



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, SECOND SESSION

Vol. 150

WASHINGTON, THURSDAY, MARCH 25, 2004

No. 39

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

The PRESIDING OFFICER. The Senate will be led in prayer this morning by our guest Chaplain, Rev. Fredricka A. Steenstra of Christ Episcopal Church, Elizabeth City, NC.

PRAYER

The guest Chaplain offered the following prayer:

Gracious God, accept our thanks and praise for all that You have done for us. We thank You for the splendor of creation, for the beauty of this world, and for the wonder of life. We thank You for the blessing of living in this Nation and for the freedoms we enjoy. We thank You for the men and women of the Senate, both the Senators and their staffs. We are grateful for the sacrifices they make in order to serve the people of this Nation faithfully and in accordance with Your will.

We thank You also, Lord, for setting the people of our Nation and our Senators at tasks which demand our best efforts, and for leading us to accomplishments which satisfy and delight us. We thank You also for those disappointments and failures that lead us to acknowledge our dependence on You alone.

Bless our Senators this day and in all the days ahead, that they may enact such laws as shall please You, O God, and further the welfare of Your people. Give all who labor in this great institution a zeal for justice and the strength of forbearance that they may help the people of this Nation to use our liberty rightly, in accordance with Your gracious will. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 25, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The assistant majority leader is recognized.

SCHEDULE

Mr. McCONNELL. Mr. President, this morning the Senate will conduct a period of morning business until the hour of 10:30, with the first half of that time under the control of the majority leader or his designee and the second half under the control of Senator DASCHLE or his designee.

Following morning business, the Senate will begin consideration of the Unborn Victims of Violence Act. That bill will be considered under a consent agreement which allows for two amendments to be offered. The debate is limited on the amendments and the underlying bill. Therefore, we will vote throughout the day and complete action today on the Unborn Victims bill.

Senator DEWINE will be here to manage the bill on this side of the aisle. I understand Senator FEINSTEIN may offer her substitute amendment first. There will be up to four hours of debate in relation to the Feinstein amendment.

Senators should expect the first vote to occur sometime just after the lunch hour. As always, we will notify all Senators when votes are about to occur.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

THE BUSH ADMINISTRATION'S MISTREATMENT OF RICHARD CLARKE AND OTHERS

Mr. DASCHLE. Mr. President, I have a simple request for the President today: Please ask the people around you to stop the character attacks they are waging against Richard Clarke. Ask them to stop their attempts to conceal information and confuse facts. Ask them to stop the long effort that has made the 9/11 Commission's work more difficult than it should be.

Regardless of whether one agrees or disagrees with Mr. Clarke's facts, he set an eloquent example for all of us yesterday. He acknowledged to the families of the victims of September 11 that their Government had failed them. He accepted responsibility for September 11. He made himself accountable and he tried, in my view, to help us understand what happened in the months and years before September 11. I could not be more disappointed in the White House response. They have known for months what Mr. Clarke was going to say. Instead of dealing with it factually, they have launched a shrill attack to destroy Mr. Clarke's credibility.

I know something about those attacks.

On several occasions, I have been on the receiving end of the White House

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



Printed on recycled paper.

S3119

broadside. I saw the White House ferocity firsthand. I saw the people around the President attack JOHN MCCAIN when he ran for President in 2000. I will never forget the distortions, the recklessness, and the viciousness of those attacks. They were wrong and they impugned one of our great patriots.

I saw the same viciousness 2 years ago when Senator Max Cleland, a man who served when called during the Vietnam war, had his reputation and patriotism smeared in his reelection campaign. The idea that a man who gave so much to his country could be smeared by those who are willing to give so little haunted me then as it haunts me now. There are some things that simply ought not to be done in politics, and that line was crossed by attacks on both Senator MCCAIN and Senator Cleland.

Last year, I watched the people around the President set their sights on Ambassador Joe Wilson when he stepped forward to tell the truth about the President's claims on Iraq, Niger, and uranium. The White House did not battle Ambassador Wilson on the facts. Instead, they put his wife's life in danger by disclosing publicly that she was a deep cover agent for the CIA. That was a grossly irresponsible act done for the worst of reasons—to avoid accountability and unwelcome political consequences. It ought never have happened. It was shameful, and it crossed a line that had never been crossed before.

Now when I watch what the people around the President are trying to do to Richard Clarke, I think it is past time to say enough is enough.

The President came to Washington 4 years ago promising to change the tone. The people around him have done that. They have changed it for the worse. They are doing things that should never be done and have never been done before. What they need to do, what we all need to do, is to put politics aside and put the American people and their security first.

I know how difficult that is in an election year, but we all, every one of us needs to do exactly that. Some things are more important than politics, and September 11 ought to be at the top of the list. We need the facts on September 11, not spin and not character assassination. We need this administration and everyone involved to follow Mr. Clarke's example and accept responsibility and accountability.

We need Condoleezza Rice, who seems to have time to appear on every television show, to make time to appear publicly before the 9/11 Commission. She is not constrained by precedent from doing that, as the White House has argued. As the Congressional Research Service documented, two of her predecessors have given testimony in open session on matters much less important than September 11.

I have reluctantly reached the conclusion that what really constrains Ms.

Rice's full cooperation is political consideration. The September 11 families deserve better than that and, just as importantly, our country deserves better.

There is only one person who can change what is going on at the White House, and that is the President. So I appeal to President Bush to change it. He deserves better than the tactics his staff are using and, as I have said, the September 11 families and our country deserve better, too.

I yield the floor.

Mr. REID. Would the Senator allow me to ask him a question through the Chair?

Mr. DASCHLE. Yes.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I have listened to the statement of the Democratic leader. I acknowledge what happened to Senator MCCAIN and the tragedy with Max Cleland, but one thing I did not hear the leader mention was what was done to Paul O'Neill when he published his book, "The Price of Loyalty," a man who is a certified, card-carrying conservative Republican, one of the great businessmen in the history of our country, who in effect was trashed for what he thought was good for the country.

I heard the Senator describe Joe Wilson and what was done to his wife and Richard Clarke, but the one thing the leader undersold—in keeping with the modesty of the minority leader and I want the record to reflect—is what has happened to the leader. By virtue of the fact that 48 other Democrats, in a period of over 10 years, have selected the Senator from South Dakota as our leader, as a result of that the Senator does things for the caucus. I am sure the caucus is not 100-percent headed in the right direction, but we do our best to try to, and when there is ever anything that is done that is not in keeping with what this White House wants, the leader is attacked, his family is attacked, his religion is attacked, his ethics are attacked. For those of us who serve with the Senator from South Dakota, we know what a wonderful family he has, what a loving family he has, what a moral person he is, and what a good leader he is.

I want the record to reflect that the Senator from South Dakota has tremendously undersold—all of these people we have mentioned who have been brutally assaulted, in my opinion, do not compare with what has happened to TOM DASCHLE himself.

I want the Senator to know that the entire caucus stands behind him for the great leader he has been, and we apologize for what has happened to him by virtue of the fact that he is our leader. If he were not our leader, someone else would be attacked; their religion would be attacked; their families would be attacked. Speaking for 48 other Democrats, we all admire and respect the work the Senator from South Dakota has done and are sorry that he has had to take the blows he has by being one

of the great leaders in the history of our country.

Mr. DASCHLE. I thank the Senator from Nevada for his very kind words, and I thank my colleagues for yielding the floor to accommodate my leader time this morning.

I yield the floor.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 10:30 a.m. The majority leader or his designee will control the first half of this time and the minority leader or his designee will control the remaining time.

Mr. REID. I suggest the absence of a quorum, and have the time run equally on both sides.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 4

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Democratic leader on Monday, March 29, the Senate proceed to consideration of H.R. 4, the welfare reauthorization bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WELFARE REFORM EXTENSION ACT OF 2004

Mr. MCCONNELL. I ask unanimous consent the Senate proceed to the immediate consideration of S. 2231, which was introduced earlier today by Senators GRASSLEY and BAUCUS.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2231) to reauthorize the Temporary Assistance for Needy Families block grant program through June 30th, 2004, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Mr. President, it is my understanding the majority leader has indicated there will be no votes on Monday. Is that true?

Mr. MCCONNELL. I say to my friend from Nevada, that is true.

Mr. REID. No objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the bill be read the third time and