

got out. Yet check out all the proud United States Marine Corps decals on the cars traveling along the Garden State Parkway.

One thing they shared. No matter what their origins or their social status, there was no telling them apart in the trenches of France, the frozen fields of Pennsylvania, the steamy islands of the Pacific, the bloody battlefields of Spotsylvania, the deadly skies over Korea, the tropical scrub of San Juan hill, or the boiling waters of the South China Sea.

They were one.

Some were recognized for their heroism.

In the beginning by receiving an award called the Badge of Military Merit, created by our first Commander-in-Chief.

In 1932, that badge became known as the Purple Heart. It eventually was emblazoned with George's image and restricted to those who shed their blood in the service of their country.

Tens of thousands of Purple Hearts have been awarded for wounds received in battle. Too many thousands never lived to see theirs; and would happily have done without.

And there is another award that goes back to the early years. Presented since the Civil war, it is called the Medal of Honor. There have been 3,459 of those medals presented for 3,454 separate heroic actions.

The earliest Medal of Honor was presented for an action against Native-Americans in 1861. Ironically, since 1861, 22 Native-Americans have received the Medal for their own valorous actions in defense of a country that once seemingly sought to exterminate them.

I have known many who were awarded the first medal, and four who were awarded the second.

Despite their heroism and suffering . . . or perhaps because of it . . . I really don't know . . . they seemed no different than the thousand others I served with, and the many thousands more that we have all heard or read about.

They all served their country . . . in good times and bad . . . in peacetime and in war . . . with valor and distinction.

At Valley Forge, they wrapped rags around their frozen feet then marched to take Trenton; 175 years later they wrapped rags around their frozen feet then fought their way out of the Chosin Reservoir.

In 1805 they marched across 600 miles of burning desert to destroy the Barbary Pirates at Tripoli; 178 years later, not that far from Tripoli, they died in a barracks in Beirut.

Still they would not be deterred. And only a few years later, they freed one European people from a tyrannical butcher; and a Middle Eastern country from a demented invader.

But in Yemen they simply made a goodwill port call and 17 paid the ultimate price.

And in Somalia they tried to help a starving people they didn't even know . . . and had probably never heard of; and they paid yet again.

They jumped out of airplanes into the dead of night at Ste. Mere-Eglise; and a few miles away they scaled the deadly cliffs of Normandy with the bodies of their buddies drifting in the surf below.

At Midway, they brought a thousand year old Empire to the beginning of its end.

In 1865, a woman cut off her hair, donned a soldier's uniform, and fought alongside her compatriots as a man. She was simply following the example of an earlier heroine who joined the battlefield right here in Monmouth County. More than 1.7 million women have served in the military since.

Some nursed our fighters in the jungles, in the freezing cold, and aboard ships under kamikaze attack. And not only do they still serve in tents, bomb craters, and blown out

buildings around the world; but they now command units in Iraq and fly choppers in Afghanistan.

Some military personnel carry no weapons and wear no scrubs, but use a bible, the Torah or the Quran, to minister to their fellow soldiers. One from Staten Island earned the Medal of Honor of his heroic Chaplain's service.

And let's not forget the 6,000 Merchant Marines and their 700 ships lost during World War II.

In five years, my immigrant family from Scotland and Ireland sent seven men and women off to fight for their adopted country. It is something we as a people do. We rarely question why. We just do.

Now, one of my sons is in a place called Fallujah, while his brother launches fighter jets from the Abraham Lincoln somewhere in the Pacific.

I would never ask them to do this. I certainly didn't even encourage them. It is the only thing in my entire life that has ever brought me fear! But is their chosen destiny; and like all others before them, they just do.

In just my lifetime, I can think of a number of heroes who could have avoided serving, or flown a desk in the rear, but chose not to. One was the son of a legendary Marine General who had earned five Navy Crosses in combat. The younger Marine came home a double amputee, his life so shattered that he ultimately died by his own hand.

One was a famous baseball player who left his team not once, but twice, to fight for his country in not one, but two wars. And he came back to his beloved Red Sox to finish his career.

One was the son of the future Chief of Naval Operations, the highest rank in the Navy. He probably could have gotten any job he wanted, but he went into combat anyway; and came back to die of Agent Orange.

Another was the son and grandson of two Naval Heroes, but he spent 8 years in the Hanoi Hilton.

And then, of course, there was the son of the former Ambassador to Great Britain. He didn't have to go either, but he chose to be a PT boat skipper; and spent the rest of his too-short life in excruciating pain.

They all could have found a way out, but didn't. Not even the young Marine Lance Corporal I met in I Corps who had a Columbia medical degree in his resume, but he chose to fight his war, at the front, on the ground, as a grunt.

Like that young Lance Corporal, they had a belief in themselves, in their creed, in their country, and many times . . . more often than not . . . in their cause.

If nothing else, they learned to believe in their fellow soldiers and to serve them . . . to the death if necessary.

Today, we celebrate all veterans, those alive and among us, those who have gone on to their reward, and those still serving.

It matters not whether in peace or in war. If in war, it matters not what the outcome. It is the man and the woman that we honor.

We can do no less than one man . . . not of this country . . . did in honoring that legacy.

He was a 30 year old Vietnamese Squad Leader. A member of the 320th Division of the People's Army of Vietnam during one of the most trying periods in a ten-year war, the hallowed memory of which surrounds us here today in this poignant Vietnam Veteran's Memorial.

He was the enemy!

After the war he went back to farming. But then, in 1996, at the age of 58, he walked into the US Army POW/MIA office in Hanoi to tell his story.

While serving North Vietnam in uniform in 1968, he found the body of a dead American Marine. He buried it in a bomb crater. But he never forgot.

So he lead the MIA team to the remains, which were then recovered and returned to the Marine's home community just two months ago, some 30 years after the fall of Saigon.

Now I can tell you from personal experience that the spring of 1968 was one of worst periods in the war.

Yet this soldier took the time to bury his enemy. And then, almost thirty years later, report the location to his former enemies.

That kind of respect is the kind of respect we see all too little of in this fast-paced, too distracted, self-absorbed, politically-riven society of ours.

But it is the kind of respect we are here today to show our men and women, in or out of uniform, living and dead, still serving or not.

They need no medals. They need no special proclamations. They need no special treatment. For they stand out in their own merit, on their own sacrifices, on their own heroism, and on their own unequalled accomplishments.

But we stand here today anyway. For they are the reason we can do so; the reason that we enjoy the right to do so. The reason we can be proud of our nation; and the reason that, like the Vietnamese soldier-farmer, we can respect who they are.

To paraphrase a well known writer and broadcaster, we are here today because they are the greatest of all our generations!

BUDGET SCOREKEEPING REPORT

Mr. NICKLES. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the 2004 budget through September 30, 2004. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2004 Concurrent Resolution on the Budget, H. Con. Res. 95, as adjusted.

The estimates show that current level spending is above the budget resolution by \$10.126 billion in budget authority and by \$31 million in outlays in 2004. Current level for revenues is \$3.115 billion above the budget resolution in 2004.

Since my last report dated September 13, 2004, the Congress has cleared and the President has signed the Surface Transportation Extension Act of 2004, Part V (P.L. 108-310), which changed budget authority for 2004.

This is my final report for fiscal 2004. I ask unanimous consent the report be printed in the RECORD.

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

CONGRESSIONAL BUDGET OFFICE,

Washington, DC, October 7, 2004.

Hon. DON NICKLES,
Chairman Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed tables show the effects of Congressional action on

the 2004 budget and are current through September 30, 2004. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, as adjusted.

Since my last letter, dated September 9, 2004, the Congress has cleared and the President has signed the Surface Transportation Extension Act of 2004, Part V (Public Law 108-310), which changed budget authority for 2004.

The effects of this action are detailed on Table 2.

Sincerely,
DOUGLAS HOLTZ-EAKIN.

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF SEPTEMBER 30, 2004

[In billions of dollars]			
	Budget resolution	Current level ¹	Current level over/under(-) resolution
ON BUDGET			
Budget Authority	1,873.5	1,883.6	10.1
Outlays	1,897.0	1,897.0	*
Revenues	1,331.0	1,334.1	3.1

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF SEPTEMBER 30, 2004—Continued

[In billions of dollars]			
	Budget resolution	Current level ¹	Current level over/under(-) resolution
OFF-BUDGET			
Social Security Outlays	380.4	380.4	0
Social Security Revenues	557.8	557.8	*

¹ Current level is the estimated effect on revenue and spending of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made.

NOTE: * = Less than \$50 million.
Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF SEPTEMBER 30, 2004

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues	n.a.	n.a.	1,330,756
Permanents and other spending legislation ¹	1,117,131	1,077,938	n.a.
Appropriation legislation	1,148,942	1,179,843	n.a.
Offsetting receipts	-365,798	-365,798	n.a.
Total, enacted in previous sessions:	1,900,275	1,891,983	1,330,756
Enacted this session:			
Surface Transportation Extension Act of 2004 (P.L. 108-202)	1,328	0	0
Social Security Protection Act of 2004 (P.L. 108-203)	685	685	0
Welfare Reform Extension Act of 2004 (P.L. 108-210)	107	58	0
An act to reauthorize certain school lunch and child nutrition programs through June 30, 2004 (P.L. 108-211)	6	6	0
Pension Funding Equity Act of 2004 (P.L. 108-218)	0	0	3,363
An act to require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses (P.L. 108-220)	13	7	0
Surface Transportation Extension Act of 2004, Part II (P.L. 108-224)	482	0	0
TANF and Related Programs Continuation Act of 2004 (P.L. 108-262)	80	35	0
Surface Transportation Extension Act of 2004, Part III (P.L. 108-263)	422	0	0
Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265)	7	6	0
An act approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003 (P.L. 108-272)	0	0	-2
AGOA Acceleration Act of 2004 (P.L. 108-274)	0	0	-2
Surface Transportation Extension Act of 2004, Part IV (P.L. 108-280)	-646	-7	0
Department of Defense Appropriations Act, 2005 (P.L. 108-287)	0	10	0
Surface Transportation Extension Act of 2004, Part V (P.L. 108-310)	2,160	0	0
Total, enacted this session	4,644	800	3,359
Entitlements and mandatories:			
Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs	-21,334	4,221	n.a.
Total Current Level ^{1,2}	1,883,585	1,897,004	1,334,115
Total Budget Resolution	1,873,459	1,896,973	1,331,000
Current Level Over Budget Resolution	10,126	31	3,115
Current Level Under Budget Resolution	n.a.	n.a.	n.a.

¹ Pursuant to section 502 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes \$82,460 million in budget authority and \$36,644 million in outlays from previously enacted bills. From the current session, the current level excludes \$27,656 million in budget authority and \$154 million in outlays from the Department of Defense Appropriations Act, 2005 (P.L. 108-287) and \$2,000 million in budget authority from the Emergency Supplemental Appropriations for Disaster Relief Act, 2004 (P.L. 108-303). In addition, pursuant to section 312(c)(3)(A) of S. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2005, up to \$500 million in budget authority and \$330 million in outlays for wildland fire suppression accounts are exempt from the enforcement of the budget resolution for the current fiscal year. In this current level report, these amounts are excluded from the total for the Department of Defense Appropriations Act, 2005 (P.L. 108-287).

² Excludes administrative expenses of the Social Security Administration, which are off-budget.

NOTES: n.a. = not applicable; P.L. = Public Law.

Source: Congressional Budget Office.

MENTALLY ILL OFFENDERS

Mr. DEWINE. Mr. President, I come to the floor in support of the Mentally Ill Offender Treatment and Crime Reduction Act. On October 11, 2004, the Senate passed this bill and on October 30, 2004, President Bush signed it into law. I am very pleased that this law is now on the books because it will help address a serious problem that I have talked about before on several occasions.

Each year, more than 700,000 individuals with serious mental illness are booked into our Nation's jails. A recent Justice Department study revealed that 16 percent of all inmates in America's state prisons and local jails today are mentally ill. This has created one of the biggest challenges facing our front-line police officers, judges, prosecutors, and corrections officers and has left mentally ill inmates caught in a destructive cycle.

As a former prosecuting attorney, I know about the helplessness that law enforcement officers feel when they

have no other option than to arrest and incarcerate a person with mental illness who has committed a non-violent crime. I have seen the cycle of a non-violent, mentally ill offender who is arrested repeatedly and put into the system repeatedly—never being treated for his illness and, as a result, becoming more and more ill. I also have shared the frustration of judges who repeatedly sentence these low-level offenders, knowing that, without connection to needed services, they will just end up right back in the courtroom.

Despite the complexity of these issues, recent initiatives demonstrate that we can increase public safety and reduce the numbers of mentally ill people trapped in the criminal justice system. We know that if given appropriate care early, the special needs of the mentally ill can be addressed to avoid a growing problem that increases the likelihood of repeat offenses. Four years ago, Senator PETE DOMENICI, Representative TED STRICKLAND, and I authored America's Law Enforcement

and Mental Health Act. As a consequence of this law, the U.S. Department of Justice made available to 37 jurisdictions \$7 million in funding and technical assistance for mental health courts. These courts are staffed by a core group of specialized professionals, including a dedicated judge, prosecutor, and public defender, who deal with mental illness cases and a court liaison to the mental health services community. While still early in their implementation, mental health courts have shown promising results. Mentally ill persons who choose to have their cases heard in a mental health court often do so because that is the first real opportunity that many have had to seek treatment.

Last year, Senator LEAHY, Senator DOMENICI, Representative STRICKLAND and I introduced the Mentally Ill Offender Treatment and Crime Reduction Act. Our bill authorizes a grant program to help states and counties design