We really should scrap the current stealth pay raise system, and I have introduced legislation to stop this practice. But the amendment I offer today does not go that far. All it does is to stop the pay raise that is scheduled to go into effect in January—the fourth pay raise in four years.

Let's stop this backdoor pay raise, and then let's enact legislation to end this practice once and for all.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I move to table the Feingold amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Missouri (Mrs. CARNAHAN), the Senator from Iowa (Mr. HARKIN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) and the Senator from Idaho (Mr. CRAIG) are necessarily absent.

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

The result was announced—yeas 58, nays 36, as follows:

[Rollcall Vote No. 242 Leg.]

YEAS—58

Akaka	Dodd	Lugar
Allen	Domenici	McConnell
Barkley	Durbin	Mikulski
Bennett	Enzi	Murkowski
Biden	Feinstein	Nelson (NE)
Bingaman	Frist	Nickles
Bond	Graham	Reed
Boxer	Gramm	Reid
Breaux	Gregg	Rockefeller
Burns	Hagel	Santorum
Byrd	Hatch	Sarbanes
Campbell	Hollings	Shelby
Cantwell	Inhofe	Stevens
Carper	Inouye	Thomas
Chafee	Jeffords	Thompson
Cochran	Kohl	Thurmond
Conrad	Kyl	Voinovich
Crapo	Levin	Warner
Daschle	Lieberman	
Dayton	Lott	

NAYS—36

Allard	Dorgan	Landrieu
Baucus	Edwards	Leahy
Bayh	Ensign	Lincoln
Brownback	Feingold	McCain
Bunning	Fitzgerald	Miller
Cleland	Grassley	Murray
Clinton	Hutchinson	Nelson (FL)
Collins	Hutchison	Roberts
Corzine	Johnson	Schumer
DeWine	Kerry	Sessions
Smith (NH)	Snowe	Stabenow
Smith (OR)	Specter	Wyden

NOT VOTING—6

Carnahan	Harkin	Kennedy
Craig	Helms	Torricelli

Mr. REID. I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FISCAL YEAR 2003—CONFERENCE REPORT

Mr. REID. I ask unanimous consent that the Senate now proceed to the consideration of the conference report to accompany H.R. 4546, the Department of Defense authorization bill; that there be 75 minutes of debate equally divided and controlled between Senators LEVIN and WARNER or their designees; that upon the use or yielding back of time, without any intervening action or debate, the Senate proceed to vote on adoption of the conference report; that upon adoption of the conference report, Senator SANTORUM be recognized to offer a unanimous consent request; and that following the disposal of that, the Senate resume consideration of H.R. 5005, with Senator THOMPSON recognized to offer a substitute amendment; and immediately upon the reporting of the Thompson amendment, Senator LIEBERMAN be recognized to offer an amendment to the Thompson amendment.

Mr. NICKLES. Reserving the right to object—and I shall not object—is it the assistant Democratic leader's intention to have a rollcall vote on the DOD authorization?

Mr. REID. We had a request from that side of the aisle to have the rollcall vote.

We do not have a rollcall vote request.

Mr. NICKLES. To my knowledge, that request has been withdrawn.

For the information of our colleagues, it may well be possible to pass the Department of Defense authorization bill by a voice vote.

Mr. REID. That sounds good. We have a number of Senators who have other things to do. That would be helpful.

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

The clerk will report the conference report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 5010), to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, having met, have agreed that the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The report is printed in the House proceedings of the RECORD of November 12, 2002.)

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I yield myself 10 minutes.

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

Mr. LEVIN. Madam President, we are pleased to bring to the floor the conference report on the Bob Stump National Defense Authorization Act for Fiscal Year 2003. The conference report would not have been possible without the dedicated work, over many months, of the members of our committee on both sides of the aisle, particularly our subcommittee chairmen and ranking members who bore the brunt of the workload in bringing this bill to this point.

I particularly thank my dear friend and colleague, Senator WARNER, the ranking minority member, soon to be chairman of the Armed Services Committee, for the absolutely essential role he has played throughout this process. Right up to the last minute, we were not sure we would get a bill. Senator WARNER was able to help us accomplish that and get us to that goal line that we finally think we will cross. I thank him for that.

Mr. WARNER. It was a team effort, Madam President. I thank my distinguished chairman.

Mr. LEVIN. This conference report is named after Congressman BOB STUMP, who will be retiring, in honor of all the work he has done, for the dedication of his entire congressional career supporting our men and women in uniform. The bill is deservedly named in his honor. Of course, IKE SKELTON on the House side, the ranking member of the House Armed Services Committee, made an absolutely essential contribution as well.

Last month, we passed H.J. Res. 114 that authorized the President to use the Armed Forces of the United States as he determines to be necessary and appropriate to defend the national security of the United States against the continuing threat posed by Iraq and to enforce all relevant U.N. Security Council resolutions in that regard.

It has been widely reported that the United States has already started the prepositioning of forces and supplies in anticipation of possible military action against Iraq in accordance with this resolution. As we stand poised on the brink of possible military action, hopefully action that will not be necessary but nonetheless possible military action, this bill will provide the men and women in uniform with the tools they need and the pay and benefits they deserve.

For instance, this bill approves a significant military pay raise, including an across-the-board pay raise at 4.1 percent, with an additional targeted pay raise for midcareer personnel that would result in pay raises ranging from 5.5 percent to 6.5 percent. The bill will authorize a new assignment incentive pay of up to $1,500 per month to encourage service members to volunteer for hard-to-fill assignments. It will authorize $10.4 billion for new construction of military facilities and housing, which is an increase of about $740 million above the requested level. The bill will add more than $900 million to the Navy shipbuilding account. It will authorize an increase of $42 million in funding for the U.S. Special Operations Command. It provides an increase—and we are talking about increases above the requested budget level from the administration, but when I make reference to increase, that is the reference I am making. Here is a reference of more than $100 million for defense against chemical and biological weapons, in addition to approving the budget request of $1.4 billion for such efforts. We approved $2 billion which was requested for force protection improvements to DOD installations around the world and in order to help address shortfalls in the Department's high-demand, low-density assets, including the EC–130 Commando Solo aircraft and the EA–6B electronic warfare aircraft fleet.

Depite all of these important provisions, we came very close to not having a conference report this year, because of the opposition of the White House to a single provision that was included in both the authorization bills passed by both the Senate and the House of Representatives. This provision would permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay earned through years of military service and disability compensation from the Department of Veterans' Affairs based on their disability. Currently, military retirees who receive VA disability pay have their military retired pay offset by the amount of their VA disability pay.

Both the House and Senate versions of our bill included provisions phasing in the payment of both military retired pay and VA disability pay to qualifying military retirees, although the Senate provision was more generous and more expensive than the House version.

In June, the Office of Management and Budget issued a Statement of Administration Position indicating their opposition to authorizing concurrent receipt of military retired pay and VA disability pay. As a result of this veto threat, the House conferees then decided that they would not accept even their own concurrent receipt provision. The House conferees took this position despite the fact that the House voted 391 to 0 to instruct the conferees to agree to the Senate position on current receipt in conference.

When it became clear that the President's veto threat would make it impossible for us to achieve a conference report containing either the Senate concurrent receipt provision or the House concurrent receipt provision, we had the choice of giving up on the defense bill for the year, or finding an alternative that would be acceptable to the White House and the Republican leadership of the House of Representatives. With the yeoman services and the extraordinary efforts of Senator WARNER, we finally agreed to include a provision that would authorize an enhanced special compensation for certain military retirees with 20 years of service equal to the amount of retired pay forfeited because of the receipt of veterans' disability compensation.

That is just a part of what we tried to accomplish. I commend Senator REID of Nevada and others who have fought so hard for this provision.

There are many members of our committee and many Members of this Chamber who have really tried for years to address this concurrent receipt problem. We moved the ball forward perhaps 20 yards this year. It is, as I think Senator WARNER has described, a beachhead. We are glad we were able to do this much. But it is disappointing that the veto threat that was hurled at us by the Office of Management and Budget made it impossible for us to do even more, despite all of our efforts.

Again, I thank Senator WARNER. Without some provision on this subject, frankly, this bill would not have been brought back to the floor. We had to make some progress on this issue before we could, in good conscience, bring a bill back to the floor.

But I emphasize it is just some progress. It is not anywhere near what the Senate did. It is not even close to what the House did. But it is clearly better than not making any progress at all.

The special compensation that is provided for in the bill would be available to retirees who incur a disability attributable to an injury for which a Purple Heart was awarded—that is one group—regardless of the percent of disability, and the other group is a service-connected disability rated at 60 percent or higher that was incurred as a result of any of four circumstances: Either the result of armed conflict, while engaged in hazardous service, in the performance of duty under conditions simulating war, or through an instrumentality of war. Any of those four circumstances, if the disability is rated at 60 percent or higher, will result in the special compensation being made available to our veterans.

These disabilities are sometimes called ''combat-related'' disabilities for short. But that is really a misnomer. It is actually misleading to call certain of them ''combat-related disabilities'' because the categories are far broader than simply combat-related.

I see Senator REID on the floor. Again, I extend my thanks to him. Without his driving concern on this issue of concurrent receipt, we would not have been able to even advance the bill to the 20-yard line at which perhaps we are right now. It is progress—but minimal progress. Again, it was the only way we could obtain this bill. We would not have gotten to this point without the tenacity of Senator HARRY REID. There are others who joined with him over the years. But it is that persistence which has gotten us to this point.

Mr. REID. Madam President, will my friend yield? I know there is limited time.

I want to say very briefly this compromise only affects up to 15,000 veterans. But having said that, 15,000 people deserve it as much as anyone deserves anything in the world. They are going to get help. That says a lot. There are hundreds of thousands of other people which the original legislation would have helped. We are going to work on that later.

I say to my friend, the chairman—and the soon-to-be chairman—how much I appreciate their tenacity. We have worked this bill over the years. We have received, frankly, no help from the House in years past. I am happy. And I congratulate the President for easing off on his statement that he was going to veto this legislation if there was anything in it for concurrent receipt. I appreciate the President backing off. I wish he would have allowed us to have everything. He didn't. But I take what we have gotten, and I am happy we have what we have.

I say to those 15,000 veterans that I introduced the first legislation. But this has been a team effort. We have worked very hard to get to this point. It is a large step forward.

I say for the third time this will help 15,000 people, most of whom are Korean and World War II veterans—and a sizable number of Vietnam veterans also, of course. But it is for mostly World War II veterans. I am so happy. I wish we had more.

But I want to say to my two friends who are here on the floor that this is important legislation. It is landmark legislation.

I underline and underscore what I have said in the past about the two managers of this legislation. They could have caved in a month ago, and we would have had a Defense authorization bill, and we could have shouted at the hilltops about this legislation. They did not do that because of this issue. I applaud and commend both of them for sticking to a matter of principle. That was correct. Words cannot adequately convey how strongly I feel about the two of them for sticking with it. I am not on the committee. I couldn't comment. I couldn't be there to give a speech. I didn't have an opportunity to issue a written statement. That is how our conferences work. But the two of them did what they had to do. These 15,000 people owe it all to them.

I have heard some people say we can't afford to take care of our veterans. We can afford to take care of our veterans. This is a tremendous step forward. We are taking care of our veterans.

Mr. WARNER. Madam President, if I might again say how much the two of us—Chairman LEVIN and I—appreciate the strong support of Senator REID throughout particularly this year, building on what he did last year, to see that this issue was kept at the very forefront of our legislative objectives with the annual authorization bill.

I say to my good friend that when the group of us gathered with the President's Chief of Staff at the White House, we were there with Mr. Principi, the chief of the Veterans Administration, the rough calculation was that there are about 33,000 who will be embraced with the formulation we have included in this bill. I think, as you say, and as I have said, it is a beachhead.

Mr. REID. That is even twice as good as I thought. That will amplify my remarks, that 30,000 is twice as good as 15,000.

Mr. LEVIN. Madam President, I can assure also the Senator from Nevada that even though he might not physically be on the Armed Services Committee, he was very much present every step of the way even when he wasn't present. Everyone is very much aware of his effort here, and of Senator BOB SMITH's effort. Senator HUTCHINSON was extremely active, too. Senator WELLSTONE, of course, on this kind of veterans issue, was deeply involved.

Mr. WARNER. We should include Senator MAX CLELAND. Very definitely, he worked very hard.

Mr. LEVIN. I will also mention the role of Senator CLELAND, Senator CARNAHAN, and others on this issue on the Armed Services Committee in a few moments. Again, I thank the Senator for that.

Mr. WARNER. Madam President, Senator REID and I and Senator LEVIN in our colloquy are discussing the importance of this bill including a provision on concurrent receipts. Following the election, recognizing that I would become chairman at the appropriate point in time when the chairmanships are established formally, that I make an effort to try and reconcile the differences and get a provision in this bill because, give or take a few, I would think almost all 435 Members of the House of Representatives, in the course of their campaigns, had a colloquy with their veterans on this subject.

I know from experience on the Senate side, those of us 30 plus who were up for reelection this time and others seeking election had to address this issue and respond to our veterans. Therefore, I felt it was a matter of principle for the Congress of the United States not just to rely on campaign rhetoric, but to include in this very historic bill a provision directed at compensation for those veterans we deemed formed that category deserving of added funds.

I was privileged to work on drafts. I have showed them to our distinguished chairman. While he had views that were somewhat different on this issue in the course of the deliberations, without his final acknowledgment to agree with me that this was as much as we could achieve, we would not be here today. It was a joint effort, I say to the chairman, and he encouraged his colleagues to sign the conference report as I encouraged our colleagues.

I went to the White House with Congressman DUNCAN HUNTER who was standing in for Chairman STUMP in the final days of the conference negotiations. We were joined by Secretary Principi and the Deputy OMB Director, Mrs. Dorn. We met with the President's chief of staff, and in due course worked out what I felt was the best compromise we could achieve.

I wish to say I felt the White House was very cooperative—Mitch Daniels, the Director of the Office of Management and Budget, the chief of staff, and others. Mr. Principi was exceedingly helpful. I had several days before I joined him at the Vietnam Veterans Memorial to read the names of those who bear witness to freedom and their sacrifices on that wall. It was interesting, as we were sitting there on that cold twilight afternoon, I had a little piece of paper, and we were sketching out the framework of what the two of us felt could be achieved. So I thank Mr. Principi for his efforts.

DUNCAN HUNTER was just a tremendously strong working partner throughout this entire deliberation. I thank those individuals, and certainly Mr. Card, who is the President's chief of staff, for at some point in the meeting saying: That's it, we're going to do it.

It is interesting, earlier that day Mr. Principi and I had attended an early meeting at the White House with the President when he addressed a number of veterans. I remember in the front row were a number of Congressional Medal of Honor veterans. We had some veterans from the United Kingdom, and the Chief of Staff of the Army, and the Chief of Staff of the Air Force and others were present.

It was a very moving statement by our President acknowledging this Nation's eternal gratitude to generations of veterans who made possible our life today in these United States, our quality of life, our freedom.

It seemed to be an appropriate time to bring up with the President this issue once again, and he said: We are going to take a good look at it, and that they did. So I am most grateful. Actually, it was not that day, for that day I left that meeting at the White House and went up to Maine to participate in the christening of a destroyer to honor John Chafee, a United States Senator whom the Presiding Officer and I held in the greatest esteem and affection. It was the day following the White House meeting.

I refer to this as a beachhead, and I do so respectfully because throughout this deliberation, in total fairness, we are faced with an extraordinary demand on the Department of Defense now, and particularly the men and women who are currently in uniform, as well as the Guard and Reserve. We are in the course of transitioning in the roles and missions, the equipment, and the training of our military departments to meet the threat of terrorism today. Therefore, the utilization of dollars from the United States taxpayers that go to the Department of Defense has to be prioritized against that threat today.

The dollars involved in this we estimate to be perhaps as much as $10 billion over 10 years. That is a considerable factor to take into consideration in the competition for these dollars.

I, speaking for myself, am ever mindful of the rising public debt necessitated in large part by this war on terrorism.

So in fairness to the President and his advisers who looked at this issue and have looked at it for some period of time, there are other factors that had to be considered. In the final analysis, I believe, with the help of the chairman and others, we crafted the best possible compromise we could get. I thank the distinguished chairman once again.

Mr. LEVIN. Madam President, how much time, may I ask the Chair, is remaining?

The PRESIDING OFFICER. Twenty-three and one-half minutes.

Mr. LEVIN. Are 10 minutes exhausted?

The PRESIDING OFFICER. Yes.

Mr. LEVIN. I thank the Chair. I yield myself 5 additional minutes.

There are a number of other important initiatives in this bill we will enact into law shortly. Here are just a few of them.

In the area of missile defense, the conference report, such as the Senate bill, authorizes the President to reallocate $814 million, should he choose, from missile defense expenditures which, at least to some of us, appears to be unjustified or duplicative in combating terrorism. And he can reallocate the $814 million to the effort to combat terrorism. Again, that is left to his discretion. But this bill does, this year, require that he identify whether or not he has made that choice.

The bill also would ensure better oversight and management of missile defense programs in a number of ways. We are going to require programmatic information on ballistic missile defense programs with the budget justification materials that come to Congress.

We are going to require the Joint Requirements Oversight Council, the so-called JROC, to perform a review of the cost, schedule, and performance criteria for ballistic missile defense programs so that the validity of those criteria in relationship to military requirements can be assessed.

We are going to require the Department of Defense to establish a more disciplined process for the evolutionary acquisition and spiral development of major defense acquisition programs, including missile defense programs, by issuing guidance and instituting a process for the approval of acquisition plans.

Second, in the area of nuclear weapons, we have taken a number of steps to ensure that the Department of Defense and the Department of Energy do not take any precipitous actions to develop new nuclear weapons.

First, we rejected a House provision that would have repealed the current law prohibiting the research, development, and production of low-yield nuclear weapons.

Second, we included a Senate provision that would require the Secretary of Energy to specifically identify any funds requested for new or modified nuclear weapons. If there is such a request, it cannot be buried in some other subject. It has to be identified as such in the budget material.

Third, we prohibited the Secretary of Energy from spending any funds for the Robust Nuclear Earth Penetrator unless and until the Secretary of Defense submits a report setting forth the requirements for such a system and the employment policy behind such a system, as well as the potential for conventional alternatives to that Robust Nuclear Earth Penetrator.

And we prohibited the use of any funds authorized in the bill for nuclear-tipped missile defense interceptors.

We have a number of initiatives to ensure that the resources our taxpayers provide for national defense are spent wisely. Some of these initiatives include a major initiative based on the recommendations of the Defense Science Board and the Department of Defense Director of Operational Test and Evaluation to address budget shortfalls and organizational shortcomings in the Department's test and evaluation infrastructure that have led to inadequate testing of major weapons systems.

We have advanced last year's initiative by the committee to improve the way in which the Department manages its $50 billion of services contracts, which we anticipate will save $600 million.

We included a provision that will address the Department's inability to produce reliable financial information and to achieve $400 million of savings by deferring spending on new financial systems that would be inconsistent with a comprehensive financial management enterprise architecture that is currently being developed by the Department.

We also have required, in this bill, that the Department establish new internal controls to address recurring problems with the abuse of purchase cards and travel cards by military and civilian personnel.

In the area of efforts to combat terrorism and to lessen the danger posed by weapons of mass destruction, we have taken the following initiatives:

A title of the bill sets aside $10 billion to fund ongoing operations in the war against international terrorism during fiscal year 2003. This is a very important provision in the Senate bill. It was very important to the administration that we not use those funds for some other purpose. We did not. This will be the subject of the later appropriation, but, nonetheless, we set aside that $10 billion fund for the ongoing operations in the war against terrorism.

Next, we fully funded the Nunn-Lugar Cooperative Threat Reduction Program, including funding for the destruction of chemical weapons in Russia. And we fully funded the proliferation preventions at the Department of Energy.

We took an important step to give the President greater flexibility to waive any of the conditions precedent to carrying out that CTR program or the Freedom Support Act programs for three fiscal years. So now the President can proceed with the Comprehensive Threat Reduction programs even if they do not meet technical criteria for spending that money if it is in the national interest that he do so.

He has that waiver authority under this bill for 3 years. He has not had it before. This is an important addition to the fight against proliferation, particularly of chemical and biological weapons.

In addition, and finally, we addressed a number of very difficult environmental issues. The conference report includes, first of all, some environmentally sound provisions that we adopted in the Senate.

Two of these provisions would authorize the Department of Defense to enter into agreements with non-Federal entities to manage lands adjacent to military installations and to create buffer zones between training areas and the surrounding population. Those are two provisions which will help protect the environment.

A third one requires the Department to strengthen its program for the acquisition of procurement items that are environmentally preferable or are made with recycled materials.

We also, in the environmental area, succeeded in removing two ill-advised House provisions. One would have exempted some DOD activities from the Endangered Species Act. That is not within the jurisdiction of our committee. We were able to obtain the removal of that provision. And the other provision which we were able to remove would have provided special exemptions from environmental controls for the training range in Utah.

We were able to modify a House provision which authorized the exemption of certain Department of Defense activities from the provisions of the Migratory Bird Treaty Act. That was a highly controversial action on the part of the House. We were able to obtain some important concessions in the conference relative to that provision, including an agreement to structure the provisions so that the Department of Interior will be required to exercise its regulatory powers over the Department of Defense activities impacting migratory birds and to require appropriate actions to mitigate the impact of Department of Defense actions on migratory birds.

I hope and believe that the tradeoff that we made in dropping the endangered species provision and the Utah provision and getting a modification of the migratory bird provision was a sound one. I believe that we made some real progress, given the point that we were starting with in the Senate, which was facing all this language on the House side, which we had to either remove or to modify, as well as preserving our own provisions which were very supportive of environmental protection.

I was very disappointed that we were unable to include a Senate provision that would repeal the statutory prohibitions on the use of Department of Defense facilities for legal abortions so that military women overseas could get a legal abortion, at their own expense, in a DOD medical facility overseas. This was a provision that, if we were able to maintain it, would have led to a veto of this bill.

Again, we faced the House conferees who were determined that there would be no bill if this provision was in it. So now we continue for another year what I consider to be the absurdity of forcing women who are obtaining a legal abortion to come home. These are women in the military, committed to the service of their country, who are going to be required, for another year, until we face this issue again next year, to return home to obtain an abortion, which is legal, which they have chosen to obtain.

I find this to be an unconscionable provision in our law. And we are going to continue to try, to the best of our ability, to change that provision. But this year we did not prevail, did not succeed, and we would have faced a veto of this bill. The Office of Management and Budget was very clear in a letter that they would recommend the veto of this bill if the Senate provision, which removed this impediment to legal abortions, at their own expense, by women who are serving this Nation—if that, in fact, prevailed, there would have been a veto.

Madam President, our Armed Forces are ready to help keep the peace, to deter traditional and nontraditional threats to our security and our vital interests around the world. And they are prepared to win any conflict decisively. The success of our forces in Afghanistan is a tribute to the men and women of the Armed Forces and the investments in national defense that Congress and the Department of Defense and administrations over time have made for many years.

The investments in previous years, indeed in previous decades, in equipment, in treating our personnel properly, in raising morale, in readiness—

these investments by prior Congresses, by this and prior administrations, have paid off. And future success on the battlefield will likewise depend upon the success of Congress and the Department to prepare and to train and to equip our military for tomorrow's missions.

So as we stand on the brink of possible conflict in Iraq, the conference report builds on the considerable strengths of our military forces and their record of success by preserving a high quality of life for U.S. forces and their families, by sustaining readiness, and by our efforts to transform the Armed Forces to meet the threats and the challenges of tomorrow.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I, once again, thank the chairman for his service. We have been together now for 24 years on the Senate Armed Services Committee. And, given the results of the recent elections, we will be here for another 6.

When I yielded the chairmanship 2 years ago, thereabouts, Senator LEVIN just moved one place over. Now I will just move back to that one place. We have conducted the affairs of this committee in a very spirited way, but I think it reflects as high a degree of bipartisanship as can be achieved in this magnificent institution, the Senate.

I commend the chairman, and I commend him for this bill. He has worked long and hard on it, with me at his side, together with our respective Members. It is a good bill, a very good bill.

(Mr. JEFFORDS assumed the Chair.)

Mr. LEVIN. Mr. President, I thank my good friend from Virginia. I had no doubt he would be back. I am glad to see him back. We kept the chair warm for him. The gavel will be handed over with—I will not say with unmixed feelings because, obviously, there are mixed feelings, but I cannot think of anyone I would rather hand the gavel to, if it is not on our side of the aisle, than my dear friend from Virginia.

Mr. WARNER. Mr. President, I thank my colleague.

Mr. President, we, as a Nation, were astonished, once again, in the past few days to see the face of Osama bin Laden and hear the remarks he (allegedly) made. I am not here to in any way lend credence to the validity of this, but nevertheless, those in the position to determine will eventually determine the validity of that piece of tape. But it did bring home to America the threats that this Nation faces and the fact that we, under the leadership of a brilliant President, are engaged in all-out war, together with our allies and others, in a war on terrorism. This bill is an essential building block in that war.

Questions were raised in the course of our deliberations on this bill: Can we as a Nation afford, can the military take on the obligation to engage the enemy of terrorism in the worldwide effort and, at the same time, if it is necessary—and I repeat, if it is necessary—to use force against Saddam Hussein and his regime—not the people of Iraq, but Saddam Hussein and his regime? And I say this bill provides that measure of support such that our President, in his role as Commander in Chief, can conduct the full range of options militarily necessary to protect this Nation, be it from terrorism or the possible use of force in Iraq.

That brings me to another point. As we all watch the developments in Iraq and, indeed, today, very interesting developments, I stop to think we would not as a free world be in the position of having this new resolution from the United Nations had it not been first and foremost for the courageous leadership of our President who, over a period of a year or more, has been constantly reminding the world, not just our citizens, of the threats from Saddam Hussein and his weapons of mass destruction, and the need to address those threats.

Wisely, he sought to go to the United Nations where he put forth that historic speech. Had it not been for the vision, the foresight, and the commitment of this President, we would not be seeing today the unfolding of what I hope will be a successful resolution of the destruction of the weapons of mass destruction now possessed by Saddam Hussein without the use of force.

The second factor in achieving the action by the United Nations was the fact that the men and women in the U.S. military are trained, are ready, and would respond to the Commander in Chief's order, if that were necessary, to resolve this critical worldwide issue by the use of force. They are ready. Saddam Hussein knows that. So I salute the men and women of our Armed Forces who are as much responsible for what we hope will be the successful resolution of this issue pursuant to the most recent resolution of the U.N. It is just as important a factor as the deliberations of the U.N. itself and indeed the valiant efforts of our President, and I wish to acknowledge that.

Congress also played an important role by passing a strong resolution in support of the President; a resolution authorizing the use of force against Iraq. The militaries of the U.S. and our allies stand by, ready to use force if necessary, pursuant to that authorization by the Congress.

I think this bill should remove any doubt of our commitment to fight terrorism, to use force if it becomes necessary in Iraq, and to defend the interests of Americans and our allies throughout the world.

An undertaking of the magnitude of this bill is ultimately a bipartisan effort. Our committee has a long tradition of bipartisanship. Senator LEVIN and I have served under Chairman Stennis, Senator Goldwater, Senator Tower, Senator Nunn, and now the two of us are privileged to have that responsibility, I as ranking member, and Chairman STROM THURMOND, who is now present on the floor, all of whom tried to have the highest possible bipartisanship in this committee. Our chairman and I have continued that tradition.

When it comes to the welfare of the men and women of the armed services, when it comes to the importance of the security of this Nation and the recognition by our allies that we stand to support them, we should have, and do have, that degree of bipartisanship. Consequently, there are many people deserving of recognition and thanks who have kept that tradition.

I especially want to thank my chairman for his leadership. I want to thank all of our subcommittee chairmen and ranking members for their tireless efforts in ensuring that our troops have the tools they need for peace to accomplish such missions as they may have to undertake.

At this point, I would like to pay special tribute to three Republican Members of our Committee who will not be returning next year. Senator STROM THURMOND has proudly served as a Member of the Senate Armed Services Committee since January 14, 1959, during the Eisenhower Administration. During nine successive Administrations, Senator THURMOND has provided a steady hand, sage advice and strong support for our men and women in uniform. He also had a distinguished military career, leading members of the ''Greatest Generation'' ashore on the beaches in Normandy and rising to the rank of Major General in the Army Reserve. He is a true American hero, and he will be missed in the years ahead. Senator BOB SMITH has been a Member of the Committee since 1991, serving most recently as the Chairman of the Strategic Subcommittee from 1997–1999. A distinguished Navy veteran who served in Vietnam, Senator SMITH has been a champion of veterans issues, joining Senators REID and HUTCHINSON in the efforts on concurrent receipt. And finally, Senator TIM HUTCHINSON has made significant contributions during his four years of service on the Committee. As the Chairman and then Ranking Member of the Personnel Subcommittee, Senator HUTCHINSON has been committed to improving the quality of life of our military personnel. He joined me in crafting legislation—TRICARE for Life—to ensure that we meet our commitment to our military retirees to provide them with health care for life. In addition, he has been instrumental in ensuring significant pay raises for the military for four consecutive years and major improvements in educational benefits. They have all been valuable Members of the Committee and they will all be missed.

No committee succeeds without a dedicated professional staff. I especially want to recognize the unwavering leadership of Judy Ansley of the minority staff, who will soon be moving over to become chief of staff of the

majority, and of David Lyles who likewise will shift his desk a slight distance and continue the partnership that these two magnificent professionals have, as well as the wonderful service they render to the Senate, and indeed our country.

I also want to thank Peter Levine, counsel to both sides. He is good, and we call on him. Fortunately, we do not have to pay his salary out of our allocation, but we get the full measure of his brilliance.

Each of them have a marvelous professional staff. I would like to recognize each of them individually. On the Republican staff: Chuck Alsup, David Cherington, Marie Dickinson, Ed Edens, Brian Green, Bill Greenwalt, Gary Hall, Carolyn Hanna, Mary Alice Hayward, Bruce Hock, George Lauffer, Patty Lewis, Tom MacKenzie, Ann Mittermeyer, Joe Sixeas, Leslie Stone, Scott Stucky and Dick Walsh. On the Majority and non-designated staff: Dara Alpert, Ken Barbee, Mike Berger, June Borawski, Leah Brewer, Chris Cowart, Dan Cox, Madelyn Creedon, Mitch Crosswait, Rick DeBobes, Brie Eisen, Evelyn Farkas, Richard Fieldhouse, Daniel Goldsmith, Creighton Greene, Jeremy Hekhuis, Gary Howard, Drew Kent, Jennifer Key, Maren Leed, Gary Leeling, Mike McCord, Tom Moore, Cindy Pearson, Arun Seraphin, Christina Still, Mary Louise Wagner, Nick West, and Bridget Whalen. So I pay my respects, for they deserve credit and recognition.

The conference report before the Senate represents an important step forward in ensuring the readiness of our Armed Forces, protecting our homeland, and ensuring success in the ongoing global war against terrorism. During this critical time in our history, with our Nation at war and preparing, together with the United Nations, to meet the threats posed by Iraq—I should say posed by Saddam Hussein, not posed by the people of Iraq—it is essential that we provide our President and the Armed Forces with the vital resources they need to defend our Nation to fight the scourge of terrorism both at home and abroad, and to prepare for future threats.

I use the word ''home'' purposely because in my lifetime, I have seen incredible transition, the focal point being 9/11. I look upon the armed services of the United States as one of the greatest assets the American people have, and we should constantly look for ways in which they can, within the legal framework of our laws, be a full partner with those who are entrusted with our homeland defense. I am not just speaking of the Guard, the Reserve and others, but I am talking about the security forces, the police, be they Federal, State or local, the people who provide medical assistance, the people who provide all types of assistance in the event of a problem at home. We have to continue to strengthen and move in that direction, again within the framework of the laws.

As President George Washington stated in his first inaugural address to Congress on January 8, 1790, and I quote:

> To be prepared for war is one of the most effectual means of preserving the peace.

That is what this bill is about, to be prepared. We can all take pride in this legislation. It represents the bipartisan work of all committee members in both Chambers to support our men and women in uniform, and their families.

I want to commend Chairman STUMP, ranking member IKE SKELTON, and DUNCAN HUNTER. They were marvelous working partners in the House for the chairman and I to conclude this conference. This bill is named in honor of Chairman STUMP, a World War II veteran who lied about his age and joined the Navy when he was 15 years old and saw combat before his 18th birthday. I guess that is one of the reasons that generation, of which I am a very small and modest part having come into the tail end, is referred to as the greatest generation.

Chairman STUMP exemplifies that name: The greatest generation. The fact that this legislation is named in his honor is a fitting tribute to that true patriot.

I believe the Presiding Officer served in the House of Representatives at one time with Chairman STUMP.

I also want to thank DUNCAN HUNTER and IKE SKELTON for their unwavering efforts.

Our President sent the first signal to strengthen defense by asking Congress to increase spending, a very considerable increase in this legislation. This conference report sends a further signal to our citizens and to nations around the world that the United States is committed to a strong national defense. More importantly, this conference report sends a clear signal to our men and women in uniform, from the newest private to the most senior flag or general officer, that we are clearly behind them and we support their efforts around the world, and we are behind their families.

We must always pause to remember that the men and women in the Armed Forces rely first and foremost on the support they receive from their loved ones.

I want to thank the Department of Defense. I have had very cordial and strong working relations with Secretary Rumsfeld—we go way back together in the Nixon administration—as well as the Deputy Secretary of Defense and others. I think he has put together a good team. Yes, we do battle with them. We did battle with them on concurrent receipts, but in the end they swung in and gave us the technical advice to write this particular section on concurrent receipts in a way that creates a very special class of deserving career veterans, career military veterans.

To reiterate, I am proud to join Chairman LEVIN in recommending this conference report to the Senate. This has been a long and difficult conference; but, we have achieved our goal of providing for our men and women in uniform.

An undertaking of this magnitude is ultimately a bipartisan team effort. Our Committee has a long tradition of bipartisanship. Consequently, there are many people deserving of recognition and thanks. I especially want to thank my friend and colleague of 24 years in this Chamber and on the committee, Chairman CARL LEVIN, for the leadership he has shown in bringing this conference to a successful conclusion. I also want to thank all of our subcommittee chairs and ranking members for their tireless efforts in ensuring our troops have the tools they need to accomplish their missions. No committee without a dedicated, professional staff. I especially want to recognize the unwavering leadership efforts of David Lyles, Judy Ansley, and Peter Levine in bringing this process to a successful conclusion. They have led a great staff, all of whom deserve great credit and recognition.

The conference report before the Senate represents an important step forward in ensuring the readiness of our armed forces, protecting our homeland, and ensuring success in the on-going global war against terrorism. During this critical time in our history, with our nation at war and preparing—together with the United Nations—to meet the threat posed by Saddam Hussein, it is essential that we provide our President and our armed forces the vital resources they need to defend our Nation, fight the scourge of terrorism at home and abroad, and prepare for future threats.

As President George Washington stated in his first annual address to Congress on January 8, 1790:

> To be prepared for war is one of the most effectual means of preserving the peace.

We can all take pride in this legislation. It represents the bipartisan work of all committee members—in both Chambers—working together to support our men and women in uniform, and their families. I especially want to thank Chairman BOB STUMP for his efforts this year and congratulate him for his outstanding work on behalf of our men and women in uniform for the 26 years he has served on the House Armed Services Committee. The fact that this legislation is named in his honor is a fitting tribute to a true patriot. I also want to thank Congressmen DUNCAN HUNTER and IKE SKELTON for their unwavering efforts to ensure we have a strong defense authorization act for our nation.

Our President sent the first signal by asking Congress to increase defense spending. This conference report sends a further signal to our citizens, and to nations and around the world, that the United States is committed to a strong national defense. More importantly, this conference report sends a clear signal to our men and women in uniform, from the newest private to the most

senior flag officers, that we are clearly behind them and we support their efforts around the world.

The conference report before us contains the largest defense increase in over 20 years—an increase of $45.0 billion over the fiscal year 2002 appropriated level. The good news story associated with this much needed increase is that it has the full, bipartisan support of the Congress. While there are always minor disagreements over how some of the money in this bill should be allotted, there was no dissent about the need for this significant increase in the top line for defense. This is a remarkable display of unity behind our President, so important and fitting with our Nation at war.

In line with the request of the President, the conference report significantly increases the major defense accounts over the Fiscal Year 2002 appropriated levels:

It increases spending on military personnel by over 14 percent including a 4.1 percent pay raise for our servicemen and women.

The bill increases the procurement account by over 20 percent. This will enable our military departments to procure the equipment they need to replace aging and heavily used assets, as well as to buy the things they need to protect our facilities, infrastructure and people in these increasingly uncertain and dangerous times.

Additionally, the bill increases spending on research and development by almost 17 percent, ensuring that critical investment is being made to develop the capabilities we need in the future to deter and defeat emerging threats to our national security.

The bill also sets aside a $10.0 billion reserve fund, as requested by the President, to pay for ongoing and future military operations in the global war on terrorism.

The threats to our nation and the ongoing war on terrorism demand this increased investment in national security, both now and in the future.

The bill contains many key provisions which will improve the quality of life of our men and women in uniform, our military retirees, and their families. In addition to the 4.1 percent pay raise I mentioned earlier, additional funding is included for facilities and services that will greatly improve the quality of life for our service personnel and their families, both at home and abroad. This legislation also contains key provisions that will better organize the Department of Defense to support the critical homeland defense mission, including: creation of an Under Secretary of Defense for Intelligence; authorization to add an Assistant Secretary of Defense for Homeland Defense; and, a requirement that the Secretary of Defense establish at least one Weapons of Mass Destruction-Civil Support Team within every state and territory.

One of the most difficult issues facing the conference was how to ensure that our military retirees, who have incurred disabilities, receive a measure of military compensation.

Concurrent receipt of retired pay and disability pay is as complex an issue as I have dealt with in my 24 years on this committee. Here is how I view this issue: success in certain military operations requires extensive planning, establishment of a ''beachhead,'' and then long term effort to determine the equities and priorities for the future.

We have crafted such a ''beachhead'' in this conference report—I call it ''Purple Heart-Plus-Others.'' The provision in this conference report provides substantial recognition and compensation for those who were injured in combat, that is, all those with disabilities resulting from injuries for which they received the Purple Heart. In addition, those retirees most severely disabled in combat related operations, in preparation for combat, and in performing hazardous service, that is, those with disabilities rated at 60 percent or greater, would receive additional compensation. We will rely on the Secretary of Defense to exercise his discretion to further define the nature of this service. In both cases, those career retirees who have a certain degree of disability would receive the same amount of compensation—under a new, special compensation program—as if we had removed the prohibition on concurrent receipt.

We all know that this is a complex issue and an emotional issue. Inaction is not an option. We must establish our ''beachhead'' today. I commit to holding early hearings next year to fully establish a body of fact on this issue. I see great merit in establishing a Presidential commission that can objectively examine the many issues related to the adequacy of compensation provided to our disabled veterans. I await the views of the veterans to be expressed at hearings.

It is important to note that this conference report supports and fully funds virtually all of the priorities established by the Department of Defense for the development and procurement of major weapons systems, including the Joint Strike Fighter, the F–22, the Army's Future Combat System, and unmanned aerial vehicle programs. I remain committed to supporting investment in technologies that will enable us to field significant numbers of unmanned aerial and ground combat vehicles, as soon as feasible.

In addition, I am pleased that the conference was able to add $229 million to the CVN(X) aircraft carrier to restore the original development and fielding schedule for this essential program. The carrier has proved its worth again and again in the global war on terrorism—a war which has relied extensively on carrier-based assets. This bill supports acceleration of this important program.

The world as we knew it changed forever on September 11. We lost not only many lives and much property that day, but we also lost our uniquely American feeling of invulnerability. But, from our darkest hour, our nation has quickly emerged stronger and more united than ever. Our President has rallied our country and many nations around the world to fight the evil of terrorism, and to confront those who threaten peace and freedom around the world.

As we conclude the 107th Congress, our nation is at war. U.S. soldiers, sailors, airmen, and marines, together with their coalition partners, are engaged on the front lines in the global war against terrorism, with a mission to root out terrorism at its source in the hopes of preventing future attacks. We are now faced with the possibility of war with Iraq, if the current U.S. led U.N. efforts fail.

Our armed forces have responded to the call of duty in the finest traditions of our nation, and they are prepared to protect our security in future conflicts. It is critical that the Congress keep faith with our troops by providing the resources and capabilities our President—our Commander-in-Chief—has requested.

Homeland security is now, without a doubt, our top priority. We have a solemn obligation to protect our nation and our citizens from all known and anticipated threats—whatever their source or means of delivery. Our President, George W. Bush, has promised our nation that homeland security is his most urgent priority. The fiscal year 2003 budget the President submitted reflected this priority.

The conference report before us funds the urgent security needs of our nation by doubling the funding for combating terrorism at home and abroad, in supporting the President's request for missile defense, and investing in new technologies to detect weapons of mass destruction and to deter their development.

I urge my colleagues to support this conference report that upholds the President's fundamental national security priorities and makes the right investments in future capabilities. It is imperative that we send our President, our fellow citizens and the world a message of resolve from the Congress—a National Defense Authorization Conference Report that provides the resources and authorities our Nation's leaders and our armed forces require to protect our Nation and our vital interests around the world.

Mr. LEVIN. Let me again thank my dear friend from Virginia. I yield 5 minutes to the Senator from Hawaii. If the Senator needs additional time, it will now be available.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I rise today to express my support for the conference report to the National Defense Authorization Act for Fiscal Year 2003. I thank my ranking member, Senator INHOFE, for his support and cooperation. It is truly an honor to work

with him as we both seek to advance the readiness of our armed forces. I also commend Senator LEVIN and Senator WARNER for their tireless efforts during a challenging conference.

As the chairman of the Armed Services Subcommittee on Readiness and Management Support, I want to highlight a few provisions in the conference report which enhance the readiness of the men and women in our armed forces. The bill protects the $10 billion the President requested for operating costs of the ongoing war on terrorism. Fully funding this request reinforces our country's commitment to continuing the war on terrorism, and it also means that in so doing we will not have to rob funds from the operation and maintenance accounts needed to fund all of our other critical ongoing defense activities such as training and maintenance.

Conferees also took actions to ensure that our forces can continue to make the most prudent use of existing training assets. To do this, we authorized exemption of the Department of Defense from the Migratory Bird Treaty Act when training events result in incidental takings, but required DOD to take appropriate actions to avoid any unnecessary takings. We also authorized the Department of Defense to enter into partnerships to purchase land, or easements on land, that would protect training ranges, and provided $7.2 million for improvements to those ranges.

While the conferees believed that this change to the Migratory Bird Treaty Act was necessary to protect readiness in light of recent court actions, the conferees did not believe the administration made the case that the exemptions it sought from the Endangered Species Act for the Department of Defense were warranted. I continue to believe that when the Department's training needs for land, sea and air space conflict with other needs in our society, whether it is protecting the environment or accommodating the surrounding civilian populations, our focus should be first and foremost on ensuring that all parties involved work together in a spirit of cooperation.

To help to address longer term readiness challenges, the conferees, continued our efforts from last year to enhance the Department of Defense's coordination of anti-corrosion programs. Studies estimate that corrosion costs the Department up to $20 billion annually, and that corrosion continues to be a serious maintenance challenge and manpower drain. We therefore recommended that DOD designate a senior official to oversee anti-corrosion plans and policies, and added over $10 million to fund those efforts and other anti-corrosion testing, research, and product applications.

In an effort to continue efforts to improve the quality of life, conferees authorized the requested increases to improve the buildings where servicemembers live and work, and added an additional $740 million in military construction funding, which will be enough to maintain the level of investment in our facilities at last year's level. Included in this amount is over $700 million in funding specifically dedicated to enhancing the security of our installations.

To improve DOD management, the bill includes a number of provisions to expand DOD's authority to acquire major weapon systems more efficiently. With respect to services contracts, we built on last year's legislation requiring improved management of the $50 billion DOD spends annually on services by establishing specific goals for the use of competitive contracts and performance-based contracting. These goals should help ensure that the Department of Defense achieves contract services savings through specific management improvements rather than through program reductions. The conference report also requires DOD to develop a comprehensive financial management enterprise architecture, and addresses recurring problems with the abuse of purchase cards and travel cards by certain military and civilian personnel.

I also want to mention an issue of significant importance to the people of Hawaii—the cleanup of the island of Kahoolawe. I commend the Navy and the State of Hawaii for working to resolve a number of challenges. I am pleased about the Navy's commitment to continue clearance efforts until November 11, 2003, and its continued efforts to meet the intent and goals of the memorandum of agreement between the Navy and the State of Hawaii signed in 1994.

While I am disappointed that the conference report does not include the provisions passed by the Senate with respect to concurrent receipt, I believe the conference report strongly supports the readiness of our forces, both now and in the future. I urge my colleagues to support this bill.

Mr. LEVIN. I thank the Senator from Hawaii for his invaluable service to our committee as well as his statement. He has been the chairman of our Readiness Subcommittee and has done it with a wonderful spirit and great success. I thank him. We do not know what the subcommittee structures will look like next year, but hopefully he will continue to be a valuable part of our committee. I thank him for it.

The PRESIDING OFFICER. The Senator is recognized.

Mr. SESSIONS. Mr. President, how much time is allotted on this side?

The PRESIDING OFFICER. Thirteen minutes is available.

Mr. SESSIONS. I yield myself 10 minutes.

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

Mr. SESSIONS. Mr. President, I am very pleased with this defense bill. I congratulate Chairman LEVIN. He is a master leader in the Senate. His skill at managing complex matters is very well known. He works with all members of the committee, Republican and Democrat. We are able to reach agreements that sometimes would not be reached, and I believe he has guided us in a good way. I also appreciate the leadership of the ranking Republican, Senator JOHN WARNER, a man who has given his life to the defense of this country, served it ably in so many different capacities, and all the members of the committee and all the staff. Particularly, I note Archie Galloway on my staff who has worked tirelessly on this effort, a retired colonel infantry combat veteran who does a great job for me.

Money will not tell us everything, but we have the largest increase in spending on this defense bill in over 10 years, nearly a $50 billion increase. That is very healthy in light of the significant declines our Defense Department has suffered since the Gulf War in 1991. After the Berlin wall fell and after the Gulf War, we went into a significant reduction in our spending, virtually 40-percent reduction in personnel, and cuts in many different areas. After the collapse of the Soviet Union, some reductions were appropriate. Most experts would say today we went too far, that we forgot we needed to transform our military, and we forgot to meet the new challenges and to utilize the new equipment and technologies available to make our soldiers more effective, less at risk, able to target enemy troops and not hit enemy civilians, as has happened in previous wars. I am afraid we did not invest enough in the last decade in these efforts.

Within the last several years we moved aggressively forward. When I came on the committee our defense budget was under $300 billion. This year it will hit $393 billion, I believe, nearly $50 billion more than just last year. This allows us to continue to provide quality pay raises and personnel benefits for our men and women in uniform. These efforts have strengthened their ability to make a career of the armed services. Moreover, we authorized incentive income pay of up to $1,500 per month to keep key personnel in key positions, the kind of thing we need to do to maintain the most proficient military in the world.

I have been a critic of our spending habits, thinking we have cut our defense too much. To the American people, let me say we need not underestimate the strength and capability of today's military. Ours is clearly the greatest military in the history of the world. We are much more technologically oriented and as a result, we need personnel who serve longer, who have trained with the newest equipment, who constantly train with our best aircraft, weapons, night vision equipment, and communication systems—all the things that allow them to place the maximum possible threat and force on the enemy, while protecting the lives of our own soldiers

and innocent civilians as much as possible. We have done a tremendous job. They are exceptional military men and women. There is no Army, Navy, Air Force, or Marine unit in the world that can compete with ours. They are the best there is, perhaps the best that have ever been. We should be very proud of them.

It allows the President, in times like this, to talk plainly to the United Nations and talk firmly to the Taliban in Afghanistan. It allows the President to speak directly to Saddam Hussein, and Saddam Hussein knows and the Nations around the world know his are not idle threats. We have the capability to carry out any commitments we make in terms of military force. I am pleased with where we are. We are making great progress.

I mentioned a few things that are important in this budget. Progress was made on concurrent receipt. In over 100 years we have not had additional benefits, other than tax advantages, for disabled veterans. This bill takes a big step forward with the ''Purple Heart Plus'' compromise and will be the first step we have made in that direction. I am pleased with this first step.

This will be the fourth year in a row we have had a significant pay raise, a 4.1 percent across-the-board hike and higher for other pay grades. I am pleased with that.

We have $10.4 billion for new military construction for facilities and housing for our personnel, many of which are below standard. Frankly, we can do a better job, in my view, of providing quality housing. I visited military houses and found out what they cost. They spend almost as much on them as private housing in the suburbs in Alabama and other places that seem to cost less or no more. We need to improve the quality of our construction as we go forward in the future.

We added $900 million to the Navy shipbuilding accounts. I was the ranking Republican on the Ship Seapower Subcommittee, serving with Senator TED KENNEDY, the Chairman. We were pleased in the end that our Navy did not take hits. At one point, it looked like that might occur. We are pleased that the shipbuilding account finally came in with a healthy number. This allows us to move forward for such things as refueling and nuclear submarine, refueling and developing nuclear submarines, providing additional advanced procurement for the CVN next generation of aircraft carrier, providing additional payments for prior incurred shipbuilding costs that we had obligated for the DDG–51 class destroyer, and LPD–17 class amphibious ships. We made some real progress there. We need to continue this transformation.

At one point or another, we may disagree with Secretary Rumsfeld's views regarding one weapons systems or another weapons system. But I think few of us can honestly disagree and ought to do nothing other than support his firm and clear determination—supported by the President of the United States—to transform our military to move us from a cold war configuration to a configuration that helped us meet the challenges we had in 1991 with Iraq, as we have had in Kosovo, as we have had in Afghanistan, and as we might have in the future in Iraq. We need to transform our military forces to do that.

We sometimes accuse the military of being stubborn, and slow to change. I would say that is true of our institution, the Congress. It is also true of the military. But our military is the most transformable, the most committed to change, and the most committed to the introduction of new technology of any military in the history of the world.

I am, all in all, very pleased with the leadership in our military today and their commitment to bring on board as soon as possible new ways of conducting warfare that protect our people, that put threat on the enemy, and that protect innocent civilians. I think we are doing well. I am very pleased with that.

The President has made clear that this Nation—the strongest military power in the world—is the single power capable of protecting its own forces and that of its allies in the most difficult areas of the world. How much more difficult could you find it to protect American forces than in Afghanistan? He is committed to doing that.

Sometimes we may wish it were not so. But my own personal view is that there will be continual challenges around the world and that the wise and proper surgical application of military power can save lives, promote peace, and promote economic prosperity around the world. Indeed, this Nation has the opportunity to help lead the world out of what could be a disintegrating chaos of independent states—many of them rogue nations—and into a more stable environment, and promote peace and prosperity for everybody in the world.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Mr. President, I will conclude by saying this budget moves us in that direction.

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senator from Alabama have whatever time he may need.

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

Mr. SESSIONS. I will take a couple more minutes. I thank Chairman LEVIN for his courtesy as always.

But we are at a point where this Nation will have the need from time to time to utilize force around the world to protect our just and legitimate national interests. We don't need to do that recklessly, or arrogantly, or without careful thought. But at times we will be able to help defend our just national interests and at the same time promote peace and prosperity in the world. That is a high calling. I think it is falling to us at this time in history.

I am pleased that we are not only strengthening our defense budget, but that we are strengthening it intelligently. We are strengthening it with technology. We are training our personnel. We are keeping our good men and women longer, so they can become even more proficient in operating our ships, our command centers, our missiles, and so forth.

I am also pleased that we did maintain the President's request for funding for national missile defense. That is a key ingredient in our Nation's defense in the decades to come. We made that commitment in this bill also. I feel good about it.

Again, I would like to thank Senator LEVIN for his leadership, the staff for their work, and Senator WARNER for his leadership and support.

I yield the floor.

Mr. LEVIN. Mr. President, how much time do I have?

The PRESIDING OFFICER. Four minutes fifteen seconds.

Mr. LEVIN. Mr. President, first of all, I thank my friend from Alabama for his very fine presentation as well as for his kind words about me. I enjoy working on the committee with the Senator from Alabama. He has always been willing to listen and try to work out issues. There are all kinds of issues that come up—thank God, rarely on a partisan basis—complicated issues that have to be worked out. He has worked not only on the Seapower Subcommittee but on the full committee to address those issues. I am grateful for that participation.

Senator THURMOND was on the floor a few minutes ago. It reminded me that this will be, of course, his last term. No Senator serving today can appreciate what this body will be like when STROM THURMOND leaves this year. He has served longer in this body than any other Senator in history. His 48 years in the Senate span the terms of 10 Presidents of the United States. He keeps pictures of all 10 of those Presidents on his wall in the office.

When I joined the Armed Services Committee in 1979, Senator THURMOND by then was on the committee already 20 years.

His love for and dedication to the U.S. military goes back even further, though, to his commission as an Army Reserve second lieutenant of infantry in 1924 at the age of 21. He served with distinction in both the European and Pacific Theaters in the Second World War, receiving numerous decorations that include the Legion of Merit, the Bronze Star medal with ''V'' device, the Army Commendation Medal, the Belgian Order of the Crown, and the French Croix de Guerre. He landed in a glider on Normandy with the 82nd Airborne Division on D-Day and went on to win 5 battle stars. In 1959—the year that he joined the Senate Armed Services Committee—Senator THURMOND was promoted to major general in the U.S. Army Reserve.

During Senator THURMOND's tenure on the Armed Services Committee, our

Armed Forces have faced challenge after challenge in Western Europe, Vietnam, the Middle East, the Caribbean basin, the Persian Gulf, the Balkans, and Afghanistan. Through it all, Senator THURMOND has persevered in his unwavering support for our men and women in uniform. His steadfast commitment to our national defense has been a rock upon which they could all rely and has helped ensure that our military has always been ready to answer the call whenever and wherever needed.

Senator THURMOND served as chairman of the Senate Armed Services Committee in the 104th and 105th Congresses. I had the honor and pleasure to serve as his ranking member in 1997 and 1998. I know from personal experience how seriously Senator THURMOND treated his duties as chairman and how hard he worked to be fair and evenhanded with every member of the committee. I am sure that I speak for all of our colleagues in saying just how much we appreciate not only the commitment that Senator THURMOND brought to his duties as chairman, but also his lifelong dedication to the defense of our Nation and to the welfare of the men and women in uniform.

He came to the floor a few minutes ago just to check things out—basically to satisfy himself that this Defense authorization bill was moving along. So he made the effort to come to the floor just to see for himself that things were OK.

I left the floor momentarily to just go out and thank him for coming over and to wish him well on behalf of the entire committee and the Senate, as we will not be seeing too much more of him because he is going to be moving on hopefully to other adventures.

Mr. SESSIONS. Mr. President, if the Senator will yield, I was going to add that Senator THURMOND, at the age of 99 and soon to be 100, was at the Republican Conference luncheon today. And here it is, a quarter to 6, and he just left the floor a few minutes ago. He has been fully engaged all day today. He is a true American.

I remember my first foreign trip with him to China. They respect age in China. So we were well respected. We went out to a Chinese Army military base. They asked him to review the troops. I was standing there—this Senator from rural Alabama—watching the famous STROM THURMOND troop in front of a group of Chinese Communist troops. Afterwards, I told him, ''I never thought I would ever see that, STROM.'' I never thought I would have been there.

He is a remarkable man, a thorough expert in military affairs, and an absolute patriot. I thank Senator LEVIN for recognizing his service to our country.

Mr. LEVIN. Mr. President, if I could yield myself 5 additional minutes—if I am not taking the time of colleagues who are waiting to speak—to ask unanimous consent to add a word or two.

Mr. LIEBERMAN. Mr. President, if the Senator from Michigan will yield, I was hoping the chairman planned for further discussion because I would like a few moments myself to speak in favor of the Defense authorization bill.

Mr. LEVIN. Why don't I finish with a comment about Senator THURMOND and then yield to the Senator from Connecticut. We are going to be here anyway.

I have one other comment about Senator THURMOND, and then I will yield the floor.

My first trip with Senator THURMOND wasn't to a foreign country. It was to California. I will leave it at that.

(Laughter.) But he was only, I guess, 75 years old because it would have been 24 years ago.

I remember we were staying at a military base. We were studying a number of issues. I had just joined the Armed Services Committee. And I heard somebody, at about 5:30 or 6 in the morning, below my window running. I was trying to figure out who was up at 5:30 in the morning running. I knew it was a military base, but still 5:30 is a little early. That was STROM THURMOND running.

He was and is someone who really has put a lot of emphasis not just on his own health but on the health of his colleagues. How many times did he lean over to me, in the Armed Services Committee, and ask, are you watching your diet or are you getting exercise?

Here is a man who is really concerned that his colleagues would take care of themselves. I don't think any of us did the exercising he did and watched our diet quite the way he does, but, at any rate, he will be missed for all kinds of reasons.

The Senator from Connecticut is ready to speak. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the Chair and my friend and colleague from Michigan.

Mr. President, I rise today to support the Defense authorization bill and to thank the chairman of our committee, Senator LEVIN, for his leadership in this effort, obviously supported, in a very strong partnership, by Senator WARNER, the ranking member, and other members of the committee of both parties.

It is particularly important we pass this bill now, not only because our forces are preparing for the possibility of combat to remove the threat Saddam Hussein represents, but also because this proposal has important provisions that will lead to transforming our military to ensure it is even more capable of protecting the American people in the uncertain and dangerous future ahead of us.

I do want to give credit to Senator LEVIN, who really has earned the gratitude of every American for his dedication and commitment not only to our national security in general but to the men and women in our Armed Forces. He has certainly ably explained the important provisions in this bill.

Obviously, there will soon be a transition in the leadership of the committee. Senator WARNER, I presume, will return as chairman. The fact these two colleagues have worked so well and so productively across party lines should give us all a sense of encouragement and hope about the work of this committee in the future.

I have been particularly proud to have been able to have worked on some provisions I believe will improve the readiness of our military in the years to come, and that will help our military become a more important part of the national homeland security team.

It has been a great honor to serve on the Armed Services Committee and to have worked with Senator LEVIN and Senator WARNER in the actions they have taken, particularly to improve the compensation and quality of life of our military.

I have also had the privilege, for the last year and a half—and I should say thanks to the occupant of the chair—to have served as the chair of the Airland Subcommittee, working very closely with Senator SANTORUM of Pennsylvania as my ranking member. We have now spent two sessions of Congress, as chair and ranking member, alternating our roles. I am particularly proud of the work our subcommittee has done with the full committee in providing additional resources to accelerate the Army's future force and to fully resource the combat aircraft that will serve as the backbone of our air forces and ensure our continued dominance of the air far into the future.

It has also been good to work with Senator SANTORUM and others on provisions that will permit more timely transition of promising leap-ahead technologies from research to full utilization, and to require the Department of Defense to fully assess its role in homeland security, each of which are parts of the Defense authorization legislation that is now before the Senate.

I worked with fellow members of both parties on the committee on a controversial matter that has reached resolution. It is a resolution that is unsatisfactory, but I know we have to move ahead with it; that is, the efforts to redress this longstanding inequity of a double standard that has allowed all Government retirees except our military retirees to receive both their full retirement pay and the disability compensation they are entitled to. Our original provision would have allowed all military retirees to draw both full-retired pay and any disability compensation they are entitled to.

To me, this is an issue of fundamental fairness. As Senator LEVIN has explained, we were forced by administration opposition to scale back the provision with regard to military retirees.

The compromise now in this conference report greatly reduces the number of retirees who will be able to draw both benefits I have described and

that they are entitled to. It does authorize an enhanced special compensation only for military retirees with 20 or more years of service who incurred a qualifying combat-related disability. That means any rate of disability attributable to an injury for which the retiree was awarded the Purple Heart, or a service-connected disability rated at 60 percent or higher incurred as a direct result of armed conflict, while engaged in hazardous service, in the performance of duty under conditions simulating war, or through an instrumentality of war.

This, unfortunately, does not cover all the retirees who should be eligible. It greatly reduces the number who will be covered. It is a step forward, and a significant step forward, for those who will benefit, but I hope—and I would guess that members of both parties on the Armed Services Committee join in the hope—in the years ahead, beginning next year, we continue to extend the number of retirees who are entitled to receive both retirement pay and disability compensation but do not, and to reach the point where all of them, in fact, receive it. That seems to be our moral responsibility in this case, and we are not yet fully meeting it.

Bottom line, this is a critically important, otherwise not just adequate but adequate to the special needs of the moment, authorization bill. We are, after all, a nation at war. We forget that sometimes because our enemy does not have the normal attributes of enemies in war. They are not able to be seen on a battlefield massing their troops. They are not in ships at sea that we can observe. They certainly are not in the conventional military aircraft. But they are out there. They are plotting. They are planning. They are arming in conventional and unconventional ways to do us damage.

This authorization bill will continue to provide the men and women who serve us in uniform, and those civilians who support them, the resources they need to keep us not only defended but the mightiest Nation in the history of the world.

I thank Senator LEVIN, Senator WARNER, and all the members of the committee for the work they have done on this legislation. I look forward to supporting this conference report.

I thank the Chair and yield the floor.

CUSTOMS SERVICE

Mr. GRASSLEY. I would like to engage in a colloquy with Senator BAUCUS on provisions in the homeland security bill pertaining to commercial operations of the Customs Service.

Mr. BAUCUS. This is a very important topic. As my good friend will recall, the Finance Committee held a hearing on this issue last July, which we followed up with a letter to the Chairman and Ranking Member of the Committee on Governmental Affairs. We stressed the importance of preserving the revenue collection and trade facilitation functions of the U.S. Customs Service, even as that agency moves into a Department with a national security focus. I would be pleased to engage in a colloquy on this topic with the Senator form Iowa.

Mr. GRASSLEY. I appreciate the Senator's recalling our hearing of last July. I would note that following the hearing and our letter to the Committee on Governmental Affairs, we worked closely with that Committee and with the Administration to develop text that would keep intact the commercial functions of the Customs Service. That text has evolved. I note that the bill now before the Senate provides, as a general matter, for the transfer of Customs Service functions and personnel to the new Department of Homeland Security. Notwithstanding that, authorities vested in the Secretary of the Treasury relating to customs revenue functions are to remain with the Secretary of the Treasury unless delegated to the Secretary of Homeland Security. My understanding is that this exclusion from transfer pertains to authorities now exercised by the Secretary of the Treasury to issue revenue regulations developed by the Customs Service, and authority to provide oversight and supervision of the Customs Service in this area, especially with regard to policy matters.

Mr. BAUCUS. I share the Senator's understanding on this point.

Mr. GRASSLEY. I note that, technically, the bill allows even revenue-related authorities to be delegated. However, it is my understanding that a wholesale—or even a large-scale—delegation of such authorities is not contemplated by this legislation.

Mr. BAUCUS. I agree with the Senator from Iowa. This bill should not be read as permission for the Secretary of the Treasury to undertake a wholesale or large-scale transfer of revenue-related authorities to the Secretary of Homeland Security. That would be an abdication of the responsibility that this bill assigns to the Secretary of the Treasury.

Mr. GRASSLEY. I thank the Senator from Montana. I also would note that the issue of Customs' revenue functions is dealt with differently in this bill than in the draft bill originally sent to Congress by the Administration. In the Administration's draft bill, all Customs functions would have been transferred to the Department of Homeland Security without any further action by any government official. That is, no Customs-related authorities would have been retained by the Secretary of the Treasury. Would the Senator from Montana agree that this contrast further supports the point that the bill now before the Senate is not intended to give the Secretary of the Treasury blanket permission to engage in a wholesale or large-scale transfer of revenue-related authorities to the Secretary of Homeland Security?

Mr. BAUCUS. I fully agree with the Senator's observation. The Congress has taken a different approach from the one originally proposed by the Administration. Under the approach in this bill, significant revenue-related authorities remain at the Treasury Department. It would not make sense to take this different approach if the result would be a wholesale delegation of these authorities after enactment. Accordingly, the bill should be interpreted as establishing a presumption that those authorities should not be delegated in the absence of a compelling reason for their delegation. Moreover, while delegations in this area are indeed allowable under the legislation, it is fair to conclude that they will be scrutinized closely by those of us responsible for these provisions.

Mr. GRASSLEY. I appreciate this colloquy, and I thank the Senator for engaging in this colloquy on a very important topic.

MIGRATORY BIRD TREATY ACT

Mr. JEFFORD. Mr. President, I would like to engage my colleague Chairman LEVIN of the Armed Services Committee, in a colloquy on a provision relating to the Migratory Bird Treaty Act.

The Migratory Bird Treaty Act is one of our nation's oldest wildlife protection laws. Before this law was passed in 1918, many migratory birds were on the brink of extinction. However through international coordination and domestic conservation programs, the MBTA has succeeded in restoring many species of migratory birds. This law is within the jurisdiction of the Environment and Public Works Committee which I chair.

As the Chairman is aware, the conference report before us today contains an exemption for the Department of Defense from incidental takings of Migratory Birds related to military readiness activities. I think it is unfortunate that this provision was included, however, I know Chairman LEVIN worked tirelessly on this and many other difficult tissues in conference, and I thank him for his efforts.

While I am concerned that these provisions were never subjected to scrutiny in the committee of jurisdiction, I have yet to agree that these provisions, or any other provisions affording special treatment to the Department of Defense, are necessary. For years our military has efficiently and effectively trained for conflict in full compliance with environmental laws. Our defense agencies have taken pride in their stewardship of the environment. I applaud Chairman LEVIN for rightly insisting that these provisions not be included in the Senate DoD Authorization bill.

I would like to confirm my understanding of these provisions with Chairman LEVIN who was a principal negotiator of this legislation. First, it is clear in Subsection (d) that the authority of the Secretary of the Interior to prescribe regulations for the incidental taking of migratory birds during military readiness activities is limited to the Secretary's authority under section 3(a) of the Migratory Bird Treaty Act.

Mr. LEVIN. That is correct. This authority must be consistent with the authority in section 3(a) of the Act, and in no way changes our obligations under the Migratory Bird Treaties.

Mr. JEFFORD. I would also like to point out that the Department of Interior has a mandatory obligation to promulgate regulations to permit the incidental taking of migratory birds by DOD within one year of the enactment of this Act. Subsection (d) of the provision clearly provides that ''not later than the expiration of the one-year period beginning on the date of the enactment of this Act, the Secretary of Interior shall exercise the authority . . . to prescribe regulations to exempt the Armed Forces for the incidental taking of migratory birds during military readiness activities.''

Mr. LEVIN. Yes, it is quite clear that the Department of Interior has a statutory obligation to promulgate regulations within one year.

Mr. JEFFORDS. Also, according to subsection (b), in the one-year time period between the enactment of this Act and the promulgation of regulations by the Department of Interior, the Secretary of Defense must, ''identify measures to minimize and mitigate . . . any adverse impacts of authorized military readiness activities on affected species of migratory birds.'' Is it the Chairman's understanding that DOD has a mandatory obligation to implement these measures?

Mr. LEVIN. That is correct, the Secretary of Defense must not only take measures to minimize and mitigate adverse impacts on migratory birds, they must also ensure that such measures are implemented.

Mr. JEFFORDS. Finally, according to subsection (b), in the time period in which the regulations promulgated pursuant to subsection (d) are in effect, the Secretary of Defense must, ''identify measures to minimize and mitigate . . . any adverse impacts of authorized military readiness activities on affected species of migratory birds'' and ''monitor the impacts of such military readiness activities on affected species of migratory birds.'' Is it the Chairman's understanding that these minimization and monitoring measures must be addressed in the regulations promulgated pursuant to subsection (d), to ensure that those regulations are consistent with the Migratory Bird Treaty Act?

Mr. LEVIN. That is correct, the regulations must prescribe measures to minimize, mitigate and monitor impacts of military training activities on migratory birds, so that the regulations are consistent with section 3(a) of the Migratory Bird Treaty Act. The two key changes made by the conferees to the House provisions: (1) require the Department of the Interior to exercise its regulatory authority over DOD activities impacting migratory birds and (2) require appropriate actions to mitigate the impact of DOD actions on migratory birds. The Senate conferees agreed to accept the provision only because of these changes.

Mr. MCCAIN. Mr. President, I rise today in support of H.R. 4546, the National Defense Authorization Act for Fiscal Year 2003. Overall, the House and Senate Armed Services Committee Conferees have produced a bill which is deserving of approval and is generally supportive of the brave servicemen and women in our armed forces, in terms of training, pay, family quality-of-life benefits, and providing modern equipment and weapon systems.

Building upon evaluations and recommendations regarding growing readiness and modernization problems throughout the services, the Conference Committee has done an admirable job of addressing some of the more pressing issues contributing to the multiple problems that have been brought to Congress' attention over the past several years.

Unfortunately, there are areas that the Conference Committee did not adequately address. First and foremost is Concurrent Receipt. It was tremendously important to me that the Senate version of the defense authorization bill and report would authorize, at a minimum, payment of retired pay and disability pay for all military retirees with disabilities, a practice known as Concurrent Receipt. For the past eleven years, I have offered legislation on this issue. This matter is of great significance to many of our country's military retirees, because it would reverse existing, unfair regulations that strip retirement pay from military retirees who are also disabled, and costs them any realistic opportunity for post-service earnings.

While I commend the Chairmen and Ranking Members of the Armed Service Committees for going further in addressing a longstanding inequity in the compensation of military retirees' pay, this bill does not go far enough and falls far short of the much broader provision that was included in the Senate, or even the House. However, it was important that a compromise was reached with regards to Concurrent Receipt. The defense authorization bill provides many critical quality-of-life and pay benefits for our servicemen and women. Foregoing a defense authorization bill because full Concurrent Receipt was not included would be wrong because I believe we would be hurting an even greater number of servicemembers who are currently serving, reservists who have been mobilized in support of Operations Noble Eagle and Enduring Freedom, and their families who endure long periods without a spouse or parent during periods of training or deployment. More must be done on Concurrent Receipt. More will be done.

The compromise legislation, in effect, de facto Concurrent Receipt would increase payments under legislation I previously introduced in 1999, Special Compensation for Severely Disabled Military Retirees, in an amount equaling the monthly disability compensation prescribed by the VA for disabling conditions of that percentage.

Eligible recipients would include those military retirees with 20-years military service who have a disability, 10 to 100 percent, that is a result of an injury for which the member was awarded the Purple Heart; or have a 60 percent or more combat-related disability to include disabling conditions incurred as a result of armed conflict, including, PTSD, Agent Orange, and Persian Gulf War disease; while engaged in hazardous service such as atomic veterans; under conditions simulating war such as military training; or caused by an instrumentality of war like accidents involving military equipment.

Again, while this legislative compromise will provide critical help to an additional 35,000 disabled military retirees, it is not good enough to only correct this injustice for a select few no matter how deserving.

We must do more to restore retirement pay for those military retirees who are disabled. I have stated this before, and I am compelled to reiterate now; retirement pay and disability pay are distinct types of pay. Retirement pay is for service rendered through 20 years of military service. Disability pay is for physical or mental pain or suffering that occurs during and as a result of military service. In this case, members with decades of military service receive the same compensation as similarly disabled members who served only a few years. This practice fails to recognize their extended, more demanding careers of service to our country.

This is patently unfair, and I will continue to work diligently to correct this inequity for all career military servicemembers who are disabled.

Fully enacting concurrent receipt, for all who deserve it, is the next step to ensuring that we recognize the military service of those military retirees who by no fault of their own become disabled during their career military service.

Another disappointing action was the removal of language I sponsored, modifying the calculation of back pay for persons who were approved for promotion as members of the Navy and Marine Corps while interned as prisoners of war during World War II. Last year's Defense authorization bill authorized back pay to World War II veterans who were not promoted on time due to the arcane Navy Department rules of the early 1900s. Unfortunately, when the law was changed, an adjustment for inflation was not taken into account. While these men received the back pay they deserved, it was not adjusted for inflation. A simple fix to this problem would be to take into account changes in the Consumer Price Index. Though included in the original version of this year's Defense Authorization Act, the language was removed from the final version of the legislation.

I also am disappointed that the Conferees dropped the Senate Armed Services Committee's recommendation submitted by the Administration to waive certain buy America restrictions. The Senate authorized the Secretary of Defense to waive domestic source or content requirements for close defense allies that provide reciprocal treatment for our defense products. ''Buy America'' restrictions divert necessary funds to ensure our military is properly equipped. An additional $5 billion can be saved per year by eliminating ''Buy America'' restrictions that are protected by the Berry amendment that only undermine U.S. competitiveness overseas. Every dollar we spend on archaic procurement policies, such as ''Buy America,'' is a dollar we cannot spend on training our troops, keeping personnel quality of life at an appropriate level, paying full concurrent receipt, maintaining force structure, replacing old weapons systems, and advancing our military technology.

Although I have shown that there are numerous examples of why this bill is far from perfect, I am putting my reservations aside to support the final passage of the Fiscal Year 2003 National Defense Authorization Act Conference Report. I feel that taken as a whole this legislation represents a step forward for our Nation's military.

The bill contains a package of benefits for servicemembers and their families that would go a long way toward addressing the readiness problems facing all the services. It includes a 4.1 percent across-the-board pay raise for all active and reserve servicemembers, with an additional targeted pay raise ranging from 5.5 percent to 6.5 percent for sergeants, petty officers and chiefs.

Military pay, by almost all accounts, has fallen considerably behind civilian pay. Arguments can be made as to the precise pay differential, and at which pay grades and mission areas the gap is greatest, but there is no credible argument as to whether or not we need to address the issue of compensation.

Additionally, the Committee approved a provision that would authorize a new assignment incentive pay of up to $1,500 per month to encourage servicemembers to serve in difficult-to-fill assignments, like Korea or the Persian Gulf region.

The Committee approved a significant legislative provision directing the Secretary of Defense to review personnel compensation laws and policies, including the Reserve retirement system, to determine how well they address the needs of Guard and Reserve servicemembers. This provision is particularly noteworthy since the Secretary of Defense recalled nearly 95,000 Reserve Component servicemembers for Operations Enduring Freedom and Noble Eagle. Oftentimes the collective memory of our active duty, including active duty reserve servicemembers, is short and a comprehensive examination of reserve force policies, if done right, will help address waning retention of reservists and continued support by employers of reservists.

I forcefully endorse the Conference Committee's inclusion of an amendment that will direct the Secretary of the Air Force to obtain specific authorization and appropriation to lease 100 Boeing 767 tanker aircraft that was previously approved by the Department of Defense Appropriations Act of Fiscal Year 2002.

Many Senate Armed Services Committee Members expressed concern that the payment of leasing of major weapon systems, aircraft, vessels, and combat vehicles, should not come from critical funds providing for readiness spending, such as training, spare parts, flying hours, and maintenance of weapons systems and barracks. There appeared to be a sense of agreement that any lease for major weapon systems should instead be funded from the procurement accounts.

During posture hearings, the Service Secretaries and Chiefs confirmed that readiness unfunded requirements still exist and submitted lists to meet their readiness requirements. Robbing ''Peter to pay Paul'' so that Air Force Secretary Jim Roche can modernize the tanker fleet is questionable at best and several reports by the GAO, OMB and CBO bear this out. I will not take the time of this body today to again articulate the reasons why Secretary Roche's and the Appropriations' Committee Boeing 767 leasing scheme is a rip-off of the taxpayers as I have stated on the floor of the Senate in the past. However, servicemen and women will someday look at this lease of aerial tankers and wonder how Congress was duped into agreeing to a provision that was so costly and in the end irresponsible.

I fully support the Conference Committee's inclusion of the ''National Call to Service Act,'' which provides for strong incentives to encourage young Americans to enlist in the Armed Services.

The Committee adopted provision is the military component of the ''Call to Service Act,'' introduced by Senator EVAN BAYH (D–IN) and myself, which also expands civilian service opportunities in AmeriCorps and SeniorCorps and in other service organizations.

This is a very significant boost to a bill that will give Americans concrete opportunities to serve in causes greater than self interest. By encouraging more military enlistments, this legislation could greatly assist our war against terror.

Under the ''National Call to Service Act,'' individuals who volunteer to serve under this new program would be required to serve on active duty for 15 months in the Armed Services after completion of initial entry training and could complete the remainder of their military service obligation by choosing service on active duty, in the Selected Reserve or in the Individual Ready Reserve. The reserve obligation could also be fulfilled by serving in a civilian national service program such as the Peace Corps or AmeriCorps.

In return for service, the legislation provides the choice of incentives including a $5,000 bonus, repayment of a student loan up to $18,000, an educational allowance under the Montgomery GI Bill.

At this time of national challenge, Americans are yearning for opportunities to serve. I hope Congress will expeditiously take action on this entire legislation to create more options in both the areas of military and civilian service.

In conclusion, I would like to reiterate my belief in the importance of enacting meaningful improvements for active duty and Reserve service members. They risk their lives in Afghanistan and elsewhere to defend our shores and preserve democracy, and we cannot thank them enough for their service. But, we can and should pay them more, improve the benefits for their families, and support the Reserve Components in a manner similar to the active forces. Our service members past, present, and future need these improvements. We also cannot continue with this ''business as usual'' mindset. We must reform the Department of Defense and not fall prey to the special interest groups that attempt to warp our perspective and misdirect our spending. We owe so much more to our men and women in uniform who defend our country. They are our greatest resource, and I believe they are woefully underrepresented. We must continue to do better.

Mr. BYRD. Mr. President, the Fiscal Year 2003 Defense authorization bill was in conference for nearly 16 weeks. This bill, which creates the policies and programs that will guide the Department of Defense during this fiscal year, is the counterpart to the defense appropriations bill, which was passed by Congress and signed into law last month. After the President challenged Congress to make the defense budget a priority, why did it take so long for Congress to complete action on the defense authorization bill?

This bill has wide support in the Senate, having originally been passed on June 27, 2002, by a vote of 97 to 2. So the bill is not so divisive that controversy among Members of the Senate could have delayed its completion.

The chairman and the ranking member of the Armed Services Committee, Senator LEVIN and Senator WARNER, worked diligently during this extended period of time to be able to produce a defense authorization bill for this year. They cannot be blamed for it taking so long to completing conference on the bill.

The true reason for the delay was the myopic veto threats that emanated from the White House over provisions in the Senate- and House-passed bills that would have expanded benefits to disabled veterans. The reason the White House opposed these benefits is clear: the President's advisors were

only looking at the bottom line. It just does not make sense that we can pass a defense budget that will spend a billion dollars a day during the next 12 months, and we can spend more than a billion dollars a month on military operations in Afghanistan, but when it comes to providing benefits to disabled veterans, suddenly we do not have the money.

The veterans' benefit that was proposed in the Senate version of the Defense authorization bill would allow an individual with a disability who retired from the military after 20 years of service to receive the full amount of his military retirement pay and his veterans' disability pay, without reduction from either. Under current law, these two payments are offset, in effect forcing these individuals to pay for their own disability checks.

The Senator from Nevada, Mr. REID, has authored a bill to correct this situation. I am one of 82 cosponsors of that bill. The House version of this bill has 403 cosponsors. These bills are of the highest priority to a great number of veterans' groups and of great importance to thousands of disabled veterans around the country. Despite such broad support, the White House veto threats torpedoed the full expansion of these benefits in the Defense authorization bill.

The conference report to the Fiscal Year 2003 Defense authorization bill that we will soon vote on contains a limited expansion of benefits to some veterans, depending on their level of disability and how their injuries were inflicted. It is well short of what veterans deserve.

I will vote in favor of the conference report, however, because the bill makes improvements to a number of other programs that are important to the men and women who serve our country in uniform. The Defense authorization bill provides for an across the board pay increase, creates new bonus payments for hardship assignments, and reduces housing costs for military families. The bill also authorizes $10.4 billion for military construction, which includes funding to replace dilapidated housing at military bases throughout the United States. This bill will help to improve the quality of life of those who now serve in the military.

Although this bill does not make enough progress in getting veterans the benefits that they have earned, the passage of this Defense authorization bill will not be an end to that issue. There is strong support in Congress to allow disabled veterans to receive the full amount of their military retired pay and their disability compensation, and I am certain that this issue will be raised again.

In the meantime, I urge the thousands of veterans who contacted me in support of expanding these benefits to let the President know how important this issue is to you. No veteran should doubt who is responsible for killing this proposal. Veterans and their families should hold the President accountable for his stand against benefits for disabled veterans.

Mrs. MURRAY. Mr. President, I rise today to express my deep disappointment that the Murray/Snowe amendment was dropped, once again, in conference.

The Murray/Snowe amendment would guarantee that women serving in our military overseas have access to safe, affordable and legal abortions. This amendment passed the Senate on a 52 to 40 vote. A similar amendment also passed in 1996 and was dropped in conference. Once again, reproductive health care needs of women were abandoned behind closed doors.

The DOD authorization bill before us today will ensure that our men and women in the armed forces have the equipment and resources they need to protect us. Every day our service men and women work overtime, often in hostile, dangerous environments to protect our citizens and to secure the freedoms and values we cherish. They deserve our full support.

Suprisingly, as the women of our military, fight for our freedoms overseas, they are actually denied some of these freedoms during their service. Here at home, women have the right to chose. They have constitutionally-protected access to safe and legal reproductive health services. But, this is not the case for women serving overseas. The Murray/Snowe amendment would have ensured that women serving in the military are not forced to check their rights at the U.S. border.

Under current restrictions, women who have volunteered to serve their country are not allowed to exercise their legally guaranteed right to make their own reproductive health decisions simply because they are serving overseas.

These women are committed to protecting our rights as free citizens, yet they are denied one of the most basic rights afforded women in this country. Our amendment would not, and let me stress does not require any direct federal funding of abortion related services. The amendment would have required women to pay for any direct costs associated with an abortion in a military facility. The Murray/Snowe amendment does not, and again let me stress does not, compel a medical provider to perform abortions. All branches of the military allow medical personnel who have religious or ethical objections to abortion not to participate. Finally, this amendment would not have changed or altered conscience clauses for military medical personnel. This is an important and critical women's health issue. Women should be able to depend on their base hospital and military health care providers to meet all of their health care needs, including reproductive health. To single out abortion-related services could jeopardize a woman's health.

Opponents of this amendment have argued that the military does ensure access for women. Under current practices, a woman who requires abortion related services can seek the approval of her commanding officer for transport back to the U.S. as unscheduled leave: not medical leave, but unscheduled leave.

In addition to the serious risk posed by delaying an abortion, this policy compromises a woman's privacy rights by forcing her to release her medical condition and needs to her superiors. This policy also forces women to seek abortions outside of the military establishment in foreign countries. Many women have little or no understanding of the laws or restrictions in the host country and may have significant language and cultural barriers as well.

In this country, we take for granted the safety of our health care services. When we seek care in a doctor's office or clinic, we assume that all safety and health standards are adhered to. Unfortunately, this is not the case in many other countries.

In addition, many of our military personnel serve in areas that are hostile to women's reproductive rights and choices. In some countries, women can be severely punished for seeking abortion-related services or family planning. This is the environment that many women face.

Regardless of one's view on abortion, it is simply wrong to place women at risk. This amendment would have required the women to pay the full cost associated with the abortion. It would prohibit any direct federal funding.

Ensuring that women have access to safe, legal and timely abortion related services is an important health guarantee. It is not a political statement. It is essential that women have access to a full range of reproductive health care services. That's why the Murray/Snowe amendment was endorsed by the American College of Obstetricians and Gynecologists, the Americans Medical Women's Association, Physicians for Reproductive Choice and Health, Planned Parenthood of America, National Family Planning and Reproductive Health Association, and the National Partnership for Women and Families.

As we send out troops into the war on terrorism to protect our safety and freedoms, we should ensure that female military personnel are not asked to sacrifice their rights and protections as well. Allowing extreme ideology to dictate military health care policy is simply wrong. Women have suffered a major set back today. Dropping the Murray/Snowe amendment sends the wrong message to our military servicewomen. It is simply wrong to deny women their basic rights behind closed doors.

I will not give up. I will be back again to fight for this important reproductive health care protection. Eventually, we will do the right thing and enact the Murray/Snowe amendment.

Mr. ALLARD. Mr. President, this week our Nation honored our veterans; the men and women who have served

the United States with distinction. Although we take one day of the year to recognize what veterans have done for us, it is understood that we are in constant debt to those who defended our country's liberty. It is said that ''Freedom is not free''. There is a cost, and this cost has been paid by America's veterans. They have sacrificed for our country, and increasingly for our world. Around the globe, from Asia to Europe to the Middle East to right here at home, the millions of men and women who have served in our armed forces deserve as much honor and respect as we can give them.

Knowing this, there is not one member of this body who would not want our veterans to receive benefits that they have earned. Unfortunately, the House and the Senate have chosen not to give full concurrent receipt to our veterans, and for this reason I did not sign the Conference Report to the Defense Authorization. While I applaud the inclusion of a special compensation for some categories of war veterans, I believe that more work needs to be done and I will continue to push for these benefits in the future.

The withholding of my signature to the Conference Report should not, however, be seen as my disapproval for the entire bill. In fact, overall I am very pleased with the outcome of the defense authorization for this year. I believe that the work we have done will continue to ensure that our men and women in the armed forces have access to the tools they need to perform their critical missions across the globe. Also, we should not overlook the impact that increasing basic pay will have on our military personnel, any commitment that Congress shows to our armed services in this regard is a positive gain for the American people.

As I have stated on this floor many times before, it is abundantly clear more and more each day how important missile defense is to our country. The development of this program is central to homeland defense and the protection of our friends, allies and deployed forces against threats that are serious and growing. The authorized levels of funding for critical ballistic missile defense systems and their components is an outstanding accomplishment for this Congress. As the ranking member of the Strategic Subcommittee, ensuring full support of missile defense is my most important priority and it will continue to be as we begin work in the 108th Congress.

The Defense authorization conference also provided for a number of developmental programs critical to space-based systems and technologies. The Network, Information, and Space Security Center will facilitate cooperation for protecting information and information systems, which is becoming increasingly important in the face of cyberterrorism threats from around the world. The Center for Geosciences is a leading-edge environmental research center continuously improving weather forecasts for our military forces around the world. TechSat 21 will demonstrate the technical and operational feasibility of microsatellites, a truly transformational approach to space-based systems. And finally, the GPS Jammer Detection and location System will enable our military commanders to rely on GPS and GPS-supported systems such without the threat of interference or jamming by the enemy.

One of my particular interests for several years has been the use of commercial imagery to help meet the Nation's geospatial and imagery requirements. I do not believe that the Department of Defense has been aggressive enough either in crafting a strategy or in providing funding for this purpose. I am gratified that we have included a substantial increase for commercial imagery acquisition, and some very helpful words in report language that I expect will drive the Department toward establishing a sound relationship with the commercial imagery industry.

Closer to home, I know that my constituents in Colorado are pleased that we not only fully funded the Rocky Flats Environment Technology Site and its cleanup activities but also added an extra $18 million for included security costs at the site. I also appreciate the support of the new Department of Energy environmental cleanup reform initiative that will incentivize cleanup sites to do their important work faster and more efficiently. The accelerated cleanup initiative will reduce risk to the workers, communities and the environment, shorten the schedule by decades, and save tens of billions of dollars over the life of the cleanup.

Let me make it very clear that I chose not to sign the Defense Authorization Conference Report because of our failure to include the full Senate provision for concurrent receipt, but I strongly support the bill for providing the technology and resources our military men and women need to protect our national security.

Mr. NELSON of Florida. Mr. President, I rise to address a number of issues in the Defense authorization bill. I am voting for this bill because it contains many provisions critical to fighting the war on terror and it provides pay raises for the men and women of our military. But it fails to rectify a longstanding inequity for disabled military retirees. It's wrong that disabled retirees are forced to pay for their own disability benefits. While this bill ends the penalty for some 30,000 retirees, there are more than half a million veterans out there who still are forced to pay for their own disability benefits.

For the many good things we have in this bill, I'd like to thank leadership of our Chairman, Senator LEVIN, and Ranking Member, Senator WARNER. Americans can be assured of their devotion to the security of our nation and the welfare of the men and women in uniform around the world today serving in harm's way.

I would also like to say I am grateful for the opportunity to have served on this committee for two years with the Senior Senator from Georgia, MAX CLELAND.

MAX CLELAND has been an inspiration making countless sacrifices during his lifetime of service to our Nation. I have turned to Senator CLELAND again and again over the years on the most challenging issues confronting us—from the war on terror to the welfare of our service members and their families, our military retirees and our veterans.

Deep within the chest of Senator MAX CLELAND beats the heart of an American Soldier, an American who has given much in the defense of freedom; an American who has much, much more to give. I know that I will call upon my friend and colleague again and again, no matter where he is, when I need the clear insight and straightforward counsel of a soldier.

This has been a very important year in American history. We have learned much about the dangers that confront our Nation at home and around the world. We have learned much about the capability of our Armed Forces to confront and defeat these dangers. I am confident we will win the war on terror, there can be no question among the American people, or in the minds of our friends and enemies.

This bill goes beyond the President's request and beefs up our arsenal with additional warships, better fighting aircraft and improved security at our military bases.

This is a strong bill for our service members and their families. This bill provides for important increases in pay, bonuses, special pays, medicare care and family housing.

This is a major piece of legislation that lays the foundation for how this Nation will prosecute the war on terror at home and abroad; how this Nation will transfer its military for the dangers that may confront us in the future; and, how this Nation will care for the soldiers, sailors, airmen and Marines, and their families, that put themselves in harms way everyday.

I would like to highlight two provisions in this bill, for which I am grateful for the support of my colleagues in the Senate and the House's conferees.

Earlier this year, the Defense Department acknowledgement that Navy ship defense and vulnerability experimentation during the Cold War, known as Shipboard Hazard and Defense or Project SHAD, used chemical and biological agents that exposed sailors unwittingly to potentially lethal toxins.

While the military necessity of anticipating, understanding, and mitigating the vulnerability of our fleet to gas attack is indisputable, using our sailors, intentionally or not, as human guinea pigs is reprehensible.

A provision that I sponsored and included in this bill (Section 709) directs

the Department of Defense to submit to the Congress, within 90 days, a comprehensive plan for the review, declassification and submission to the Veterans Administration all medical records and information relating to the SHAD project. Subsequent reports are required every six months allowing the Congress to evaluate the Defense Department's progress in executing the plan.

We owe this level of effort to the sailors that may have been exposed to potentially toxic agents and get them the medical care to which they are entitled.

I also sponsored a provision included in this bill, Section 583, that requires the Department of Defense to provide the Congress a report, classified and unclassified, on their progress toward resolving the fate of Navy Captain Michael Scott Speicher. Captain Speicher is the only American still unaccounted for from our war with Iraq nearly twelve years ago. In that time, the Defense Department has painfully mismanaged the search for and subsequent classification of Captain Speicher.

Section 583 of the bill requires the Defense Department to report to Congress not later than 90 days of enactment, and every 120 days thereafter, providing specific details on their efforts to resolve the fate of Captain Speicher. We need to give American service members the certain knowledge that we are not a nation that casually or negligently abandons its military men and women during or after a conflict.

I share the hope of so many of Captain Speicher's shipments, friends and family that we will one day know his fate. I am proud to have sponsored this provision and expect that the Defense Department's efforts will reflect the Nation's interest in bringing peace and comfort to all.

There is also heartbreak in what we were not able to do in this bill, especially for our military retirees. This bill fails to repeal the prohibition on the concurrent receipt of retired pay and disability compensation, as we had provided in our Senate version of the bill.

Instead we have a compromise acceptable to the President who is unwilling to pay the cost of correcting the injustice of requiring our military retirees to pay for their own disability compensation.

This is an intolerable disappointment for the hundreds of thousands of military retirees and their families hurt by the policy. We failed them again and I am deeply disappointed.

It has been clear to all that President Bush has worked hard against the interests of our military retirees in this instance. And, with the help of the civilian leadership in the Department of Defense and the Republican leadership in the House of Representatives, he's got what he wanted, controlling federal spending on the backs of our retired veterans.

I would have preferred that we as a Congress had done the right thing and passed the Senate version of the bill giving our retired military authority to receive their full pay and disability compensation.

I would have preferred that we had passed full concurrent receipt as eighty-two Senators and 403 members of the House have already agreed to support as cosponsors on separate legislation.

I would have preferred that we had passed full concurrent receipt and forced the President's veto. I would have proudly voted to override a veto and fix the injustice once and for all. And, I believe an override could have been easily achieved.

Sadly, this effort was lost in the partisan, election engineering of this Administration, the civilian leadership in the Defense Department, and the Republican leadership in the House of Representatives. For weeks we have delayed resolution of this issue in this bill in order to avoid forcing the President to take an action contrary to the interests of veterans.

Hopefully, veterans will quickly learn that there are those of us who truly care about meeting our obligations to them; and, they do have a place to go where their voices will be heard, where America's promises will be kept, and where their needs will be met.

I am ready to take up this fight in our next session. I am proud to represent the interests of our veterans and our military retirees. I am also proud to represent the interests of our retirees' surviving spouses, military widows, and their children. We have a lot of work to do correcting some of the injustices created over the years with conflicting and inconsistent benefits policies that seem to be concentrated in our Armed Services and Veterans programs. I look forward to taking up these challenges and working with my colleagues to rationalize and simplify our benefits systems so that we keep our promises to those who have given their all to the Nation.

I would like to close with a quintessentially American expression of what we need to do by President Teddy Roosevelt, ''A man who is good enough to shed his blood for his country is good enough to be given a square deal afterward.'' I believe that there should be at least eighty-two of my colleagues in this chamber who will agree with this and be willing to make it a reality next session.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, it is my understanding that all time has expired.

The PRESIDING OFFICER. That is correct.

Mr. REID. The chairman of the committee wishes to enter a statement in the RECORD that will take less than 5 minutes. I would only state there are a number of Senators who wish to attend the service for Senator Wellstone and his wife, which begins at 7 o'clock, so I would hope everyone can keep that in mind and we can move forward with this legislation.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. My understanding is there is no need for a rollcall vote on this bill.

Mr. President, just two additional moments I appreciate taking here. One relates to Senator CLELAND.

Senator CLELAND has been a true champion of the men and women who serve our country in uniform. He is directly responsible for a great deal of important legislation, including the transferability of GI bill benefits to a military member's spouse and children. This was a major retention initiative.

Secondly, this year he led the effort for a new special assignment incentive pay to encourage military members to serve in hard-to-fill positions.

This year he warned us that our military services are too small to meet our ongoing and growing commitments, and he is proving to be prescient in that regard because of the needs we see for our military services in the way in which they are involved in so many parts of the world.

But in addition to his role on the Personnel Subcommittee, Senator CLELAND continually reminded us of the pitfalls of committing U.S. Armed Forces to conflict without clearly defined objectives supported by the Congress and the American people.

Senator CLELAND's careful and thoughtful approach to national security has been appreciated by every member of the Armed Services Committee, every Member of this body. His advice and his judgment are going to continue to be needed by us individually, and we will be calling upon him. His indomitable spirit has inspired us, and it will continue to do so.

Senator CARNAHAN has been a valued member of the Armed Services Committee for the last 2 years. She was able to quickly get up to speed. She played an important role in the committee's deliberations on a wide array of issues.

She had a particular interest, and had a significant impact, in a number of areas, including Reserve health care and counterproliferation programs.

In the area of Reserve health care, Senator CARNAHAN played a key role in extending the period during which Reservists remain eligible for military health care after being released from active duty, and in initiating a review of alternative means for providing health care to the Reserves.

In the area of counterproliferation, Senator CARNAHAN played a key role in developing legislation to improve our nonproliferation programs to address the problem of radiological weapons and so-called ''dirty bombs.''

She has always been a strong advocate of efforts to expand these programs to countries outside of the former Soviet Union. Her thoughtful,

balanced approach to legislation will be missed on our committee, and her good and gentle nature will be missed by every Member of this body.

Finally, Senator BOB SMITH and Senator TIM HUTCHINSON were key members of our committee.

I take this opportunity to recognize the contribution that Senator BOB SMITH has made to the work of the Armed Services Committee and the national security of this country over his 12 years of service on this Committee.

Most recently Senator SMITH has served as both the Chairman and Ranking Member of our Strategic Subcommittee where he was a strong advocate of national security space programs, ballistic missile defense programs, and the modernization of our strategic nuclear triad. He did not limit his work on the Committee to the work of one or two subcommittees, however. He made it a point to involve himself in the whole range of issues that came before the Committee and the Committee's deliberations and conclusions were always improved by his involvement. This past year for example, he worked very hard on the issue of concurrent receipt for our deserving veterans.

Every member of the Armed Services Committee will miss Senator SMITH's thoughtful advice and collegial approach to national security issues in the next Congress.

I would also like to take this opportunity to recognize and thank Senator HUTCHINSON for his service on the Armed Services Committee for the last 6 years. In particular, I would like to recognize his service as Chairman and Ranking Member of the Personnel Subcommittee.

Senator HUTCHINSON demonstrated great leadership in helping our military recruiters. He was a major player in enacting TRICARE for Life, significantly increasing the pay of our troops, and reducing the out-of-pocket housing expenses for military personnel not able to live on a military installation. In response to requests for help from enlisted recruiters, he initiated legislation that ensures that military recruiters have the same access to secondary school students as is provided to colleges, universities, and other potential employers.

Our service members and our Nation have greatly benefitted from Senator TIM HUTCHINSON's service here in the Senate on the Armed Services Committee. We thank him.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent to make a few remarks about Senators SMITH and HUTCHINSON.

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

Mr. SESSIONS. I join with Senator LEVIN in his high compliments of Senators CLELAND and CARNAHAN. Both have served this committee exceedingly well.

BOB SMITH is a true American patriot. He loves his country. He served in the Navy. He was a history teacher. He came down here with a ''Mr. Smith Comes to Washington'' view of the highest possible values he could bring to bear. He loved the Defense Department. He gave it extraordinary interest. He was a top leader in national missile defense and high technology defense. He was a leader on the Strategic Subcommittee and chaired it for a number of years.

He was a champion for lost POWs. No Senator in this body spent more time and effort fighting to make sure every single prisoner of war of the United States was recovered or we knew about. He led on the Mike Speicher case, the missing pilot in Iraq.

TIM HUTCHINSON came in with me. I love TIM and watched him lead in this body year after year. He was a tremendous contributor to the Armed Services Committee. He chaired the Personnel Subcommittee. In that subcommittee, he fought hard to improve the pay, benefits, and living conditions of our men and women in uniform. He also fought successfully to break down the barriers where some of our colleges would not let military recruiters come on campus to recruit. He led a tough battle to change some of those laws.

He was a leader, as was Senator SMITH, in the concurrent receipt battle to make sure our veterans who have been injured and disabled received better compensation.

I thank Senator LEVIN for mentioning these Senators at this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, as Senator WARNER did, I add my thanks to our staffs: David Lyles, chief of staff on the Democratic side; Judy Ansley, taking the same responsibility on the Republican side. We are deeply in debt to them and to their entire crew which works with them.

Without our staffs, needless to say, we could not even come close, not just procedurally, not just mechanically, to accomplishing this goal of a conference report, but also for the wisdom, the advice they give us on substantive issues as well which is so important to us.

I don't know of anybody else who wants to speak. I don't know of a request for a roll call. I yield the floor and hope we can adopt the conference report.

The PRESIDING OFFICER. Is there further debate on the conference report?

If not, the question is on agreeing to the conference report.

The conference report was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. LIEBERMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

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

Mr. REID. Mr. President, what is the business now before the Senate?

HOMELAND SECURITY ACT OF 2002—Continued

The PRESIDING OFFICER. Under the previous order, the Senator from Tennessee is recognized to offer an amendment.

Mr. REID. Mr. President, I appreciate that. I noted previously that Senator SANTORUM was going to be recognized after we disposed of the Defense authorization bill. Senator SANTORUM, due to the fact we are having a ceremony for Senator Wellstone at 7 o'clock, agreed to do that after we bring up the port security legislation tomorrow, after that vote. Everyone should expect Senator SANTORUM to offer a unanimous consent request at that time dealing with the CARE Act.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

AMENDMENT NO. 4901

Mr. THOMPSON. Mr. President, on behalf of Senators GRAMM, MILLER, VOINOVICH, and myself I call up an amendment that is at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. THOMPSON], for Mr. GRAMM, for himself, Mr. MILLER, Mr. THOMPSON, Mr. BARKLEY, and Mr. VOINOVICH, proposes an amendment numbered 4901.

Mr. THOMPSON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. Under the previous order, the Senator from Connecticut is recognized.

AMENDMENT NO. 4902 TO AMENDMENT NO. 4901

Mr. LIEBERMAN. I thank the Chair. Mr. President, I have an amendment which I send to the desk on behalf of Senator MCCAIN and myself.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for himself, Mr. MCCAIN, and Mr. NELSON of Nebraska, proposes an amendment numbered 4902 to amendment No. 4901.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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