

weekend because the markets now expect us to do something. And I want to say to the assistant leader, to our minority leader, and to others who have been on the floor that I certainly stand ready and available to work with others, to work with people on both sides of the aisle and in both bodies to make sure we solve this problem, we solve it prudently, and we do so in a timeframe that allows our financial markets to get back to somewhat normal operations as soon as possible.

I yield the floor.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### TRIBUTE TO RETIRING SENATORS

Mr. SALAZAR. Mr. President, I wish to make a few comments about some of our departing colleagues who will not be joining us for the next session of Congress. They are great colleagues, people whom I have enjoyed working with in my 3½ years here in the Senate. They include Senator ALLARD from Colorado, Senator PETE DOMENICI from New Mexico, Senator JOHN WARNER from Virginia, Senator CHUCK HAGEL from Nebraska, and Senator LARRY CRAIG from Idaho.

A quick word first about my colleague and the senior Senator from Colorado, Mr. WAYNE ALLARD. He has served the State of Colorado with distinction. In the days before he came to the Senate, now almost 12 years ago, he also served the people of the State of Colorado in the general assembly. I had the opportunity then to watch him work on matters ranging from education to protecting-the-water issues in the State of Colorado. I know well that he has been a strong voice for the State of Colorado and know that his services here, including the services of his acting as a veterinarian for colleagues like Senator KENNEDY and his dogs, are something that will be missed. I have enjoyed very much the time I have spent working with him on matters of mutual and common interest to the State of Colorado. I wish him well.

PETE DOMENICI from New Mexico, the senior Senator from New Mexico, is one of the Senators here who comes from the same place my family came from many generations ago.

His constant reminding me of the beauty of the Land of Enchantment and his work on behalf of securing an energy future for America is second to none. We will be missing him also in terms of his major contributions to the Energy Committee. He also has done a lot with respect to a whole host of other issues, too many to mention, but

in particular I want to mention his work on the mental health parity initiative which would not have happened without his leadership. We were successful in getting mental health parity in legislation we passed in the Senate yesterday, and it was in large part because of his passion and willingness to work hard on a bipartisan basis to bring people together to help create that achievement.

I want to say a word about my very good friend, Senator JOHN WARNER of Virginia. I often call him Moses because, as we have debated on the floor of the Senate over the last several years on one of the major issues of our time, the issue of war and peace and how we create a framework for a more peaceful world for our generation and those to come, it has often been Senator WARNER we have gone to to get direction and counsel on how we might move forward. I had the opportunity of traveling with him to Iraq and Afghanistan and other places along with his very good friend, CARL LEVIN, chairman of the Armed Services Committee. The friendship between the two of them, between Senator LEVIN and Senator WARNER, is one that exemplifies the types of relationships that are important for this Chamber and for the good of America. I will miss my good friend, Senator JOHN WARNER, the man I call Moses, because of his willingness to try to bring people together to try to resolve major and difficult issues that face us in America.

Senator CHUCK HAGEL from Nebraska has likewise been one of those voices of independence, putting public purpose above partisanship and being a great example for all of us in doing so. He has some deep connections in Colorado, including his sister Claire who lives in Colorado, and his family whom I have met over time. Even though he teases me occasionally on the battleground between Nebraska and Colorado with respect to the Nebraska Cornhuskers and the University of Colorado Buffaloes, he has done a remarkable service in the Senate as a great Senator and someone whom I will sorely miss.

Finally, Senator LARRY CRAIG from Idaho has been a champion for agriculture and rural issues and for western values. When, yesterday, we were able to pass the payment in lieu of taxes, secure rural schools act, on which Senator WYDEN and others had worked so hard, it was Senator CRAIG who helped make sure at the beginning that payment in lieu of taxes, which is so important to the Presiding Officer's State and my State of Colorado, were, in fact, on the radar screen of Washington, DC. Sometimes those issues that are unique to the western part of the United States are not heard in the Halls in this Capitol. Senator CRAIG was an unrelenting advocate for making sure those western issues were, in fact, not forgotten by those of us who are here who have an ability to cast a vote.

I will miss my five colleagues. All of them are Republicans who are depart-

ing. Many of them brought a true spirit of bipartisanship and working together, which is worthy of the emulation of many Members of the Senate who will serve in this Chamber in the next Congress and in many Congresses to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

#### UNANIMOUS-CONSENT REQUEST— S. 1315

Mr. AKAKA. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House on S. 1315, the Veterans Benefits Enhancement Act; that the Senate disagree with the House amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. BURR. Reserving the right to object, I ask my distinguished friend, the chairman, a question. It is my understanding that included in the fiscal year 2009 VA appropriations conference agreement is language denying the use of appropriated dollars putting into effect a repeal of the *Hartness v. Nicholson* decision. That is an agreement that has already been made.

As the chairman knows, this is the offset that is used in S. 1315 in order to fund all the entitlement spending in the bill for Filipino veterans. My question to him is, what is the point in us going to conference on a bill if the only available offsets have been pulled off the table from the standpoint of us using them in S. 1315?

Mr. AKAKA. As my friend and colleague knows, the appropriations measure is not yet law. And even if it were, there are various options available to the Veterans' Affairs Committee. So I urge my colleague to join me in seeking a conference on S. 1315. Together we can decide how our committee and the authorizing committee in the House can deal with the concern about the *Hartness* case.

Mr. BURR. Continuing my reservation of objection, it seems to me that any conference wouldn't move because it would not meet pay-go. The pay-go compliance doesn't exist. It doesn't make sense to proceed to a conference. The chairman and I had a lengthy debate as it related to this benefit. It disturbs me that we are on the floor of the Senate once again talking about the benefit at a time when we are talking about a financial crisis. It is also my understanding that the House continuing resolution will have \$200 million that goes to the benefits of Filipino veterans with money that has been pulled from somewhere yet unknown.

So with all the respect that I have for the chairman, I object at this time

to moving to conference for the simple reason that this issue will be resolved a different way, but, more importantly, pertinent to S. 1315 the mechanism is already in place that takes away the funds that are used to fund this expansion in S. 1315.

The PRESIDING OFFICER. Objection is heard.

The Senator from Hawaii.

Mr. AKAKA. Mr. President, I am disappointed and somewhat surprised that objection has been made on this motion. I must tell my colleagues that I have deep respect for my friend and colleague and my ranking member. I respectfully say that this objection is one that disappoints me, but it has been made to this motion. The intent of the motion is to create a mechanism by which there might be further action on this very important veterans legislation before the Congress goes into recess.

Last week, when I sought a UC with reference to this legislation, I did so by seeking to utilize an unrelated House bill as a vehicle to create a conference. In objecting to that approach, the Senator from Idaho said my approach was a tactic he hoped we would not use to address this important issue. He objected. While I did not agree that this tactic was inappropriate, given the lack of action in the House on S. 1315 at the time, I recognized the merits of the Senator's position.

Now, however, the motion is to use the same bill, S. 1315, as passed by both Houses. That is, in fact, the normal process, the regular order for resolving differences between the Houses. I addressed the Senator's concerns and am disappointed to see his Republican colleague objecting. I wish to remind my colleagues this bill passed the Senate by a vote of 96 to 1. Surely there must be some willingness to stand by the Senate position, to validate the Senate's action.

As I noted last week, this bill would improve benefits and services for veterans, both young and old. There are many provisions that address a broad range of veterans benefits. This bill deserves to be resolved and brought to a final vote. I realize there is some opposition to the provision which allows this legislation to meet pay-go requirements through the legislative reversal of a case known as Hartness.

According to the one veterans organization that has expressed its opposition, the concern is not over the merits of the court decision. They simply oppose this effort to correct a mistake. The court's decision resulted in veterans receiving an extra pension benefit based solely on their age. This is not what Congress intended. I have not seen any analysis of the legislative history that supports that result.

The purpose of the provision in S. 1315 is simply to restore the law to what it was supposed to be. Those who have characterized it as an attempt to withdraw benefits from deserving veterans and grant them to undeserving

veterans are simply not fairly describing the legislation. The Hartness decision is wrong and should be overturned. How the savings of that action are treated is a fair subject for debate, and I believe we should have that discussion in the context of a conference between the two Veterans' Affairs Committees. I again ask, as I did last week, that the Senator, or Senators, who object to this request to set up a conference with the House advise me of the concerns and see if it might be possible to find a way forward. I am very committed to this legislation and would like to see if we can reach final action before we recess. If we are not able to do so, I intend to renew my efforts in the next Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank my friend, the chairman of the Veterans' Affairs Committee. Let me add for purposes of my colleagues that all the benefits incorporated in S. 1315 that do not have mandatory spending implications have been negotiated between the House and the Senate and are part of another benefits package that I hope will move through the Congress. If there were a conference on S. 1315, the conference would be about only mandatory spending provisions, including mandatory spending for Filipino veterans. The chairman and I have debated this in public, and we are on two different ends. We have done that with civility and I have tried to do it and he has tried to do it with passion and with facts.

At the end of the day, I will lose. There will be a special pension that is created out of the continuing resolution. It will be funded with money that is pulled out of the sky, which we do regularly in Washington.

The House has spoken about the Hartness decision and the fact that they did not want to use that money. I think my chairman will get the benefit he is looking for in the continuing resolution. But for the purposes of those things that affect our veterans that do not require an offset, we did not wait to see the outcome of this bill. We have sat down and negotiated with the House Veterans' Affairs Committee, Republican and Democrat. We have put those additional benefits for our veterans into a benefits package that I feel certain will pass by unanimous consent.

So there is still a disagreement the chairman and I have relative to this new special pension. But at the end of the day, there will be one, assuming there is a continuing resolution, that is passed. It will not be funded out of the Hartness, which is the preference of the House. As a matter of fact, it will not be funded at all. We will pull it out of where we typically pull money, and that is the pockets of future generations of American people.

I thank the Presiding Officer and yield the floor.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the call of the Chair.

Thereupon, the Senate, at 4:45 p.m., recessed subject to the call of the Chair and reassembled at 8:48 p.m. when called to order by the Presiding Officer (Ms. CANTWELL).

#### HONORING RALPH ROSE

Mr. McCONNELL. Madam President, I would like to take a moment to recognize one of our Nation's heroes from World War II. I am proud to say that he is a resident of my home State of Kentucky. His name is Ralph Rose. Mr. Rose is being honored in a Veterans Day ceremony in Hardinsburg, KY, this November for his heroic action in defense of our Nation and for his continued service to veterans in the local community.

Mr. Rose was born in Mystic, KY, in 1922. He entered the U.S. military at age 20. During his time in the Armed Forces, Mr. Rose served in General Patton's Army and fought the Germans in France. But on a fateful night, Mr. Rose and several of his fellow soldiers were captured by Axis forces. He was held as a prisoner of war for more than 8 months until the Allies occupied Munich.

Mr. Rose suffered unimaginable hardships at the hands of the enemy, but by all accounts, he does not dwell on them. In fact, he has said that if given the choice to serve in the Army again—even knowing what he would have to endure as a prisoner of war—he would have done the same thing.

As a true testament to his dedication to the Armed Forces, Mr. Rose continues to serve his country by helping and inspiring other veterans in the Commonwealth.

There is a special flag that honors our American heroes like Mr. Rose. It is called the Prisoner of War/Missing in Action flag, and it has a simple statement at the bottom: "You are not forgotten." Just as surely as that flag sits outside my office each day, I can guarantee you that those whose lives have been touched by Mr. Rose will never forget the sacrifices he made to keep our Nation free and prosperous.

#### HONORING THE 3RD BATTALION, 320TH FIELD ARTILLERY REGIMENT

Mr. McCONNELL. Madam President, I would like to take a brief moment to recognize the men and women of the 3rd Battalion, 320th Field Artillery Regiment and its subordinate units. The battalion has been assigned to Fort Campbell since 1986. Since then, it has been deployed in support of various military operations around the world—including its current mission in support of the global war on terror.

In November, the members of the 3rd Battalion, 320th Field Artillery will return home to Fort Campbell, to their