

workers, but I am even more concerned about the workers that I represent. Many of the New York workers are in very similar plights as the workers in Missouri and Iowa who might be helped by the Bond-Harkin amendment.

I am encouraged that the amendment recognizes this fact, in that it includes a sense of the Senate declaring that all eligible employees deserve fair and equitable consideration under the act's special exposure cohort provisions.

Mr. SCHUMER. I agree, and hope that when the Bond-Harkin amendment is discussed in conference, the Senators from Virginia and Michigan will take into consideration the workers in New York and throughout the country who share a similar set of circumstances to those workers in Iowa and Missouri. In particular, I would ask that they look at how the special exposure cohort issue can be addressed in the most equitable way possible, and contemplate options that would provide for equitable access to the special exposure cohort for New York's workers.

Mrs. CLINTON. I echo the request of my colleague from New York. I would also ask whether the Senators from Virginia and Michigan share our understanding that the Bond-Harkin amendment to the National Defense Authorization Act of 2004 does not in any way reflect the view that New York's workers or those of any other State are less deserving of access to special cohorts than those named in the amendment.

Mr. WARNER. Mr. President, I thank my esteemed colleagues from New York for their dedication to this cause. We indeed recognize the sacrifice workers made throughout our country in the nuclear arms buildup of the cold war and will endeavor to take into account the similar situations that exist for nuclear workers throughout our great Nation. I agree with their assessments of the Bond-Harkin amendment and assure the Senators from New York that I will take their concerns into consideration when conferencing the House and Senate bills.

Mr. LEVIN. I join my friend from Virginia in recognizing the commitment of the Senators from New York to finding a solution to this critical problem. I share their understanding regarding the scope and intent of the Bond-Harkin amendment, and will do our best to address their concerns when conferencing the House and Senate bills.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3384, as further modified.

The amendment (No. 3384), as further modified, was agreed to.

Mr. LEVIN. 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. COCHRAN. Madam President, I ask unanimous consent that the calling of the quorum be rescinded.

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

UNANIMOUS CONSENT REQUEST—S. 2507

Mr. COCHRAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 580, S. 2507; that the Cochran amendment at the desk be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

Mr. REID. Madam President, reserving the right to object, I have spoken with the distinguished junior Senator from Michigan, Ms. STABENOW. She has some problems with the way this piece of legislation is written. She thinks there should be more attention focused on fruits and vegetables. She would like to have further discussion with the distinguished senior Senator from Mississippi.

As a result of that, I hope something can be worked out on this. I reluctantly note my objection on behalf of my friend from Michigan.

The PRESIDING OFFICER. The objection is heard.

Mr. COCHRAN. 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. Madam 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. Madam President, the managers of the bill, in consultation with the leadership, are making progress, I assure colleagues.

#### MORNING BUSINESS

Mr. WARNER. At this point in time, I ask unanimous consent that the Senate go into a period of morning business, with Senators allowed to speak for up to 8 minutes each, with the right to petition for other time if there is no objection by others waiting, and the Senate resume consideration of the authorization bill at the hour of 1:40.

Mr. ENSIGN. If we could modify the unanimous consent that I be recognized at 1:05 to speak for 8 minutes.

Mr. WARNER. I have no objection to that.

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

The PRESIDING OFFICER (Mr. HAGEL). The Senator from Nevada.

#### OIL-FOR-FOOD PROGRAM

Mr. ENSIGN. Mr. President, I rise to speak about the Oil-for-Food scandal. I do so because I have been told that high ranking officials at the State Department and Paul Volcker, who is heading up the U.N. investigation, believe Senators are not personally committed to gaining access to all relevant

documents, including U.N. audits. That is not true.

A bipartisan group of Senators, including ranking members from the Armed Services and Foreign Relations Committees, wrote to Mr. Bremer in Iraq asking him to secure the Oil-for-Food documents.

I ask unanimous consent that the letter be printed in the RECORD.

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

U.S. SENATE,

Washington, DC, June 9, 2004.

Hon. L. PAUL BREMER, III,  
Administrator, Coalition Provisional Authority,  
Baghdad, Iraq.

DEAR MR. BREMER: We are writing to inquire about the status of documents relating to the United Nations "Oil-for-Food" Program (OFF Program), and express our concerns about recent developments that could jeopardize American interests with respect to those documents.

The Section 2007 report submitted to Congress in April states that you have ordered "all relevant records in Iraqi ministries be inventoried and protected so that they can be made available" for certain investigations into the OFF Program. We also understand that the Coalition Provisional Authority (CPA) has recently entered into a Memorandum of Understanding with the Independent Inquiry Committee (IIC) regarding the sharing of documents and information relating to the OFF Program.

Our concern is that all documents related to the OFF Program be secured not only for the IIC and the Iraqi Board of Supreme Audit (BSA), but also for investigations conducted by Congressional committees. Accordingly, we request that the CPA work with the Inspector General's Office of the Department of Defense (DoD IG) to secure a copy of all documents that are being gathered for the BSA and the IIC investigations. Once such documents are secured, a complete set of documents relevant to the OFF Program should be delivered within sixty (60) days or no later than August 31, 2004, to the General Accounting Office for further delivery, upon request, to any Congressional committee of competent jurisdiction. Please identify by no later than June 11, 2004, a person at the CPA and at DoD IG responsible for securing the documents in response to this request.

We are sure you will agree that these documents should be secured for all investigations into the OFF Program, whether in Iraq or the United States. In light of the recent dissolution of the Iraqi Governing Council, the formation of a new Iraqi government ahead of schedule, and the rapidly-approaching June 30th turnover date, we are concerned that American access to such documents will be jeopardized. Accordingly, we believe that the documents should be secured, duplicated, and delivered to DoD IG prior to June 30, 2004.

Sincerely,

NORM COLEMAN,  
CARL LEVIN,  
SAXBY CHAMBLISS,  
JOSEPH R. BIDEN, Jr.,  
LINDSEY GRAHAM,  
JOHN ENSIGN.

Mr. ENSIGN. Congressional investigators have an interest in making sure those documents are available and accessible. A subpoena has been served on BNP by the Permanent Subcommittee on Investigations. Chairman COLEMAN and the ranking Democrat, Senator LEVIN, have also sent letters seeking Oil-for-Food documents to

the State Department and the General Accounting Office.

An amendment to the Defense bill, which would help Congress to conduct its own inquiries into the Oil-for-Food Program was passed unanimously. We want access to those documents. We wish the Volcker panel well; however, we are not going to abandon the duty of this Congress to conduct proper oversight or subcontract that role to an international body. The stakes are much too high.

We now believe that Saddam Hussein, corrupt U.N. officials, and corrupt well-connected countries were the real benefactors for the Oil-for-Food Program. They profited from illegal oil shipments, financial transactions, kickbacks, and surcharges, and allowed Saddam Hussein to build up his armed forces and live in the lap of luxury.

The evidence in this far-reaching scandal tells an unbelievable story. Our own U.S. General Accounting Office estimates that Saddam Hussein siphoned off \$4.4 billion through oil sale surcharges. Saddam Hussein also demanded kickbacks on the humanitarian relief side from suppliers which amounted to 10 to 20 percent on many contracts. Saddam used this revenue to rebuild Iraq's military capabilities, to maintain lavish palaces, buy loyalty, oppress his people, and perhaps financially support terrorism.

And as Claude Haknes-Drielsma, an IGC consultant investigating the scandal, testified, the secret payments . . . "provided Saddam Hussein and his corrupt regime with a convenient vehicle through which he bought support, internationally by bribing political parties, companies, and journalists . . . This secured the cooperation and support of countries that included members of the Security Council of the United Nations."

The United Nations should be embarrassed. What resulted from the goodwill gesture was international scandal, corruption at the highest levels, and suffering Iraqi citizens—not exactly a model U.N. program.

Tasked by the international community to deny Saddam Hussein the ability to rebuild his military apparatus while providing humanitarian needs, the United Nations allowed the corrupt to become richer and innocent Iraqis to be oppressed. Today we have a chance to rectify that injustice. We must demand that the United Nations cooperate completely with efforts to extrapolate the truth from this scandal and punish the guilty.

Unfortunately, that does not appear to be happening, as William Safire notes in a recent column entitled "Tear Down This UN Stonewall." He talks about how Paul Volcker's first choices for staffing the U.N.'s own Oil-for-Food—

. . . were turned off not just by the lack of subpoena or oath-requiring power . . . but by an inadequate budget to dig into the largest financial rip-off in history. As a result, after nearly three months, a foot-dragging bu-

reaucracy has successfully frustrated the independent committee dependent on it.

We know that officials acting on behalf of Benon Sevan, the executive director of the Oil-for-Food Program for the United Nations, who is personally implicated in the scandal, are asking contractors not to release documents relating to the program to congressional investigators without first getting U.N. authorization. We know the U.S. has asked for copies of the U.N. internal audit reports on this program, and the U.N. denied our request. I will include an exchange of letters to that effect in the RECORD.

It was reported recently that the head of the U.N.'s own inspector general's office himself is now being investigated by the United Nations. The U.N. should be more interested in bringing the truth to light than trying to protect its tattered reputation and its corrupt officials. I hope the Volcker panel gets the tools it needs from the U.N. to do a thorough investigation of the Oil-for-Food Program. The Volcker panel work does not obviate the need for the U.S. Congress to conduct its own investigation.

My amendment ensures that the Oil-for-Food documents in Iraq are secured before the June 30 handover and that copies are brought to the United States. Right now it is unclear what will happen to those documents following the June 30 handover. The amendment also requires U.S. agencies to provide relevant congressional committees access to Oil-for-Food documents. Additionally, it calls on the U.S. to use its voice and vote to get access to U.N. Oil-for-Food audits and core documents.

Lastly, it mandates a GAO review of the Oil-for-Food Program. Under the Helms-Biden U.N. reform legislation which was signed into law, as this amendment makes clear, we believe the GAO should have access to U.S. documents relating to the Oil-for-Food Program.

We in the Congress have a choice to make. We could do nothing and allow the word "humanitarianism" to be the new code word for corruption and scandal from here on out, or we can stand up and make the United Nations rightfully accountable for the corruption that has harmed innocent Iraqis.

The answer is clear: We must act.

The U.N. is broken. If the Security Council is to function, there cannot be questions as to whether members are more interested in lining their pockets than preserving security. We have to make sure Iraqi government officials get a clear message that the corruption and kickbacks of the Saddam Hussein regime—potentially aided and abetted by U.N. officials—will no longer be tolerated.

I thank my colleagues for helping to craft this amendment. LINDSAY GRAHAM took the lead in achieving this consensus. Senators CHAMBLISS, COLEMAN, LUGAR, KYL, ENZI, and the majority leader all made important con-

tributions, as did the minority, in finalizing the language. This was truly a collaborative process.

I ask unanimous consent that the letters I mentioned earlier be printed in the RECORD.

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

UNITED STATES REPRESENTATIVE  
FOR UNITED NATIONS MANAGEMENT AND REFORM,  
New York, NY, May 10, 2004.

Mr. DILEEP NAIR,  
Office for Internal Oversight Services, the  
United Nations, New York, NY.

DEAR MR. NAIR: The U.S. Mission requests the following documentation/information regarding the Oil-for-Food Programme:

—The 55 OIOS internal reviews, or audits, of aspects of the OFF program;

—All bank statements for the OFF escrow account at BNP-Paribas;

—All Oil Overseer reports previous to October 2001;

—Copies of all Customs Reports from the UN's Office of Iraq Programme (OIP) to the 661 Committee that contain pricing reviews with notes of concern about possible overpricing.

Please provide these documents by 14 May 2004. If this is not possible, please provide a written explanation, including when we might expect to receive such documentation. Thank you for your assistance.

Sincerely,

PATRICK KENNEDY.

UNITED NATIONS  
INTERNAL OVERSIGHT SERVICES,  
New York, NY, May 12, 2004.

Reference: OUSG-04-370

Ambassador PATRICK F. KENNEDY,  
Representative for United Nations Management,  
United States Mission to the United Nations,  
New York, NY.

DEAR AMBASSADOR KENNEDY: I refer to your letter to me of 10 May, as well as your previous letters of 20 April and 4 May, seeking documents relating to the Oil-for-Food Programme.

As you know, the Secretary-General has established an independent inquiry into allegations relating to the Programme, chaired by Mr. Paul Volcker. You would also be aware that Mr. Volcker has asked the Secretary-General to ensure that all relevant documents are secured solely for the Inquiry's use, and that, on 6 May, Mr. Volcker issued a statement saying that the Inquiry Committee believes non-public documents related to the Programme should not be released during the current preliminary stage of the Inquiry—though it will "consider appropriate disclosure" at a later stage, as the investigation proceeds.

As the internal reviews and audits of the Programme carried out by this Office, bank statements of the escrow account and letters sent to contractors, come in the category of "non-public" documents, these cannot be disclosed at the moment. On the other hand, the reports of the Oil Overseers and of the Customs Reports have already been provided to the United States government in its capacity as a member of the 661 Committee.

Yours sincerely,

DILEEP NAIR,  
Under-Secretary General.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I ask unanimous consent that I may proceed for no more than 3 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### 250TH ANNIVERSARY OF THE FRENCH AND INDIAN WAR

Mr. BYRD. Mr. President, our Nation launches a 6-year commemoration of the 250th anniversary of the French and Indian war. That commemoration is this year. As part of the celebration, Members of the Senate and their staffs are invited to a special viewing of a handwritten autobiographical manuscript of George Washington, which conveys unique insights of the war and young Washington's personal reflections on his experiences. Washington's "Remarks" will be on display in S-127 in the Capitol on Wednesday, today, from 12 noon until 3 p.m.

George Washington is most commonly remembered as our Nation's first President and a Revolutionary War commander. Americans are far less aware of his activities during the French and Indian war. Washington never wrote a memoir, but "Remarks" provides a firsthand account of his early life, including his experiences in the French and Indian war.

So I hope Senators will take the opportunity to view this important manuscript and learn more about George Washington through this story penned in his own hand.

Mr. President, in closing, I thank the honorable Ned Rose of Charleston, WV, for his thoughtfulness and his efforts in regard to having this displayed in S-127 of the Capitol today, from 12 noon until 3 o'clock.

#### WHY WE ARE IN IRAQ

Mr. HOLLINGS. Mr. President, I submitted a column on how we got into the mess in Iraq, which appeared this morning in The State newspaper in Columbia, SC. I ask unanimous consent it be printed in the RECORD.

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

Peoples the world around have a history of culture and religion. In the Mideast, the religion is predominantly Muslim and the culture tribal. The Muslim religion is strong, i.e., those that don't conform are considered infidels; those of a tribal culture look for tribal leadership, not democracy. We liberated Kuwait, but it immediately rejected democracy.

2. In 1996, a task force was formed in Jerusalem including Richard Perle, Douglas Feith and David Wurmser. They submitted a plan for Israel to incoming Prime Minister Benjamin Netanyahu called Clean Break. It proposed that negotiations with the Palestinians be cut off and, instead, the Mideast be made friendly to Israel by democratizing it. First Lebanon would be bombed, then Syria invaded on the pretext of weapons of mass destruction. Afterward, Saddam Hussein was to be removed in Iraq and replaced with a Hashemite ruler favorable to Israel.

The plan was rejected by Netanyahu, so Perle started working for a similar approach to the Mideast for the United States. Taking on the support of Dick Cheney, Paul Wolfowitz, Stephen Cambone, Scooter Libby,

Donald Rumsfeld, et al., he enlisted the support of the Project for the New American Century.

The plan hit paydirt with the election of George W. Bush. Perle took on the Defense Policy Board. Rumsfeld, Wolfowitz and Feith became one, two and three at the Defense Department, and Cheney as vice president took Scooter Libby and David Wurmser as his deputies. Clean Break was streamlined to go directly into Iraq.

Iraq, as a threat to the United States, was all contrived. Richard Clarke stated in his book, *Against All Enemies*, with John McLaughlin of the CIA confirming, that there was no evidence or intelligence of "Iraqi support for terrorism against the United States" from 1993 until 2003 when we invaded. The State Department on 9/11 had a list of 45 countries wherein al Qaeda was operating. While the United States was listed, it didn't list the country of Iraq.

President Bush must have known that there were no weapons of mass destruction in Iraq. We have no al Qaeda, no weapons of mass destruction and no terrorism from Iraq; we were intentionally misled by the Bush administration.

Which explains why President-elect Bush sought a briefing on Iraq from Defense Secretary William Cohen in January before taking the oath of office and why Iraq was the principal concern at his first National Security Council meeting—all before 9/11. When 9/11 occurred, we knew immediately that it was caused by Osama bin Laden in Afghanistan. Within days we were not only going into Afghanistan, but President Bush was asking for a plan to invade Iraq—even though Iraq had no involvement.

After 15 months, Iraq has yet to be secured. Its borders were left open after "mission accomplished," allowing terrorists throughout the Mideast to come join with the insurgents to reek havoc. As a result, our troops are hunkered down, going out to trouble spots and escorting convoys.

In the war against terrorism, we've given the terrorists a cause and created more terrorism. Even though Saddam is gone, the majority of the Iraqi people want us gone. We have proven ourselves "infidels." With more than 800 GIs killed, 5,000 maimed for life and a cost of \$200 billion, come now the generals in command, both Richard Myers and John Abizaid, saying we can't win. Back home the cover of The New Republic magazine asks, "Were We Wrong?"

Walking guard duty tonight in Baghdad, a G.I. wonders why he should lose his life when his commander says he can't win and the people back home can't make up their mind. Unfortunately, the peoples of the world haven't changed their minds. They are still against us. Heretofore, the world looked to the United States to do the right thing. No more. The United States has lost its moral authority.

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

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

#### UNANIMOUS CONSENT AGREE- MENT—EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent

that immediately following the next votes, the Senate proceed to executive session and votes on the following nominations on today's Executive Calendar: Calendar Nos. 592 and 609. I further ask consent that following the votes, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session, with no intervening action or debate.

Finally, I ask unanimous consent that there be 4 minutes of debate equally divided prior to each of the votes.

The PRESIDING OFFICER. Is there objection?

The Senator from Nevada.

Mr. REID. Could we have these votes, as are the votes preceding this, 10-minute votes?

Mr. FRIST. We have no objection on our side to 10-minute votes.

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

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005—Continued

The PRESIDING OFFICER. The Senate will continue the consideration of S. 2400.

#### AMENDMENT NO. 3303

There are now 2 minutes of debate equally divided related to the Corzine amendment.

The Senator from Nevada.

Mr. REID. We yield back our time.

Mr. FRIST. We yield back the remainder of our time.

The PRESIDING OFFICER. The question is now on agreeing to the motion to waive the Budget Act with respect to the Corzine amendment.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Kansas (Mr. BROWNBACK) is necessarily absent.

I further announce that if present and voting the Senator from Kansas (Mr. BROWNBACK) would vote "no."

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) is necessarily absent.

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

The yeas and nays resulted—yeas 49, nays 49, as follows:

[Rollcall Vote No. 136 Leg.]

#### YEAS—49

Akaka	Dayton	Kohl
Baucus	Dodd	Landrieu
Bayh	Dorgan	Lautenberg
Biden	Durbin	Leahy
Bingaman	Edwards	Levin
Boxer	Feingold	Lieberman
Breaux	Feinstein	Lincoln
Byrd	Graham (FL)	Mikulski
Cantwell	Harkin	Murray
Carper	Hollings	Nelson (FL)
Clinton	Inouye	Nelson (NE)
Collins	Jeffords	Pryor
Corzine	Johnson	Reed
Daschle	Kennedy	Reid