. (From UN speech) The four that are in red squares represent active chemical munitions bunkers. How do I know that? How can I say that? Let me give you a closer look.

PELLEY. Up close, Powell said, you could see a truck used for cleaning up chemical spills, a signature, he called it, for a chemical bunker.

Sec. POWELL. (From UN speech) It's a decontamination vehicle in case something goes wrong.

Mr. THEILMANN. My understanding is that these particular vehicles were simply fire trucks that you cannot really describe as being a unique signature.

PELLEY. Satellite photos were notoriously misleading, according to Steve Allinson. He

was a UN inspector in Iraq in the months leading up to the war.

Was there ever a time, in your experience, that American satellite intelligence provided you with something that was truly useful?

Mr. STEVE ALLINSON. No, n—no, not to me, not on—not on inspections that I participated in.

PELLEY. Not once?

Mr. ALLINSON. No.

PELLEY. Ever?

Mr. ALLINSON. No.

PELLEY. Allinson had been sent to find decontamination vehicles that turned out to be fire trucks. And another time a satellite spotted what they thought were trucks used for moving biological weapons.

Mr. ALLINSON. We were told that we were going to the site to look for refrigerated trucks specifically linked to biological agents.

PELLEY. And you found the trucks?

Mr. ALLINSON. We did. We found about seven or eight of them, I think, in total. And they were—they had cobwebs in them. Some samples were taken, and nothing was found.

PELLEY. Steve Allinson watched Powell's speech in Iraq with a dozen other UN inspectors. There was great anticipation in the room, something like waiting for the Super Bowl. They always suspected that the U.S. was holding back its most damning evidence for this moment.

And as you watched the speech unfold, what was the reaction among the inspectors?

Mr. ALLINSON. Various people would laugh at various times because the information he was presenting was just—you know, it didn't mean anything. It had—had no meaning.

PELLEY. When the secretary thanked everyone for listening and had finished the speech, you and the other inspectors turned to each other and said what?

Mr. ALLINSON. "They have nothing."

PELLEY. If Allinson doubted the satellite evidence, Thielmann watched with worry as Secretary Powell told the Security Council that human intelligence provided conclusive proof. Thielmann says that many of the human sources were defectors who came forward with an ax to grind.

Give me some sense of how reliable the defector information was across the board. You got bad information—What?—rarely?

Mr. THEILMANN. I guess I would say frequently we got bad information.

PELLEY. Some of it came from defectors supplied by the Iraqi National Congress, the leading exile group headed by Ahmed Chalabi.

Mr. THEILMANN. You had the Iraqi National Congress with a clear motive for presenting the worst possible picture of what was happening in Iraq to the American government.

PELLEY. That may have been the case with this man. Adnan Sayeed Haideiri was provided by the Iraqi National Congress to the US Government, the *New York Times*, and he appeared on CBS News. Haideiri said he was a civil engineer and he claimed to have visited many secret weapon production sites. The government thought he was so valuable they put him in a witness protection program, and the White House listed him first in its Web page on Iraqi weapons.

Mr. DAVID ALBRIGHT. He was, basically, an epoxy painter.

PELLEY. David Albright is a physicist who has investigated defectors for his work with the UN. He studied a transcript of Haideiri's claims.

Mr. ALBRIGHT. Well, if you read a transcript of an interview that he went through, he has no knowledge of—of chemical, biological or nuclear weapons.

PELLEY. Based on Haideiri's statement, did UN inspectors go in and try to follow up on what he said?

Mr. ALBRIGHT. Certainly.

PELLEY. And what did they find from Haidieri's information?

Mr. ALBRIGHT. Nothing.

PELLEY. There was a good deal more in Secretary Powell's speech that bothered the analysts. For example, Powell claimed that Saddam still had a few dozen Scud missiles.

Mr. THIELMANN. I wondered what he was talking about. We did not have evidence that the Iraqis had those missiles, pure and simple.

PELLEY. Powell warned that empty chemical warheads found recently by the UN could be the 'tip of the iceberg.'

Mr. ALLINSON. They were shells that were left over from the Gulf War or pri—prior to the Gulf War from their past program.

PELLEY. Powell did make several points that day that turned out to be right. Among them, he was right when he said Iraqi labs were removing computer hard drives, he was right that Iraq had drawings for a new long-range missile, and he was right about Saddam's murder of thousands of Iraqi citizens. But an interim report by coalition inspectors say, "So far there is no evidence of a uranium enrichment program, no chemical weapons, no biological weapons, no Scud missiles." The State Department told us Secretary Powell would not be available for an interview, but earlier this month, he said the jury on Iraq is still out.

Sec. POWELL. And so I think one has to look at the whole report. Have we found a factory or a—a plant or a warehouse full of chemical rounds? No, not yet.

PELLEY. Powell added that Iraq was a danger to the world. He said, "How clear and present a danger it was, people can judge." As for Greg Thielmann, he told us he's a reluctant witness. He says the president's address worried him because he knew the African uranium story was false. And he watched Secretary Powell's speech with disappointment because, up until then, he said, he'd seen Powell bringing what he called "reason" to the administration's inner circle. Today, Thielmann believes the decision to go to war was made, and the intelligence was interpreted to fit that conclusion.

Mr. THIELMANN. There's plenty of blame to go around. But the main problem was the senior administration officials have what I've called faith-based intelligence. They know what they wanted the intelligence to show. They were really blind and deaf to any kind of countervailing information the intelligence community would produce. So I would assign some blame to the intelligence community and most of the blame to the senior administration officials.

PELLEY. The administration wants to spend several hundred millions dollars more to continue the search for evidence.

Mr. CORZINE. I thank the Chair.

Mr. President, the administration's own search for weapons of mass destruction in Iraq has borne out the concerns that Mr. Thielmann and others held. After months of searching throughout the country, inspectors still have not found any evidence of such weapons. Several times the administration tried to claim that such evidence had, in fact, been found. But each time the claims have proven empty.

Recently heard again from David Kay, the man leading the CIA's search, that no chemical or biological weapons have been found to date and that Iraq's alleged nuclear program—the one that administration officials regularly raised when discussing the specter of a

mushroom cloud—was only at "the very most rudimentary stage."

Let me give a couple examples of other claims that may have been intentionally misleading.

Last September, President Bush, surrounded by Members of Congress in the White House Rose Garden, claimed that Iraq could launch a chemical or biological strike within 45 minutes. White House Press Secretary Ari Fleischer cited this capability as the elusive "smoking gun" when it first came to light. Just 2 weeks later, Congress gave the President authority to go to war in Iraq. Yet this claim, the strongest evidence that Iraq represented an imminent threat, was dropped after the administration consulted with the CIA.

One has to ask: Why wasn't that consultation done with the CIA before making the claim and before Congress used the information in deliberations about the war resolution?

Similarly, President Bush and his top advisers repeatedly asserted Saddam and al-Qaida had a strong relationship. On September 25, 2002, President Bush said:

You can't distinguish between al-Qaida and Saddam.

The implication was clear: There was a connection between Saddam and the terrorist attacks of September 11.

Only in the last month, after the Vice President repeated a similar assertion strongly disputed by the press and security analysts, did the President admit no such connection existed.

It is now clear that the administration has either been grossly wrong in its interpretation of intelligence or has intentionally misused the intelligence produced by the community.

When I offered this amendment in July, we were focused on a particular assertion that was made in the January State of the Union Address. That is:

The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.

At the time, there was a flurry of press interests in these words, though lately that seems to have largely been forgotten. The power of the President's allegation in those words is difficult to overstate. The Bush administration used legalistic language apparently intended to lead people to believe that Saddam Hussein had a nuclear program. The President didn't say the British were claiming anything. He didn't say they alleged anything. He said they learned Saddam was attempting to buy uranium, implicitly accepting the charge as fact.

Although just 16 words, it was a powerful statement that resonated throughout the Nation and the world. It became a key argument in the case of immediate use of force in Iraq. Only after many months did we learn the statement was based on information that the CIA had repeatedly flagged the White House as inaccurate.

We didn't learn about this from the administration. We learned about it

from the International Atomic Energy Agency and the media. Only later did the administration spokesperson and the President admit the statement was inappropriate for the State of the Union Address. The administration has yet to fully explain how it got there.

Instead, the administration has turned on those who have reported the truth. Recently, unknown senior administration officials publicly disclosed the name of a covert CIA operative apparently in retaliation for public statements by the operative's spouse that contradicted the administration's claims about Iraqi attempts to obtain uranium from Niger.

This wasn't just any operative. It was one of the CIA's elite intelligence officers, a nonofficial cover agent. Releasing the agent's name was a betrayal of intelligence apparatus for political purposes, which has likely harmed our national security and has only contributed to a sense among many that the administration is uninterested in protecting the integrity and objectivity of our intelligence operations.

In this case, the administration continues to resist efforts to appoint a special counsel to investigate this criminal act.

Nor has this been the only example of opposition to independent, nonpartisan reviews on national security matters. The administration also seems unwilling to openly share information with the commission established by Congress to investigate the events of September 11. The commission was established on a bipartisan basis. It is charged not only with investigating the events leading up to 9/11 but with producing recommendations to prevent future terrorist attacks.

Their mission is critical. I can tell you as a Senator who comes from a State where 693 people died on September 11—10 in my hometown—this is a serious investigation and review of the failures that led to 9/11. Yet, according to recent statements by several commission members, the administration has been stonewalling. Too many of their requests are being ignored. Too much evidence is being withheld. And the commission has been frustrated in its efforts to get the information it needs to do the job.

Again, just yesterday, the commission was forced to issue subpoenas to officials at the FAA for documents that the administration should have been handing over voluntarily. By the way, this was not the CIA, not the Pentagon, but the FAA.

The question of accurate intelligence is central to Congress's ability to make decisions about national security. It is especially important now that the Bush administration has endorsed a doctrine of preemptive war, a doctrine the administration reiterated today preceding its trip to the Far East.

As we confront ongoing threats to U.S. interests, particularly with regard to weapons of mass destruction, we must be sure that what we are told is true.

Last October, for example, during the Iraqi debate, Secretary James Kelly was in Pyongyang meeting with the North Koreans. At that meeting—a meeting that occurred a full week prior to the Senate vote on the resolution authorizing force in Iraq—the North Koreans admitted to Mr. Kelly that they had an active nuclear program. Yet despite the importance of such information from the North Koreans, admitting a nuclear weapons program, and its relevance to debate regarding Iraq and America's national security posture generally, administration officials waited until after Congress had voted on the resolution to authorize the use of force before revealing the details of the North Korean disclosure to most Members of Congress and certainly the American people.

As I see it, that information was both relevant and timely to the debate on whether to go to war in Iraq. What should have our priorities been? What was the information that should have been factored in when we made that judgment?

Was the information withheld because it might affect Congress's debate on the war resolution? I cannot be sure. But the American people have a right to know.

While matters such as these may be beyond the scope of the commission I am proposing, a thorough review of intelligence questions related to Iraq is necessary if we are to successfully address other threats and we are to have credibility and confidence in those judgments—including North Korea, Iran, and other rogue states and international terrorist networks.

I urge my colleagues to support this amendment. I hope some of those who initially opposed it will see that the time has come for a thorough, independent, nonpartisan review, structured so there would not be any partisan bias. David Kay's report finding no weapons of mass destruction after a 6-month search, the statements from former administration insiders charging that intelligence was misused, a willingness of administration officials to retaliate against one such insider by revealing the identity of a key CIA operative, the administration's refusal to appoint a special counsel to investigate the crime, the administration's failure to cooperate fully with the commission investigating the 9/11 terrorist attacks, all highlight the need for an independent, nonpartisan commission to examine what are already acknowledged deficiencies in how intelligence related to Iraq was presented to the American people prior to the war.

The goal of this commission is not to assign blame. The goal is to understand what happened and then use those findings to recommend improvements in our intelligence operations and make certain intelligence is used for policy formulation, not policy justification.

I say to my colleagues, why would anybody be afraid to let an independent commission find the truth? If

the administration was acting in good faith, they should want the facts to come out. If there were systemic problems in our intelligence establishment, its relationship with the White House, we all have an interest in identifying them and correcting them. The commission would not prejudge anything. It would simply provide a mechanism to find the truth and bring it to light.

Again I hope my colleagues will support this amendment. In the end, the safety and security of the American people are at stake and so, by the way, is the safety and protection of our men and women in uniform. They deserve unbiased, nonpolitical, actionable intelligence to be able to do their job and do it well. Just as much as they need financial support, just as much as they need the support of all of America, they need to have unbiased, nonpolitical intelligence to do their job.

I ask unanimous consent that the pending amendment be set aside so I can offer this amendment which I send to the desk.

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

The legislative clerk read as follows:

The Senator from New Jersey [Mr. CORZINE] proposes an amendment numbered 1882.

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

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. CORZINE. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 1848 WITHDRAWN

Mr. REID. I ask unanimous consent that amendment No. 1848 be withdrawn.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1834

Mr. STEVENS. Mr. President, I ask unanimous consent my notice of reconsideration on amendment No. 1834 be withdrawn.

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

Mr. STEVENS. I ask for a voice vote of the Reed amendment.

The PRESIDING OFFICER. Is the Senator referring to amendment 1834, the Reed of Rhode Island amendment?

Mr. STEVENS. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment numbered 1834.

The amendment (No. 1834) was agreed to.

Mr. STEVENS. 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.

Mr. FEINGOLD. Mr. President, in amendment No. 1834 the distinguished Senator from Rhode Island, Mr. REED, raises a number of good points about our global commitments, especially those in Iraq. The increased operational tempo is straining the Army, the National Guard, and the Reserves. We do run the risk of hurting recruitment and retention in both the Active and Reserve component. We are committing our troops to such an extent that we may not be able to sustain all of those commitments indefinitely. I am greatly concerned about these and other issues raised by the distinguished Senator from Rhode Island. However, I do not agree that increasing the end strength of the Army is the answer to these problems.

The increase in end strength does not necessarily solve our immediate problem of overextended troops. It will take years to get the 10,000 soldiers recruited, trained, equipped, and deployed. We need solutions now. We need more foreign troops in Iraq and we need to work with the international community toward that goal. We also need to work with our allies to fight against terrorism with more than just military might. Most importantly, we need to refocus ourselves on the fight against terrorism instead of diverting our focus to ideologically driven wars of our choosing.

Furthermore, according to rough estimates done by the CBO, increasing the end strength of the Army by 10,000 will cost \$409 million this year. Senator REED's amendment fully offsets that amount. However, the following year the cost of this end strength increase will jump to over \$800 million a year, and it will continue to grow. By passing this amendment, we will either be locking in an increase in Department of Defense spending of over \$800 million a year or asking the Army and/or the other military services to simply absorb that cost. Neither option seems good to me.

But the Senator from Rhode Island was right to bring this debate to the Senate. I agree with my colleague that the important issues he raised must be dealt with expeditiously and I look forward to working with him to address these problems.

AMENDMENT NO. 1852

Mr. STEVENS. Mr. President, I ask that the Chair lay before the Senate amendment No. 1852.

The PRESIDING OFFICER. The amendment is pending.

Mr. STEVENS. This is the Feingold military family leave amendment. I ask for adoption of the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, the amendment is agreed to.

The amendment (No. 1852) was agreed to.

Mr. STEVENS. 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.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. STEVENS. Mr. President, I ask unanimous consent that at 9 a.m. this morning, the Senate proceed to a series of consecutive votes in relation to the following amendments; further, that there be no amendments in order to the amendments in the below stacked sequence prior to the votes, with 2 minutes equally divided before each vote, and that each vote in sequence after the first be limited to 10 minutes. The stacked sequence is: the Durbin amendment No. 1837, the Daschle amendment No. 1854, the Landrieu amendment No. 1859, the Boxer amendment No. 1843, the Leahy amendment No. 1807, and the Durbin amendment No. 1879.

I further ask unanimous consent that other than the above mentioned amendments, the only other amendments in order to the bill be the following, and they be subject to second-degree amendments that will be relevant to the first-degree amendment to which they are offered: Byrd amendment No. 1819; Corzine amendment No. 1882; Bond amendment No. 1825; Domenici amendment No. 1864; Senator BROWNBACK is to offer an amendment relative to rescission; Senator COLLINS will have an opportunity to offer an amendment relative to loans; Senator MCCONNELL, a sense of the Senate on troops; Senator SPECTER on loans; Senator BYRD, the remaining amendments on his list; Senator DORGAN, an amendment related to Iraqi oil; Senators BOXER and SCHUMER, shoulder-fired weapons; Senator DASCHLE, a relevant amendment; Senator FRIST, a relevant amendment; myself, a relevant amendment; Senator MCCONNELL, a relevant amendment; and Senator REID, a relevant amendment.

I further ask unanimous consent that budget points of order not be waived by virtue of this agreement and that no other points of order lie against any pending amendments at this time.

I state, as an explanation, that the order of the nonstacked amendments will be determined by when people arrive and they are called up. That second part is not a list of order in which they will necessarily be called up.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Reserving the right to object, we were just notified by the Senator from Vermont, Mr. LEAHY, that he would prefer to have his amendment taken out of the stacked list and brought down to the second group in order for additional debate on the amendment. But we expect it is possible that something could be worked out. So I ask that modification be made in the unanimous consent agreement.

Mr. STEVENS. That is acceptable to us, and we will be pleased to move amendment No. 1807 to be just prior to the Byrd amendment No. 1819. As I said, the amendments on the second list are not in any order of sequence.

Mr. DASCHLE. Mr. President, to clarify, we would like it to follow the Byrd amendment, not precede it.

Mr. STEVENS. That is not in sequence.

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

The Senator from Utah.

Mr. HATCH. Mr. President, I stand today in support of the President's supplemental appropriations request. This request primarily funds ongoing military operations in Iraq and Afghanistan, but it also provides reconstruction assistance to both of those countries, so that fundamental economic and civic infrastructure can be rebuilt. We must all recognize that providing for the initial reconstruction of the infrastructure is a practical requirement for us to succeed in the establishing the stability necessary—in both of those countries—before we can begin to withdraw our military forces.

I have not heard anyone here speak of a military failure in either Iraq or Afghanistan, but I have heard a great deal of speculation that we are failing to win the peace. It is not accurate to make this assertion. But I cannot emphasize strongly enough that the chances of winning a sustainable peace are directly related to the support we give this request before us.

We cannot support our troops, our mission, and our goal of a peaceful and stable Iraq without providing the funding necessary to achieve these goals, and providing that funding now.

For this reason, I would think—I would hope—that this request would receive unanimous support from my colleagues. I regret to see that this will not be the case. As best as I can understand, this is because many of my colleagues in the other party have declared the President's policy a failure. We have won the war, we seem to agree, but the peace is being lost.

As I review the many reports I receive on the situation in Iraq, I do not think we can declare that the peace is being lost. Yet I do not think we can rest assured that security has been achieved.

The President has a plan, and every Member in this body has had a chance to review the plan. I have heard the declarations of failure, but I have heard no alternatives to the detailed

plan that the President has provided us. What do our opponents propose to do instead? The President's critics are silent here.

It is both unfair and unrealistic to take the reports of bombings and deaths coming out of Iraq and declare that our plan has failed. The President never said that it would be easy. Nobody in this body had reason to believe that it would be.

The President and our military had a brilliant battle plan. And we had the best post-conflict plans available, considering the dearth of analysis we had from inside this Arab Stalinist state. Would I have been pleased to have had more political intelligence on what was going on inside Iraq? Would I have been pleased to have a better assessment of the level of decay of Iraq's economic infrastructure? Of course. There is not a military planner in the history of mankind that has not, in retrospect, wished for better intelligence prior to a conflict. We always wish we had better intelligence.

But those questions should not be the basis for criticizing an ongoing policy. We are in Iraq. We must, as our critics agree, win the peace. And we do not have time to waste.

Some of the opponents of the President have criticized him for altering his policy during this occupation, as if altering a policy based on changing circumstances—or simply as a result of a better understanding of a fluid environment—should be seen as an admission of failure. I ask anyone here: What great undertaking occurs without changes in plan? Is it a sign of failure to shape your plans according to new discoveries, changes in the situation, and a shifting context? Of course, the answer is no.

Today, fewer than 6 months after the conclusion of major military operations in Iraq, the security situation is still dangerous. We are losing precious American lives every week, and we are suffering injuries every day. I see no good reason to downplay this grim reality, in this debate or anywhere else.

But the situation is far from dire: Iraqis, by almost all measure, are thankful for their liberation from the dictatorship of Saddam Hussein. Few, very few, declare their wish to return to his dungeon state.

Instead, as we have heard from administration sources in the past weeks, more than 70,000 Iraqis are presently serving in police, border patrol, facilities protection and civil defense positions. Fewer than 6 months after the conclusion of the Coalition's major military operations, Iraqis are serving side by side with coalition forces, and they have already conducted thousands of joint patrols with our forces.

Their enemies are our enemies: The criminal Saddamite resistance and the international jihadists, the terrorist brethren of Osama bin Laden.

No one can argue that Iraq has currently become calling ground for terrorists. That presents us with a great

challenge, and an immediate security threat. We knew this was a possibility before we invaded Iraq. Saddam Hussein had long associated with almost all of the known terror organizations through the last decades, including, beginning in the 1990s, with Osama bin Laden and his associates.

I, for one, was not surprised when bin Laden called his followers to Iraq prior to our invasion. I was not surprised for a number of reasons, beginning with the reports we read through the years about bin Laden's associations with Saddam's Iraq.

But another reason I have not been surprised to see al-Qaida join the Saddamite resistance is that I have never believed al-Qaida is about ideology, religious or otherwise. I believe bin Laden seeks power, and he has hijacked his religion for his attempts to gain power. Bin Laden's use of religion as ideological appeal is as sincere as Saddam's use of Arab socialism, in the guise of Ba'athism. Both are about gaining and holding dictatorial power—for personal ends. And the joining of forces of bin Laden's terrorists and Saddam's thugs proves this point.

The tools of the Saddamite resistance are the tools of gangsters: car bombs and assassinations. Some of these recent horrific bombings have been committed by suicide terrorists, which, we know, is not a common gangster tactic. But in my years of studying international crime and terrorism, I have concluded this: You cannot remain an ideologue—religious or secular—while behaving like and coordinating with criminals.

Saddam's reign was a criminal dictatorship. There was no ideology but the one that made Saddam more powerful, that enriched his clan and cronies, that crushed all of his real or perceived opponents. When his sons, Uday and Qusay, were cornered and killed, they were not part of a well-organized resistance, protected by a dedicated network of ideologically motivated supporters. They were alone, and they were cornered and killed, like common gangsters, because an Iraqi dropped a dime on them.

By joining with the Saddamites, bin Laden and his fellow jihadists have exposed themselves to be gangsters. They are demonstrating this to all who wish to see: To the masses in the Middle East who bin Laden has tried to convert, they can now see him hand-in-hand with the corrupt butchers and jailors of Saddam's Tikriti clique, who the Iraqi people have roundly rejected and now publicly detest. Bin Laden and his supporters can now be seen allying with those who deny the Iraqis freedom.

Yes, the situation in Iraq is dangerous now, for the short term. But the defeat of the Saddamite-led resistance—which we will accomplish, and which we will accomplish with the active support of the Iraqi people—will provide a great victory in the war on terrorism, will bring peace to Iraq, will

advance peace and stability in the region and will enhance the national security of this country.

Some of the Iraqi voices calling for our departure are not anti-American. Some Iraqis fear that we will overstay, that we will not move fast enough in transferring power and political legitimacy to the Iraqi people. I believe Ambassador Bremer's seven-point plan to move toward full sovereignty is sound and sensible. I am watching with great interest as the Iraqis begin to draft the constitution that will delineate their system of government, with all the protections of the freedoms they have been granted by coalition action and sacrifice.

I wish I could predict the future and declare here how long it will take for us to succeed. We can't give a finite number on costs, nor give a definite date of conclusion. To do so is to fall into one of the most partisan traps in Washington: If we can not say how much it will ultimately cost and we can not say when we will have achieved our goals, we are accused of having no plans; if we do, we will inevitably be wrong and the opposition naysayers will scream "gotcha."

Many state that the cost is high. I agree. America's ventures abroad have always been costly, never more so than when we pay in the lives of our men and women. The dollar figures pale in comparison.

I am not happy that we are faced with such a financial requirement today. Certainly many of our constituents are concerned about such a commitment when they worry about the national economy and the economies of their families.

But the budget proposed is not arbitrarily chosen. It is based on providing necessary resources that must be allocated to achieve the goals that the President outlined: to deny terrorists a new sanctuary by creating a secure and stable Iraq, by providing a minimal level of essential services and civic infrastructure which will enhance the stability we need to transfer sovereignty to the Iraqi people.

Over the past weeks, since the President first announced his request, the Senate Appropriations, Armed Services, Foreign Relations, Intelligence, and Joint Economic Committees have held numerous hearings. We have had reports from the Office of Management and Budget, from the White House, Pentagon, State Department, and Coalition Provisional Authority. Numerous witnesses from the administration have briefed both bodies of Congress.

The President's plan is broken into four parts, or core foundations: security; essential services; economy; and governance. As Ambassador Bremer, the Administrator of the Coalition Provisional Authority, stated, "These are intertwined: none can be pursued in isolation. Political and economic progress depends, in part, on security, but should itself help to create a safer environment."

That is how I view the President's request. If we wish to protect our troops, the Iraq people must believe that our forces are there to improve their lives and that cooperation instead of confrontation is the road to a better future. The Iraqis are responding: More and more are working, and thousands are working with us.

To gain intelligence on the location of terrorists in Iraq, the local population must believe that we have their true interests at heart and not the terrorists. These goals cannot be achieved by funding just our military operations. We must assist the Iraqi people in developing an infrastructure that was allowed to fall into disrepair by a greedy tyrant.

During this debate, some have made a valid point in suggesting that Iraq's vast oil resources might be used for reconstruction costs. I have opposed all the amendments that have attempted to convert our grants to loans, however, and I have done so for the following reasons I will now outline.

First, Iraqi oil output while still low, is already being used by the Iraqi people to fund the resumption of their government costs.

Second, Iraq is weighed down by a staggering debt for a small country whose economy has been ravaged by years of Saddam's thievery and neglect. Paying this debt is something that the future Iraqi sovereign will have to negotiate. Certainly no U.S. funds should be used for such repayment. And it is my opinion that the future Iraqi sovereign should not be beholden to the debts incurred by its former torturer, nor the nation states who cynically loaned to the dictatorship of Saddam Hussein. For the moment, however, incurring further debt while attempting to reconstruct a country without a basic economic foundation could seriously stifle necessary economic recovery. Any delay in rebuilding the economy only improves the chances of terrorists of taking root among the local population.

But I have a more basic reason for opposing all attempts to turn our grants into loans. This would be a radical departure in the conduct of American foreign policy. For the first time in our history, we would be occupying a country and forcing them to incur loans. Far more than a meager attempt to preserve financial capital with such misguided proposals, we would be seriously risking our moral capital.

I note to my colleagues on both sides of the aisle that, despite the recriminations and accusations, this administration has done its best to work within the context of international law. I believe that we have been successful in respecting international law, while preserving our sovereign right to defend our national interests. I commend the administration for its successes here, from debates about preemption which has been hotly disputed but not discredited, under terms of international law to the herculean efforts going on to

this day, as our State Department works to craft resolutions that will build international support for our policies in the Security Council.

I believe that if the United States sets the precedent of occupying a country and then foisting debt upon them, we will have done our standing before the rest of the world long-term harm.

Soon enough, because of their oil resources, because of their human capital, and because of the assistance they will get from us and the rest of the international community, the Iraqi people will begin the process of paying for portions of the reconstruction themselves. This will become increasingly true as their oil infrastructure is repaired.

I believe that President Bush's proposal supports the long-term interests of the United States by addressing the short-term interests of the Iraqi people. By assisting the Iraqi people in developing these four core foundations identified in the President's plan, I believe we are undermining the Saddamite resistance, denying terrorists a sanctuary, and advancing our long-term security.

We have faced this challenge of winning a peace before. We won the First World War, and returned to isolationism while a fragile peace failed to take root in Europe. We won the Second World War, and stayed in Europe, making massive commitments which laid the foundation for winning the peace and the cold war that continued for nearly 50 years.

We must follow through on what we have begun, and we cannot delay. While the sums we are appropriating here are large, the costs of failing to succeed are larger. While the bill may seem big, we have already paid in measure far greater. Today I am thinking of: SSG James W. Cawley, U.S. Marine Corps Reserve; SSG Nino D. Livaudais of the Army's Ranger Regiment; SFC Randall S. Rehn, of the Army's 3rd Infantry Division; SGT Mason Whetstone, of the U.S. Army; and Brett Thorpe—a former Army special forces operator working with the State Department.

I understand if these names may be unfamiliar to others. They are not to me. These are the names of the sons of Utah that died defending us during these operations in Iraq and Afghanistan. They followed through on their commitments. Their job is done now. It is our turn to follow through.

Mr. PRYOR. Mr. President, I am proud to be an original cosponsor of Senator CANTWELL's Truth in Deployment amendment. This amendment supports our reserve forces and corrects an error in our deployment process.

I am extremely proud of our reserve forces. The Arkansas Army National Guard's 39th Infantry Brigade is beginning their mobilization in support of Operation Iraqi Freedom. The 39th Infantry Brigade consists of over 3,000 soldiers who are ready to serve their country.

The 39th Infantry Brigade soldiers are going to sacrifice time away from their family, place their civilian careers on hold, and place at risk the greatest gift provided by our Creator, their very life, to protect the freedoms and liberties we hold so dear.

If the 39th Infantry Brigade and other reserve forces are willing to do so much without complaint, I believe it is not too much to ask that we provide them as much opportunity as possible to minimize the impact of overseas deployments on themselves, their families and their employers. This amendment provides for this opportunity.

This amendment is straightforward. It starts the deployment period for members of the reserve component as the date of activation. This has always been the standard practice, prior to the administration's shift in policy on September 9th. This amendment simply asks our Nation to remain true to the standard practice, tradition of considering the date of activation as the date of deployment for reserve members.

Nothing in this amendment weakens our ability to employ our reserve forces. In fact the exact opposite is the case. This amendment enhances the ability and effectiveness of our reserve forces by enabling them to plan their lives to reduce the inherent adverse impact of overseas deployment on their families, employers, and community. I thank my fellow Senators for supporting this amendment. It will enhance the ability and effectiveness of our reserve forces and support the men and women like those who serve in the 39th Infantry Brigade.

Mr. CHAMBLISS. Mr. President, yesterday the Senate considered amendment No. 1811 offered by Senator CORZINE to lower the age at which members of the Reserve components can collect retirement pay from age 60 to age 55. This amendment had no offset and would have created a huge bill for the Department of Defense which we cannot afford to pay. For this reason, the floor manager of the bill raised a budget point of order against the amendment and I voted to uphold this point of order.

I believe the Congress should carefully review pay and benefits for members of the Reserve components, including lowering the age at which reservists and guardsmen can receive retirement pay. These men and women provide an invaluable service to our Nation and we should provide them pay and benefits which recognize their contributions and help retain them as citizen soldiers in the U.S. Armed Forces. However, I believe there are several options we should consider for lowering the retirement age, and that we should consider this issue alongside other benefits in order to offer a complete package that makes sense and accomplishes the goals we are trying to achieve. The Iraqi supplemental is not the right context to undertake a careful review or make long-term changes in this area, and for this reason I opposed the amendment.

As cochair of the Senate Reserve Caucus, these are issues that I take very seriously. I will continue to work with my colleagues in that caucus and in the Senate to ensure that we make wise financial decisions, and that our guardsmen and reservists receive the pay and benefits they deserve while recognizing their unique contribution to our Nation.

Mr. NICKLES. Mr. President, I take this opportunity to report on the budgetary effect of S. 1689, the Emergency Supplemental for Iraq and Afghanistan Security and Reconstruction for Fiscal Year 2004, as reported by the Senate Committee on Appropriations.

The pending bill provides \$87 billion in budget authority and \$36.7 billion in outlays for Fiscal Year 2004 for ongoing operations in Iraq and Afghanistan and reconstruction of Iraq. Since all funds contained in the reported bill are either emergencies or contingent emergencies, under section 502(c) of the 2004 budget resolution none of these funds count for purposes of section 302, 303, 311, and 401 of the Congressional Budget Act of 1974 and sections 504 and 505 of the 2004 Budget Resolution.

Additionally, I would like to remind my colleagues of the criteria for using the emergency designation. Section 502 of the 2004 budget resolution identifies the following criteria for the appropriate use of the emergency designation: that the funding is (1) necessary, essential, or vital, not merely useful or beneficial; (2) sudden, quickly coming into being, and not building up over time; (3) an urgent, pressing, and compelling need requiring immediate action; (4) unforeseen, unpredictable, and unanticipated; and (5) not permanent, temporary in nature.

The reported bill has satisfied these criteria. Given the fact that most of the regular appropriation bills have not yet been enacted, we ought to view any further use of the emergency designation with great skepticism.

I also note for my colleagues that we are in a highly unusual parliamentary situation with this supplemental. Instead of doing a 2004 supplemental after all regular appropriation bills have been enacted, we are considering an \$87 billion supplemental before most of the regular bills have been enacted. While there is an allocation for each of the 13 regular bills, there is no additional or special allocation for a supplemental. Because this is such an unusual situation, I do not want people to think that the way the Senate deals with possible amendments on this bill sets a precedent for the way the Budget Committee will enforce the 302(b) allocations in the future.

If any amendments are adopted adding nonemergency spending to this bill, then members should know that the cost of such amendments will be counted against the appropriate subcommittee allocation. And I will remind the Senate at the appropriate time about any points of order that apply to subsequent bills and will insist that bills be changed to remedy

the situation or will raise the appropriate point of order.

Mr. President, I ask unanimous consent that a table displaying the Budget Committee scoring of the bill be printed in the RECORD at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1689—EMERGENCY SUPPLEMENTAL FOR IRAQ AND AFGHANISTAN  
(Fiscal Year 2004, \$ millions)

|  | Discretionary spending |
|--|------------------------|
| Emergencies in S. 1689, as reported:*    |                        |
| Budget authority .....                   | 87,004                 |
| Outlays .....                            | 36,695                 |
| Non-Emergencies in S. 1689, as reported: |                        |
| Budget authority .....                   | 0                      |
| Outlays .....                            | 0                      |

\* Section 502(c) of H. Con. Res. 95, the Concurrent Resolution on the Budget for FY 2004, states that any provision designated as an emergency requirement by both Congress and the President shall not count for purposes of sections 302, 303, 311, and 401 of the Congressional Budget Act of 1974 and section 504 (relating to discretionary spending limits in the Senate) and section 505 (paygo point of order) of H. Con. Res. 95.

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask there now be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

OUR BELOVED CUBS

Mr. DURBIN. Mr. President, I beg the forgiveness of my colleagues for this statement which I wrote rather quickly this morning.

There is weeping on Waveland,  
And Sheffield is dark,  
Another sad ending  
At Addison and Clark.  
The Cubbies lost the big one  
In the very last game.  
A season so different  
Has ended the same.  
There's no joy in Wrigleyville  
As the ivy turns brown,  
But who can forget,  
The Cubs lit up the town.  
Our Boys of Summer  
Were a loveable crew,  
With Sosa, Lofton,  
And Moises Alou.  
Prior, Wood, and Zambrano  
Threw fire at our foes,  
And we counted Farnsworth  
And Borowski to close.  
Ramirez, Gonzales,  
Grudzielanek, and Karros,  
Joined Miller and Bako  
To keep the games close.  
Our skipper was new  
From the city by the Bay  
But "In Dusty we Trusty"  
From opener to closing day.  
If Baker was the brains,  
Each win had another part.  
Our perfect 10, Ron Santo,  
Was in every Cubby's heart.  
America, we thank you  
For loving the Cubs,  
For cheering our long shots  
In your living rooms and pubs.  
Now in our despair  
There's one thing to say.

Spring training is only  
Four months away.  
Next spring when the green  
Is back on the vines,  
Cubs fans will pour  
Into the Friendly Confines.  
America, don't give up,  
Don't falter, don't grieve.  
If you wanna be a Cub fan,  
You gotta believe.

THE STATEN ISLAND FERRY  
DISASTER

Mr. SCHUMER. Mr. President, I appreciate the thoughtful words of my colleague from Illinois. Many sports fans across my home state have known both joy and anguish from our sports teams, and I assure the Senator that I sympathize with the sorrow that Chicago Cubs fans are feeling today over last night's loss.

And now, Mr. President, I rise to speak on a matter that has caused much sadness in my home state of New York. It is with a heavy heart that I come to the floor today to speak about the tragedy on Staten Island that took 10 New Yorkers from us too soon, and changed the lives of dozens who were injured. As you know, the ferry in New York crashed into a pier adjacent to its terminal, with tragic and unforeseen and unprecedented results. We mourn for the families of those who were lost.

Staten Island has had a very difficult time in the last several years. We know, for instance, 286 Staten Islanders were lost on 9/11. Staten Island is 5.5 percent of New York City's population, but on that terrible day sustained nearly 20 percent of New York City's September 11 deaths. Many of those were police officers and firefighters. We had the refinery fire on Staten Island not too long ago, and now this terrible incident.

One thing I can tell you is the people of Staten Island are strong, they are resilient, they are self-reliant. Many of them come from my home borough of Brooklyn and have moved to pastures across the narrows. But they retain the same feistiness and the same ability to bounce back from tragedy their forebearers did, across the narrows in Brooklyn. So Staten Island will bounce back and be stronger and better than ever. But, right now, we mourn them.

The Staten Island ferry's history is so important to our city. It is as long as our Nation's history. It has existed in some form since 1713, and 70,000 New Yorkers, mostly from Staten Island, ride it every day. That would be enough people to fill a medium-sized city almost anywhere else in the United States.

It is one of the great symbols of New York City, up there with the Empire State Building, Brooklyn Bridge, Yankee Stadium. It is one of the best ways to see the great symbols of opportunity in New York, the Statue of Liberty—Ellis Island, and, sadly, until 2 years ago, the World Trade Center.

The view of lower Manhattan coming into the terminal at Whitehall or land-

ing at St. George has been nothing short of breathtaking, although I must admit, having taken the ferry since 9/11, it now has some sadness to it as we see the empty space on the skyline where the towers once existed.

It is a necessity for many on Staten Island. It is also a great opportunity for tourists to see New York. I might say, also, it is a very good first date, particularly at its price. The Staten Island ferry is free.

I am proud to say this morning, due to the resilience of New Yorkers and their transportation commissioner, ferry service resumed at the St. George terminal at 5 a.m., the site of yesterday's tragedy, befitting the spirit of New York and the spirit of Staten Island, where we bounce back quickly. The terminal was packed, the boats were crowded, and the people to a one, it seemed, were determined not to shy away but to go on with their lives as best as possible, while remembering those families who were suffering in the wake of this terrible tragedy.

We remember the lives lost, but not to stop living. This attitude is at the heart of what it means to be a Staten Islander: grit, determination to survive and move on, but to never forget what has happened and to never stop trying to make a better world for our children.

I would like to mention the names of those who passed away, and send my condolences to each of their families: Joseph Bagarozza, Pio Canini, John T. Healy, Vincent Ferrante, Darios Marshall, Guillermo Pagvay, Louis Robinson, Frank Sullivan, John Valinski, and the woman—our condolences to her family, too, even though her name has not yet been released.

Today Congressman FOSSELLA of Staten Island and I are asking the United States Department of Transportation to pay for the repairs of this ferry. The Federal Government has been actively involved in the ferries. We have received money for them in the past and will ask once again that Washington rise to the occasion of another tragedy in New York. Our budget, as you know, is tight as a drum and these funds will not bring back a single loss of life and, in fact, pale before the loss of life.

We will move forward, hopefully, in whatever way, and make our city and Staten Island even greater than ever.

I yield the floor.

Mr. LAUTENBERG. Mr. President, I also make a note of the fact that we, too, in New Jersey had two of our citizens perish in that terrible accident that took place yesterday, a Mr. John Healy from Middletown, NJ, and Frank Sullivan, from Red Bank, NJ. We send our sympathies to these families, but we are reminded at the same time that ferries play an important role in our region; that while the Staten Island ferry carries about 70,000 passengers a day, we have 60,000 people going from New Jersey to New York for their business requirements or their jobs on the