

On MILCON, I am prepared to move on that conference report. If the minority whip is willing, I am prepared to lock in a 20-minute time agreement to allow the managers to make short statements and then to allow us to finish that measure. I ask the Democratic whip if he would allow us to proceed to that when we proceed to the conference report, that it be considered, and that a short time agreement be part of that agreement.

Mr. REID. Reserving the right to object, I ask that the consent be modified to allow the statements to be made after the bill passes today. We would pass it today, and people could have more than 20 minutes next week to speak on it all they want. This matter should be passed immediately.

Mr. FRIST. Mr. President, as I said earlier, I renew my request as made because it is very important that people who have worked very hard on MILCON, out of respect for them and those managers, be here and they make the appropriate speeches and response in support of this bill.

Mr. REID. Reserving the right to object, does the leader have the time in mind when he would bring this up?

Mr. FRIST. Mr. President, we would bring it up the early part of next week.

Mr. REID. As I have indicated, I want it passed tonight. People in Nellis Air Force Base and Fallon can do without speeches. It should be passed now. If it will not be passed now, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. FRIST. Mr. President, as you can tell, we have a very busy week next week. I will comment a little bit more on the schedule shortly and we will be doing MILCON and Syria as well as many other things over the next several days.

PARTIAL-BIRTH ABORTION

Mr. LAUTENBERG. Mr. President, I rise to discuss something that struck me as downright chilling when I saw it yesterday in the paper. It was the signing of the so-called partial-birth abortion bill. I want to show a picture as it appeared—as I first saw it in the Washington Post. I challenge anybody: Find a woman in that picture. We even broadened it to a larger picture, and once again I issue the challenge: Find a woman in this picture. There are 10 men, not 1 woman in that picture.

This picture represents the most sweeping attack on women's rights in 30 years. What do we see? We see a group of gleeful men, smiles across their faces. We don't see the picture of the women who are frightened to death about what can happen if they need to make a decision to protect their health, in the company of their doctor.

This gleeful group is watching President Bush sign away women's rights. Look at the image—not a woman on the stage. Does anybody doubt about how the population splits 50-50 between the two genders? But here, in these two

pictures, it is all men, and it is downright frightening.

It has been said that a picture is worth a thousand words. When women across America picked up the paper or watched the news and saw this image, it spoke volumes. This photo says to women: Your right to make choices about your health and your body is being taken back from you.

I am the proud father of three daughters and five granddaughters. I don't want the men in these pictures making decisions for my daughters or my granddaughters when it comes to their health and their well being and their families' well-being. Thank goodness, all of my children have children. They have wonderful families. But they have to take care of those families. If their health is jeopardized by a pregnancy or a disease, I want them to be able to take care of it.

Not here. These men will make your choices for you.

I am old enough to remember a time when women were not permitted to make choices, when women couldn't hold certain positions in society. There was a time when women couldn't vote. We have made great strides forward to advance women's rights, and one of those rights is the right to choose. But look at this picture. These fellows are eager to snatch those rights away from women.

The absence of women on the stage says something. Make no mistake. We have more than a dozen women in the Senate. I don't know what the count is in the House. Not one of them stood on this floor during the debate and defended that law that was passed and signed so smugly at the White House. I call this a "malegarchy" and this photo captures the essence of the "malegarchy" women live under today.

If we keep going backwards, maybe it will be possible our women will live like they do in parts of the Middle East and have to wear burqas. The men will decide.

I think it is shameful. It is embarrassing to see this image in the 21st century in the United States of America. Have we entered a time warp? In some ways we have. Ultra right-wing conservatives who control this Congress and control the White House are more in line with the thinking of the 19th century than the 21st century.

The conservatives today speak of "traditional family values" and protecting marriage. Those are their buzz phrases, but you look back in history and what you see here is a repeat of the same themes constantly used to keep women subservient. I couldn't get away with that in my household.

In 1914, during the battle over the women's right to vote, there was a group called the Nebraska Men's Association Opposed to Women's Suffrage—that was the title of the organization. It was organized in 1914. The group published a document expressing its reasons for opposing women's suffrage. The association claimed if we give

women the ability to vote, to make electoral choices, then that would lead to "attempts to change home and marriage." Does that sound familiar? It is the same rhetoric we hear today. In this picture, it is the same rhetoric being used at this bill signing.

We also hear about the "culture of life." What about the woman's life? What about her health? This law does not include a health exception. What if a woman's health is in danger? What if her life is ultimately threatened by complications stemming from the pregnancy? And where is the culture of life when that fetus is born? Where is the culture of life for children who have been born?

Earlier in this Congress, the anti-choice conservatives led the fight against the child tax credit for low-income working families. Where are the family values in that? Where is the culture of life in that?

How about nutrition for those children? How about education for those children? How about health care for those children?

We have seen "no" vote after "no" vote on funding these programs for making our children healthier and brighter and more productive.

I was pleased to see the Federal courts in Nebraska and New York issue injunctions against this unconstitutional abortion law. The vast majority of legal scholars predict this law will be easily overturned, based on *Roe v. Wade*, and it should.

The famed American suffragette Elizabeth Cady Stanton said "men want their rights and nothing more, but women want their rights and nothing less." As we can see with the signing of this bill, women's rights are still under attack. We must not settle for anything less than full reproductive rights for women in America.

CONGRESSIONAL PORK

Mr. MCCAIN. Mr. President, I would like to address an article that appeared on the front page of Roll Call on Thursday, November 8. The title of the article was "McCain Breaks Own Pork Rule," and it addressed my efforts, as a member of the Senate Armed Services Committee, to secure authorized funding—I emphasize authorized—for land acquisition at Luke Air Force Base in Arizona. Sadly, the headline was misleading and the article itself was simply inaccurate.

As my colleagues know—and I see my colleague from West Virginia in the Chamber—for many years I have made it a point to carefully scrutinize the annual appropriations bills which are, in my view, wasteful porkbarrel spending. I have specific criteria for identifying these projects which are very clear. Simply put: If an item is requested by the administration or properly authorized, I do not object to it and I do not consider it a porkbarrel project. Having said that, let me address the situation discussed in the Roll Call article.

The authorization for funds for the land acquisition at Luke Air Force Base was included in both the House Armed Services Committee markup of the fiscal year 2003 Defense authorization bill and the fiscal year 2003 authorization conference report, and in the Senate Armed Services Committee markup of the fiscal year 2004 authorization bill. As a member of the authorizing committee, I readily admit I worked hard to procure the authorized funds necessary for the land acquisition. As all of my colleagues are aware, authorizing the expenditure of Federal funds before appropriating them is the proper process. It is the way we are supposed to do things in this body.

As no one disputes, the authorization bill includes a provision for the Luke land acquisition. It will be adopted by both Chambers and signed into law by the President. I cannot recall a Defense appropriations or Military Construction appropriations markup occurring after the Defense authorization bill conference report was signed into law. As my colleagues know, appropriators have only the Senate-passed authorization bill to use in determining whether projects proposed for inclusion in their markup are authorized.

Simple fact and not my opinion—I emphasize, it is a fact, not my opinion—rule XVI of the Standing Rules of the Senate expressly acknowledges that Senate bills that were previously passed in the current session authorize appropriations. The rule states in part that:

The term unauthorized appropriation means an appropriation (i) not specifically authorized by law or Treaty stipulation unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session. . . .

That is exactly what happened with the authorization bill. Therefore, the Senate considers it authorized when the authorization bill passes the Senate, not when the conference report is signed into law. Again, this is a standing rule of the Senate, not an arbitrary decree of my own. I have never objected to an appropriation on the grounds that while it was authorized in the Senate-passed bill and was accepted by House and Senate conferees, the conference had yet to finish its work. I consider such an appropriation to be authorized while consistent with Senate rules and the fact that the report had yet to be voted only a technical formality.

The article also suggested that I requested from the Military Construction Appropriations Subcommittee an unauthorized earmark for Luke Air Force Base. That suggestion is simply not true. I categorically deny ever approaching any member of the Appropriations Committee in order to request funding for this project, or any other project for that matter. It just simply didn't happen.

If there is any member of the Appropriations Committee who will come

forward and say that I did, I would be very interested, because it didn't happen.

The fact is, when I was approached by the chairman of the Senate Military Construction Appropriations Subcommittee, who informed me that if I wanted the money authorized for Luke included in her subcommittee's markup, I would have to send her a letter requesting it, I firmly refused to do so, noting only in conversation with the chairman that the money had been authorized and that the appropriators should follow that instruction.

I believe strongly, as every Member of the Senate knows, that appropriators should follow the instructions of the authorizing committees. And no one should have to write a letter requesting it. I never have.

It has come to my attention that three different members of the Appropriations Committee told the Roll Call reporter responsible for this article that I approached them and requested this funding. Again, this is not true. I challenge any member of the House or Senate Appropriations Committee to come forward and prove I made any such request.

I have with me a letter to the editor of Roll Call from Tom Schatz, president of Citizens Against Government Waste. As my colleagues know, Citizens Against Government Waste is a very well respected and nonpartisan government watchdog organization. I have worked with them for many years, and I am proud of our joint efforts to combat wasteful spending. In the letter Mr. Schatz says:

Citizens Against Government Waste (CAGW) is concerned about the accuracy of the article, "McCain Breaks Own Pork Rule," that Roll Call published on November 6. [Citizens Against Government Waste] is dedicated to hunting down pork-barrel projects in every appropriations bill. In fact, CAGW's fiscal Congressional Pig Book contained 9,362 pork-barrel projects. Senator John McCain has been the leading voice in the Senate trying to stop this egregious practice. As for the \$14.3 million for Luke Air Force Base mentioned in your article, Sen. McCain has assured us he did not request any unauthorized fund from any member of the appropriations committee.

We have worked closely for many years with Senator McCain in our joint effort to combat wasteful government spending. He believes that spending provisions, particularly defense-related projects, be contained in the Department of Defense authorization bill. Senator McCain serves on the Senate Armed Services Committee, and he readily admits that he worked hard to ensure that funding for Luke AFB was included in the Senate DOD authorization bill. The timing of the authorization versus appropriations bills is a red herring in this story, designed to make it appear that Senator McCain has violated his own rules on pork barrel spending.

Sincerely,

Tom Schatz, President, Citizens Against Government Waste.

Mr. President, I regret I had to take the time of the Senate to address this issue. I feel it is important for my colleagues to know the truth. I know very

well if I violated my own rules, it would get a lot of publicity and longevity. I have not done that in 17 years, and I will not. That is why I come to the floor today to correct what was written in that article.

I have been very diligent in ensuring my office never violates the same standards for appropriations to which I have long insisted my colleagues adhere. I did not do so in this case and I will not do so in the future. I appreciate the indulgence of my colleague from North Dakota.

I yield the floor.

TANKERS

Mr. McCAIN. Mr. President, I commend the Chairman of the Senate Armed Services Committee, the senior Senator from Virginia, Senator JOHN WARNER for putting the Committee on Armed Services back on the map of relevancy and like any sea captain with a steady hand decisively changing the course of the committee from just a debating society. I believe that the Appropriations Committee will think twice before they try to pull this off again. This began in September 2001 when Secretary Roche, the Boeing Company and the Appropriations Committee decided to lease 100 Boeing 767 tankers and go around the traditional budget process at the Pentagon, go around the Secretary of Defense, go around the Office of Management and Budget, go around the authorizing committee—(SASC)—and insert a \$30 billion new start lease of 100 Boeing 767 aerial refueling tankers into the Department of Defense Appropriations Act for Fiscal Year 2002—without a single hearing, debate, or vote.

However, late yesterday afternoon Secretary Wolfowitz sent a letter to the defense committees which would enable the SECAF to sign a contract for the requisition of 100 tankers now, and to buy 80 of them on delivery.

This language has negative financial and budgetary implications. Importantly, it will provide that lease-unique disbursements, such as construction financing—\$7.5 million per plane—lease administration costs—costing up to \$5.5 million per plane; FAA certification—which would be considerable and yet unnecessary when the Air Force owns the planes; and other costs such as operating expenses for any special-purpose entity extend to the order of 80 tankers—which the SECAF will buy.

In addition, the USAF will not be required to set aside money now for the purchase of these tankers. So, when the tankers are built, the USAF will have to come up with the cash to pay for them. But, at that point, the temptation will be simply to extend the lease and not convert to a buy when the time comes to do so. So, this proposal puts no pressure on the USAF to make choices before starting to build planes number 21-100. Instead, it will have Congress over a barrel to pay for planes already built under the tanker lease regime. Thus, as is the case under

the original lease proposal, the USAF will get its tankers in a way that defers the payment burden to someone else at some unspecified point in the future.

This is what we were trying to originally avoid.

The language we agreed to late last night is clear and would unequivocally prevent the USAF from leasing more than the 20 tankers.

And more importantly will prevent "costs that are unique to this lease arrangement . . . costs for issuing the bonds required to finance the lease or the construction of the tankers, operating expenses for the special-purpose entity, lease administration fees, FAA certification costs, etc." apply to the subsequent 80 aircraft.

The Air Force will be forced to, just like the other military services do, obtain budget authority before placing an order for the purchase of tankers or before Boeing spends any money for the construction of those planes. Because this will require the USAF to pay at the time of order, make progress payments and acquire the tankers under two separate contracts, as it should, potential savings could be as much as \$5.2 billion according to unofficial CBO estimates.

Remarkably, the key threshold issue of corrosion remains an open issue. CRS still believes that, to date, the DOD has not provided a thorough corrosion assessment as the SASC asked for. And, the two reports that Secretary Roche cited as updating the Economic Service Life Study, ESLS, which concluded that the current fleet is viable to 2040, are in no way comparable in sophistication, depth or scope. So, to date, the DOD has produced, despite numerous requests, any data or analysis that invalidates the conclusions of the ESLS.

The November 5, 2003, letter from the Deputy Secretary of Defense to Chairman WARNER is disturbing. In this letter, the DOD describes how it intends to proceed acquiring tankers under the legislative language agreed upon by the conferees 2 days ago. In particular, it indicates that the DOD intends to sign the current contract for the acquisition of all the tankers now and not obtain requisite budget authority until the out-years to fund the purchase of the tankers.

According to the letter, the DOD will fund its purchase of the 80 tankers by adding \$3.8 billion in the out-years to "achieve[] an immediate start to the program and allow [for the] purchase [of] the last 80 aircraft at time of delivery."

There are several problems with this:

It seems inconsistent with the plain language of the bill that the conference has agreed upon—that the USAF buy up to 80 aircraft under a multi-year procurement/incremental funding methodology.

It will likely result in the proposals being scored as a \$18 billion "direct purchase."

It suggests that taxpayers will be stuck with unnecessarily having to pay for construction financing costs at a premium open-market rate and other lease-unique disbursements.

It is unabashedly similar to what the USAF intended to do under the original contract to lease 100 tankers, and I appreciate that we now have a commitment, as Senator WARNER said on the floor of the Senate, that would put this program back into the traditional procurement process, this program back into the traditional budget process, and this program back into the traditional authorization process.

I yield.

TRIBUTE TO DR. S. KING SANDERS

Mr. BROWNBACK. Mr. President, I rise to honor Dr. S. King Sanders, who passed away October 30, 2003. I hope my colleagues will join me in expressing condolences to his family in this great loss.

King Sanders left a worthy and memorable legacy for his wife, Rose; his children, Courtney and Michael, and other family members and friends to remember him by. He was a vocational Christian minister for 30 years, working as a director of missions and then a pastor in New Mexico for 20 of those years. During the last 14 years of his life, King also worked in the public policy arena. He served as liaison to the New Mexico legislature on behalf of that State's Baptist convention for eight years. Beginning in 1997, he worked here in Washington for the Ethics & Religious Liberty Commission of the Southern Baptist Convention.

His behind-the-scenes work in our Nation's Capital supported the efforts of the ERLC and others to make this country all it should be. He used his abilities and position in the effort to protect all human life, from conception to natural death. King worked to help expand religious freedom to all people in this country and around the world. He was concerned about marriages and families, and sought to strengthen them and protect them from the ravages of harmful forces in our culture. He also worked earnestly to motivate citizens to become more involved in the political process.

For King, relationships were foremost. He loved people and served them in many ways. He constantly expressed concern for others, even in the midst of the health problems that plagued him near the end of his life. His love for others and his concern for their welfare were based on his relationship with God by faith in Jesus Christ.

King Sanders was the best of what this country is all about. He wanted America to be a great force for good in the world, and he wanted the lives of Americans to be blessed. All who knew him will miss him, and we pay tribute to his influential life and legacy.

I yield the floor.

NEW TERMINAL AT ABERDEEN REGIONAL AIRPORT

Mr. DASCHLE. Mr. President, I would like to speak about an important ceremony occurring this Veterans Day in my home town: the dedication of a new terminal at Aberdeen Regional Airport.

Community leaders have chosen Veterans Day for this event because the terminal will be called the War Memorial Building. It will be located on the grounds of Saunders Field, named for General LaVerne Saunders, a World War II hero from Aberdeen.

A plaque inside the new building proclaims:

The City of Aberdeen dedicates this building and sculpture to the brave men and women who served and continue to serve to protect the values we all cherish: freedom, justice and democracy.

The War Memorial sculpture recognizes the courage they have shown and continue to show in the service of our great nation. They will never be forgotten.

Let us reflect on the past and hope that we might learn as a world to live in peace.

Those words are a fitting tribute to our nation's heroes, past and present, and are especially fitting in a year that has seen a new generation take up arms in defense of the homeland. Aberdeen is one of the communities that has been touched by the largest call-up of South Dakota Guard and Reserve troops since World War II.

This terminal was constructed with funds from the Federal Aviation Administration, State and local government, and a Senate amendment to the fiscal year 2001 transportation appropriations act. I remain grateful to Senator FRANK LAUTENBERG, former ranking member of the Transportation Appropriations Subcommittee, for helping me secure \$2.5 million in that legislation. The Senate funds completed the financing for this project and allowed it to move ahead without further delay.

The project is a step into the future for one of the busiest airports in South Dakota. It replaces a 50-year-old facility, providing improved security measures, additional ticket counter space, and expanded baggage claim areas. It will improve access for disabled passengers. It will shorten the time that planes spend taxiing, thus resolving a long-standing problem of flight cancellations due to wing icing. Given the critical role that airports play in economic development, I also see this new terminal as a long-term investment in Aberdeen's prosperity.

This project required a great deal of hard work and dedication, and I would like to thank some people who made it possible: Mayor Tom Hopper, the airport board and staff, the Aberdeen City Commission, the Brown County Commission, the Aberdeen Chamber of Commerce, architects Herges Kirchgasser Geisler & Associates, engineers Helms and Associates, Transportation Director Dave Osborn, and former airport managers Tom Wylam and Rebecca Hupp.