

and how we will spend it efficiently and do what is right for the communities we represent.

I appreciate the moment to talk on this issue. It is frustrating to see these letters. The Presiding Officer is from an energy State and knows what it is like when people propose their ideas for their States—and never talk to us about it—or propose what we should be working on. We should have communication.

It is frustrating to have people from my own side of the aisle say we are not sharing our resources with the rest of the country when we do share. It is also frustrating that some of those on my side of the aisle oppose something which makes so much sense. We need to give more control to the local people who are extracting resources from the coastline.

I thank the Presiding Officer for allowing me to speak.

At this time I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CONTINUING APPROPRIATIONS

Ms. MIKULSKI. Madam President, shortly we will go to our respective party caucuses. I understand that we are going to be joined by the President of the United States so he may share with us his insights and recommendations to deal with our economy so we can get it going.

I know one of the issues that often comes up is the so-called entitlement reform. This is not the subject we are dealing with on the Appropriations Committee, but I would like to talk briefly about how we do impact the funding of Social Security, Medicare, and Medicaid.

I would like to take a minute to talk about Medicaid. I want to talk about what Medicaid funds. Remember, Medicaid, by and large, is not in our Appropriations Committee. Medicaid is not in our Appropriations Committee, but the people who work for Medicaid are. And that is a different topic.

I want everybody to understand Medicaid because it is a subject of great debate—and often a prickly debate. Eighty percent of the beneficiaries on Medicaid are children. Usually they are children of the working poor. It helps them to get the health care they need for the early detection of hearing problems. It may also be for a child with diabetes the family is concerned about.

Although 80 percent of the beneficiaries are children, 80 percent of the money goes to seniors or people in nursing homes or assisted-living homes

due to some form of neurological or cognitive impediment.

Now, I don't want to sound like an MD, I don't even have a Ph.D, but from talking to my constituents, I do know 80 percent of those in long-term care facilities are often there due to something related to dementia, such as Alzheimer's or a neurological impediment such as Parkinson's.

Let's talk about NIH—and, remember, NIH does funding at the Bethesda campus in Maryland, and it also gives grants to brilliant researchers who are usually working in academic centers of excellence. Those centers could be Johns Hopkins or the University of Maryland or the University of Alabama or Kentucky. Those grants are competitive and peer-reviewed.

Let me get to the point I am trying to make. By funding NIH and the National Institutes of Aging, we are on a breakthrough trajectory for finding the cognitive stretch-out for Alzheimer's.

I have been on this for more than 20 years because my dear father, who ensured my education and looked out for me all the way through raising me as a young lady, died of the consequences of Alzheimer's. Alzheimer's is an equal opportunity catastrophe for the high and mighty and for the ordinary. Our own endearing President Ronald Reagan died of the consequences of Alzheimer's, as did my father, ordinary people, men and women who helped build America.

So we need to make public investments in research to find the cure for Alzheimer's and, if not a cure, cognitive stretchout. What do I mean by cognitive stretchout? It means if we have early detection, new tools, new MRI technology, new ways of identifying it early on, what could we do to prevent memory loss? If we could do it in 3 to 5 years, we would reduce the cost of Medicaid spending. If we find a cure for Alzheimer's alone—and I am not even talking about Lou Gehrig's disease or Parkinson's—we could reduce the Medicaid budget by 50 percent—5-0.

Nancy Reagan has spoken about it. Sandra Day O'Connor has spoken about it. BARB MIKULSKI is speaking about it. Most of all, America speaks, through the Alzheimer's Association and other groups. They march for the cure. They march for the stretchout. In that one area alone, we could have a dramatic impact on the lives of American families and on the future of Federal spending in Medicaid. It would meet a compelling human need. When a person has Alzheimer's, the whole family has Alzheimer's. I remember my dear mother, as my father became more and more lost in his memory, had to work a 36-hour day, as the family did as well, looking out for him. We were more than willing to do it.

I was born in the 1930s. I was a school girl in the 1940s and 1950s. There wasn't much talk about educating girls. But not from my father. I have two wonderful sisters. My father wanted his girls

to have an education. He felt that by giving us an education, he could give us something nobody would ever take away from us so we would be ready for whatever life sent us.

The PRESIDING OFFICER. The majority time has expired.

Ms. MIKULSKI. I ask unanimous consent for 3 additional minutes.

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

Mr. GRAHAM. I have no objection but—

Ms. MIKULSKI. Oh, I am sorry. I didn't realize—

Mr. GRAHAM. No objection, I just need about 7 or 8 minutes.

Ms. MIKULSKI. Let me just finish this, if I might. I need just 2 minutes. I didn't realize the Senator from South Carolina was on the floor.

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

Ms. MIKULSKI. I just want to make this point. My mother and father saw to my education. My father's business burned down when I was a senior in high school. My mother moved Heaven and Earth for me to go to college. When my father was stricken with the consequences of Alzheimer's, I was determined to move Heaven and Earth to help him. There was little help available.

It is not just about my father. It is about mothers and fathers everywhere. Let's spend the money where the people want us to spend it. Let's meet a compelling human need now and do the research we need to do to help those families and help the Federal budget in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

#### ENEMY COMBATANTS

Mr. GRAHAM. Madam President, I wish to bring the body's attention to a recent decision by the Obama administration to place the son-in-law of Osama bin Laden, Mr. Abu Ghaith—I think I am pronouncing the name correctly—into Federal district court in New York charged with conspiracy to kill American citizens. He has been presented to our criminal justice system. He is, in my view, the classic example of an enemy combatant.

I will be, along with Senator AYOTTE, writing the Attorney General asking for a rundown of how long he was interrogated before he was read his Miranda rights. I believe this is a classic example of a person of great intelligence value who should have been held as an enemy combatant at Guantanamo Bay for intelligence-gathering purposes as long as it took to get good intelligence. He, in my view, is a treasure trove of information about not only al-Qaida but maybe things going on in Iran. There is an allegation of his being held in Iran for a very long time as their houseguest, for lack of a better word.

I fear greatly we are beginning to go back to the criminal justice model that

preceded 9/11. The first time the World Trade Center was attacked, we had the Blind Sheik case and the prosecutors did a wonderful job of prosecuting the Blind Sheik and his conspirators in Federal court. But everybody at that time treated al-Qaida and terrorism as a criminal threat.

After 9/11, we changed our model. The attacks of 9/11 were viewed as an act of war and we authorized military force to go after al-Qaida and affiliates by allowing us to use the law of war model regarding al-Qaida operatives. From 9/11 forward, we can now hold them as enemy combatants.

Under the law of war—I have been a military lawyer for 30 years—there is no Miranda right component. If a person is captured as an enemy prisoner, he or she is not read their rights or provided a lawyer. When a commander hears we have a highly valued member of the enemy in our custody, the first thing the commander wants to know is what intelligence have we gathered. The last thing on the commander's mind is where we are going to prosecute them.

So when we are fighting a war, the purpose of interrogating an enemy prisoner is to find out information about enemy activity so we can win the war and protect our troops. In criminal law, the purpose is to convict somebody for a crime. Under criminal law—domestic criminal law—we cannot hold someone for interrogation purposes. We can't ask them about what they have been up to, what they know, and I don't suggest we should. They are entitled to a lawyer and Miranda rights and that is the way it should be.

But we are fighting a war, at least in my view we are fighting a war. I wish to remind the Nation—I doubt if we need a whole lot of reminding but every now and then apparently we do—this is the Twin Towers on fire, beginning to crumble from an attack on 9/11. This is the Pentagon, the damage done to the Pentagon, and 300 people lost their lives there, and this is the Shanksville, PA, site of Flight 93.

To those who suggest we are not in a war, I could not disagree more. I would say the single biggest loss of life in the war on terror was the first day; the very first day the war began, September 11, 2001. Do my colleagues remember where they were? Do they remember their reaction? The first three battles in this war cost us the most lives of any day in the war. We have lost a lot of soldiers, and our hearts go out to them, but there has never been a day when Americans bled more than 9/11 itself.

There are three battlefields in this war: New York, over 2,000 people killed; the Pentagon, around 300 killed; Shanksville, PA, the entire membership of that airplane was killed. To the people of flight 93: You fought back. You weren't fighting against a bunch of criminals. You fought back against a bunch of terrorists who were trying to take the last airplane and crash it into

this building or some other building in Washington. To those who died on that flight, you are the first line of defense. You, above all others, were the first ones to fight back. I will not let your fight go unnoticed. You were not fighting a bunch of criminals. You were fighting people who are at war with us.

I wish we had understood in 1998 we were at war and not used a criminal model. If we had kept the Blind Sheik in military custody, interrogated him for a very long time, lawfully and humanely—because I believe that as a military lawyer—maybe we could have gotten information that would have prevented 9/11.

Here is why I am so upset. The person in custody in New York is the son-in-law of Osama bin Laden. Again, I remind my colleagues, this is the bloodiest day in the war on terror. These are three battlefields that cost us 2,900 lives. Over 2,900 American citizens died on the first day of the war.

Now, years later, we are still capturing people. The person we captured—and I congratulate all those who were involved in bringing this man into our custody. This person over here to the left sitting by Osama bin Laden is his son-in-law. He left Kuwait in 2000 and went to Afghanistan. He pledged allegiance to bin Laden. He was the spokesperson for al-Qaida. He was one of the key guys trying to get other people to pledge allegiance to al-Qaida and bin Laden.

So in 2000 he went to Afghanistan and he joined with bin Laden and became his son-in-law. He founded a charity that was used to support terrorist organizations.

On 9/11, after the attacks, he was one of the first people to speak and to glorify the attacks about how they attacked our homeland. I will get that quote later; I don't have it with me. He said: My brothers, we finally hit the homeland. We finally hit them in the heart of where they live.

On October 10 in a video he said: Americans should know the storm of planes will not stop. There are thousands of the Islamic nation's youth who are eager to die, just as the Americans are eager to live.

All I can say is if this man was interrogated by our intelligence officials and the FBI for hours, not days, before he was read his Miranda rights—under the law of war, we have the opportunity available to us to hold them indefinitely as a prisoner, an enemy combatant, a member of the enemy force, and to lawfully interrogate him without a lawyer, without reading him his Miranda rights because we are trying to gather intelligence and make sure we can prevent future attacks and to find out what this vicious enemy is up to. We did not take that opportunity.

This administration is refusing to use Guantanamo Bay, one of the best military jails in the history of the world—very transparent, well run, and it is the place he should be today, not in New York City awaiting trial in Federal court.

It is not about Federal court not being available in the war on terror. Article III courts have done a good job in many cases of prosecuting terrorists but so have military commission tribunals at Guantanamo Bay, where KSM, the architect of 9/11, is being prosecuted under the Military Commissions Act.

My complaint is that this man was, within hours, read his Miranda rights and given a lawyer and cut off the ability of our government to find out what he knew about the war on terror, current operations, and future operations. He should have been at Guantanamo Bay, interrogated by our military for as long as it took to find out what he knew. If the administration is telling me we got all we needed from this man in 1 day, they are offending my intelligence. I have been a military lawyer for 30 years. I understand what is going on at Guantanamo Bay, the information we have received over years. In some cases, it took months, if not years, to get the total picture of what a detainee knew. So if the administration is telling me and the American public the time they had with this man before they read him his Miranda rights was enough, then they are offending my intelligence.

They are making a huge mistake. The decision not to treat him as an enemy combatant and putting him at Guantanamo Bay for interrogation purposes under the law of the war is one of the most serious mistakes we have made since 9/11. We are beginning to criminalize the war.

This was not an intelligence decision or a military decision; it was a political decision, because they will never convince me or almost anybody else in America that interrogating him for hours was enough. The reason he was interrogated for hours and not days is that they did not want to take him to Guantanamo Bay. The reason he was read his Miranda rights is they are pushing everybody back into the criminal justice system.

All I can say is that Guantanamo Bay has been reformed. It should be the place we take people such as he, as an enemy combatant, to be interrogated under the law of war, and we are using the criminal justice model in a way that will come back to haunt our Nation. We are beginning to criminalize the war. I want my colleagues to know we are going down a very dangerous path, and I will do everything in my power to get this administration and future administrations back in the game when it comes to fighting a war because I believe very much, I say to my colleagues, that we are in a state of war with an enemy who does not wear a uniform, who has no capital to conquer, no Air Force to shoot down, and no Navy to sink. The only thing between them and us is our brave men and women in the military and good information. This man was interrogated for hours when he should have been interrogated for months.

We are beginning to do what got us into this mess to begin with, looking at al-Qaida as a group of common criminal thugs rather than the warriors they are. These people right here mean to kill us all. They are at war with us. I intend to be at war with them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

#### POULTRY INDUSTRY

Mr. COONS. Madam President, seeing the press of business here, I will be brief. I wanted to take the opportunity to rise and simply speak to the importance of the poultry industry, something that spreads across the Delmarva Peninsula and is central to the State of Maryland, State of Delaware, and many other States in our country.

With the sequester having kicked in, many of us who are from States that have livestock or poultry processing are aware of the impending and significant negative impact on our home States and our economies, on people's employment, and on their opportunity to continue to support their families. So I wanted to briefly speak in support of what I know are Senator MIKULSKI's tireless efforts to ensure that the 6,200 meat and poultry processing plants in this country do not get needlessly shut down.

In the last quarter of the last calendar year alone, 2.2 billion chickens and turkeys were inspected by the meat inspectors of the Food Safety and Inspection Service. This poultry industry, which is nationwide, provides vital employment to the people of Delaware, Maryland, and many other States.

Secretary Vilsack of the U.S. Department of Agriculture estimates that furloughs, if implemented, of these safety inspectors could cost \$10 billion a year in losses and \$400 million a year in lost wages just for those directly employed.

The private sector grows and the private sector has opportunity when Federal inspectors are a part of the total ecosystem of poultry in this country. We raise great turkeys, we raise great chickens in this country. We have the world's leading poultry industry, but the Food Safety and Inspection Service is a vital part of it.

I commend Senator MIKULSKI for her tireless effort to make sure we find some responsible way through the sequester to ensure it does not needlessly harm and put out of work the tens of thousands of Delawareans and Marylanders who rely on this vital industry for their opportunities going forward.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013—MOTION TO PROCEED

Mr. REID. Madam President, I now move to proceed to Calendar No. 21, H.R. 933.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 21, H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Mr. REID. Madam President, we expect to adopt the motion to proceed to this bill this afternoon and start on the amendment process. I have spoken to the Chair and the ranking member of this committee, and we are anxious to move forward and start doing some legislating.

As I said this morning when I opened the Senate, this is exemplary, the work done with the two managers of this bill, and we need to make sure we move forward on it. It would be good if we would have amendments that would be in some way germane and relevant to what we are doing, but we are going to take all amendments and try to work through them as quickly as we can. I hope people would agree to very short time agreements. I would hope we do not need to table the amendments. I hope we can move forward and set up votes on every one of them.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate shall stand in recess until 2:30 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:30 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

#### DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, as we begin our work this afternoon, I wished to come to the floor to make a few comments about the Homeland Security appropriations bill which is now going to be included in the amendment offered by Senator MIKULSKI and Senator SHELBY as part of an appropriations bill coming over from the House. This is such an important step forward, not just for the government but for the private sector jobs which depend on reliable, transparent, and appropriate government spending, for the whole country. We have been in gridlock and stopped on our funding bills for months

now. We have not been talking about what makes Americans happy and prosperous—smart investments in their future and their interests.

We have been fighting about appropriations bills. That fight, hopefully, is coming to an end because of the extraordinary leadership of the Senator from Maryland, Senator MIKULSKI, the senior Senator from Maryland, and the newly minted—not new to the committee, a true veteran of the Appropriations Committee—chairwoman of our committee. She is in an able partnership with Senator SHELBY of Alabama, a longstanding appropriator who understands practical politics and compromise is necessary to move anything of importance through this body. I can't thank them and their staffs enough for salvaging several of these important bills.

They weren't able to come to an agreement on everything. I and others are still troubled we will not see much progress in the areas of education and health, as much as we would like, but that is for another day. We are going to move forward on the sections we may move forward together. One of those areas is funding for homeland security, which is a pretty big bill by Federal Government standards. It is not the largest, it is not the smallest, it is \$42 billion. That is not chump change. It is a significant amount of money the taxpayers provide to us to make decisions about their security. It funds everything from Border Patrol and protection to Customs and Immigration.

It funds the Coast Guard, which is a very important part of our operations. We feel that directly as a coastal State in Louisiana and are very familiar with the needs of coastal communities. The Coast Guard is always there.

It funds a number of other entities. I do not want to fail to mention cyber security, which is one of the newest, most frightening threats to our country. This threat didn't even exist 20 years ago. You may see the ever-evolving capacity of people who would do us harm: not just governments that don't like the United States, not just groups that don't like the United States, but individuals who have some bone, some beef, some anger, and may actually act out in unbelievable ways through the Internet by attacking sensitive material and data.

This is not just an attack to the government functions of our country, but we have seen any number of attacks on our private infrastructure. This is so critical to our existence, whether it is our water systems, our financial systems, our utility systems, our electricity systems. I could go on and on.

This is a very important responsibility for the Federal Government to step up and figure out, working with the Department of Defense, Department of Commerce, and the Department of Homeland Security, which I chair. This is no insignificant matter.

On the contrary, it is not only important for us to have the right money but