

There are other important parts of this legislation: For example, adding \$2.7 billion for items on the Army Chief of Staff's unfunded requirements list, including money for reactive armor and Stryker requirements; \$207 million for aviation survivability equipment; \$102 million for combat training centers, and funding for explosive ordnance equipment, night-vision devices, and the like.

There is also \$50 million in supplemental educational aid to local school districts affected by the assignment or location of military families, so-called impact aid, which affects my State. A lot of school districts depend on that money which is provided to local school districts because, of course, Federal property cannot be taxed for purposes of local education, and when you have a Federal military installation there with a lot of children going to those schools, the only way they can pay the bills is to get this impact aid.

I could go on and on. Unfortunately, because of what we have seen in this hyperpartisan atmosphere, those important provisions of the Defense authorization bill have not been passed, although I am glad that the Wounded Warrior legislation and the 3-percent pay raise did pass this morning by unanimous agreement.

Then, of course, we see another casualty of the hyperpartisan atmosphere where it took more than 100 days for the new majority to allow the passage of an emergency war funding bill for our troops in combat. This delay caused a lot of dislocation and hardship for our men and women in uniform and their families, the very people we ought to be trying to lighten the burden for rather than burden them further with the political theater and the political wars in the Senate.

Then there is the issue of judicial nominees. The last 2 years of President Clinton's term of office, with a Republican-controlled Congress, there were, if memory serves me correctly, 15 to 17 circuit court nominees confirmed. So far, we have only had a handful confirmed by this Congress, and we have judges stuck in this slow walk of a process—for example, judges such as Leslie Southwick, a nominee for the Fifth Circuit Court of Appeals.

Judge Southwick's qualifications and credentials are outstanding. The American Bar Association has given him its highest rating. He was approved unanimously by the Senate Judiciary Committee for a life-tenured position as a U.S. district judge during the 109th Congress. Although he is from Mississippi now and serves on the State courts in Mississippi, he graduated from the University of Texas in 1975. After completing law school, he clerked for the presiding judge of the Texas Court of Criminal Appeals and then for Judge Charles Clark on the Fifth Circuit Court of Appeals. After a few years in private practice, Judge Southwick reentered Government service in 1989 when he became a deputy as-

sistant attorney general for the U.S. Department of Justice. In 1994, Judge Southwick was elected 1 of the first 10 judges on the Mississippi Court of Appeals. He remained on the bench, except for a military leave of absence from 2004 until 2006. During that time, he served as a staff judge advocate for the 155th Brigade combat team in Iraq.

Despite his stellar qualifications and strong support from his two home State senators, so far it has been the demonstrated intent of our colleagues on the other side of the aisle to block his ability to get a vote in the Senate Judiciary Committee and to prevent him from getting an up-or-down vote on the floor of the Senate.

I should correct that. In fairness, the chairman of the Judiciary Committee has offered to give Judge Southwick a vote in the committee, but we know committee Democrats are poised not only to tarnish the good record of this judge but then to perhaps send him here with a negative vote in committee. I know there are talks that are ongoing.

Unfortunately, I think this is a demonstration again of the hyperpartisan atmosphere that unfortunately poisons relations, not only between colleagues in the Senate but turns off so many people across the country. It is regrettable.

My hope is, as we did last Thursday night, that we can walk away from this hyperpartisan atmosphere, seeing that basically no one wins when congressional approval hovers at 16 percent. It is hard to imagine that it could go much lower. Unless we turn away from the kinds of practices we have seen for the first 200 days under this new majority and unless we try harder to work together, have less team meetings and have more bipartisan meetings where we talk about what we can do to pass legislation for the benefit of the American people, I fear Congress will continue to be held in low esteem by the American people.

It is important that we wake to what should be a wake-up call that is provided by these low poll numbers and the recognition that this serves no one's best interests, certainly not the best interests of the American people.

My hope is that rather than just naming more post offices, rather than passing one or two bills, such as the minimum wage bill and now these bills by unanimous consent this morning, we will seize this opportunity to try to do what is in the best interest of the American people. That is why most of us came to the Senate. Unfortunately, we have been captivated by the partisanship that is insisted upon too often by narrow special interest groups that seem to spend a lot of time at the Capitol and have way too much influence, in my view.

Mr. President, I yield the floor. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

#### DIGNIFIED TREATMENT OF WOUNDED WARRIOR ACT

Mrs. MURRAY. Mr. President, earlier this morning, the majority leader, Senator REID, asked unanimous consent for the Senate to pass a significant piece of legislation, the Dignified Treatment of Wounded Warriors Act. That was agreed to, and the Senate has now accomplished a major step that I wish to take a few minutes to highlight this morning.

All of us were astounded earlier this year when the Washington Post ran a series of articles about the treatment of our soldiers, our men and women, at the Walter Reed facility. They outlined the horrific conditions that some of our soldiers were living in as they received treatment for their wounds from a war far away. After that, we talked to and heard about many soldiers who were in medical hold units not only at Walter Reed but across the country who were waiting not a few weeks, not a few months, but months on end—and even almost 2 years—to get their disability ratings so that they could be discharged from the military and continue on with their lives once they had been wounded.

I went up to Walter Reed with our majority leader and members of our leadership team to talk to some of the soldiers who were in medical hold at Walter Reed. They expressed complete frustration at what they found themselves in. It was not just the physical part of their living conditions, but it was the fact that they had other wounded soldiers who were their advocates trying to help them work through a disability system that made no sense to them, their advocate or to any of us who were listening.

They talked about their family members who were literally left on hold not knowing when they would be able to come home, get a job, go back to work, and resume being a part of their family again. They talked about long lines. They talked about paperwork that had gotten lost. They talked about not knowing they had traumatic brain injury even a year and a half after they had been wounded and came home.

No one had taken the time to ask them if they had been near an explosive device and perhaps they had some kind of brain injury. Yet they knew that they couldn't find their keys that they had set down, they couldn't remember the dates of their kids' birth, they couldn't remember what they had done a few years ago, much less today. They knew something was wrong, but no one had taken the time to ask them what they had seen on the ground in Iraq or what they had been involved with that might have caused a brain injury.

I went home to the State of Washington and talked to some of our soldiers who were in medical hold at one of our facilities in Washington State. I invited anyone who would like to come. I expected maybe a dozen, two dozen men and women to come over and talk to me. Over 200 showed up, expressing anger, frustration, and telling story after story after story of long delays in getting their disability ratings, in being unable to get their lives put back together, in not being diagnosed correctly.

Well, I am proud the Senate, in a few short months, has stood up and said: Not on our watch. Not anymore. This morning, in passing the Dignified Treatment of Wounded Warriors Act, we are moving forward in an aggressive way to make sure the men and women who have served our country so honorably are treated well when they come home. We are making sure those men and women who were asked to fight a war for this country, no matter how we felt about that war personally, those who went to the war and fought for our country don't have to come home and fight their own country to get the health care they so deserve and should get without having to fight someone for it.

This Senate acted in an aggressive way. Two of our committees, the Veterans' Affairs Committee, headed by Senator AKAKA, and the Armed Services Committee, headed by Senator LEVIN, in a bipartisan way, put together, for the first time, a historic joint committee to bring in experts to talk to us about what the needs were and what we needed to do. From those excellent recommendations from that joint hearing, we worked together in a bipartisan way to craft legislation that would require the Secretary of Defense and the Secretary of Veterans Affairs to develop a comprehensive policy by January 1 of next year on the care, management, and transition of our servicemembers from the military to the VA, or to civilian life, so our brave men and women don't fall into that transitional trap between the DOD and the VA anymore and feel like they have come home and been lost.

This is critically important. It is an aggressive action that, for the first time, will require the Department of the Defense and the Department of the VA to work together. Soldiers, men and women, too often feel like when they are in the service—in the Army, in the Navy, in the Armed Forces—there is a completely different system that doesn't even talk to our VA, which has a totally different disability system. Their paperwork doesn't go back and forth between each regarding how they are rated as disabled. The Army is completely different than how they are rated by the Veterans Affairs Department. That means their care is not adequate, it means they are frustrated, it means they are angry, and we say: No more. We are requiring now the Secretary of Defense and the Secretary

of Veterans Affairs to jointly come back to us with a policy that makes sense for this country's men and women who have fought for all of us.

In this legislation, we also dealt with enhanced health care for our men and women who have served us. Too often they find their health care cut off long before they are able to get back and get a job. We authorize disability ratings of 50 percent or higher to receive health care benefits for 3 years. For some of the family members of a spouse—husband or wife—who have been injured, they lose their own health care. So we make sure we aggressively move forward and not allow our families to be left without health care while their servicemember is being cared for at one of our medical facilities.

We also focus dramatically on TBI, traumatic brain injury, and post-traumatic stress syndrome, two significant wounds of this war. We establish new centers of excellence within the Department of Defense, one for TBI and one for post-traumatic stress syndrome. We require the Department of Defense to analyze soldiers so they do not go home and end up like the young man who told me he had been discharged from the Army and for 18 months was at home. No one asked him when he was discharged whether he had been around any kind of IED explosion in Iraq. No one asked him how he was doing. For 18 months, he sat at home in a rural community in my State and wondered why he could no longer talk to his friends; wondered why he couldn't remember what he learned in school a few years ago; wondered why, as a young man of 22, he felt his life had changed dramatically and he didn't know who he was anymore. Eventually, he tried to take his own life. That should not happen to a service man or woman who has served us honorably.

What happened to him has happened to many other soldiers who have served us in Iraq. He had been around not 1, not 5, not 20, but more than 100 explosions while he was on the ground in Iraq. As a result, he had severe traumatic brain injury that was not diagnosed when he left. No one asked him when he was discharged whether he was having any problems. No one followed up when he got home, to see if he was adjusting okay.

We say, no more. We say the Department of Defense looks at every soldier when they come in and when they leave, asks them what kind of action they have seen on the ground in Iraq, and follows up with them and gives them the care so they can perform and come back to normal life as quickly as possible. This is the least we can do.

It has taken the Senate just a few months to aggressively go after this, to pass a bill through committee, to bring it here to the floor of the Senate and, very importantly, the full Senate this morning supporting that legislation and passing it to the House, hopefully quickly to conference and to the desk

of the President of the United States. That is what our soldiers deserve. I am sorry it happened 4½ years after this war started. It should have happened before this war started with the preplanning that I will not go into this morning that obviously we did not have. But I will say as a Senator who did not vote to go to war in Iraq, I have said consistently—no matter how we felt about that war then or how we feel about it today—that we have an obligation, as leaders of this country, to make sure the men and women who fight for us get the care they deserve. The passage of this bill today is part of that commitment, and I am very proud of the Senate.

Later this morning, the commission the President has put in place, the Dole-Shalala commission, will also come forward with their recommendations. I look forward to seeing what they have to say, but this Senate is not going to sit around and wait for a report from anybody. We are moving, and moving aggressively. I hope whatever recommendations come out in the Dole-Shalala commission report that we see today do not end up on a dusty shelf in the White House, as the 9/11 Commission recommendations did or as the Iraq study commission recommendations did. I hope the White House works aggressively to make sure these recommendations—both from Congress and from their commission—are put into effect because whatever laws we pass will only be managed efficiently and effectively and work if the White House joins us in a partnership to make this happen.

I wanted all of our colleagues in the Senate to know, and for the country to know, we are moving aggressively forward to make sure the men and women who serve us are served as well by this country, and I am proud of the action of the Senate this morning.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak for 10 minutes as in morning business.

The PRESIDING OFFICER. The Senator has that right.

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#### HOMELAND SECURITY APPROPRIATIONS

Mr. MENENDEZ. Mr. President, I am pleased to rise today to talk about a bill that I am proud of, and of which all Americans should be proud.

I first want to commend the esteemed chairman of the Appropriations Committee, Senator BYRD for his commitment to drafting a bill that is in our Nation's best interest. I also would like to convey my respect for Senator BYRD and the ranking member, Senator COCHRAN, for the exemplary bipartisan they have shown in negotiating this bill and bringing it to the floor.

The Homeland Security Appropriations bill that will be before us later