

morning that the first piece of legislation we will consider in January 2006, after we return from the winter recess, will be the asbestos bill. What a mistake. I know Senator SPECTER has worked hard on this issue. In fact, Senator SPECTER and his good friend and former school roommate Judge Becker, a judge from Pennsylvania, have worked together on this bill for countless hours. However, whatever that personal relationship and despite how long and hard they may have worked on this bill, it is not acceptable in its current form. It is not even close.

All you have to do is look at a bipartisan letter that was sent to Senators FRIST and this Senator, Senator REID, two days ago, dated November 14, 2006. The letter was sent by both the chairman of the Budget Committee, JUDD GREGG of New Hampshire, and the ranking member, KENT CONRAD from North Dakota, and stresses that this asbestos bill is not ready for floor action.

They write:

... we are in the process of gathering data and evaluating available studies in order to provide Senate Members a better understanding of the likely budgetary implication of S. 852. . . .

There are potentially serious costs to Federal taxpayers in this legislation. S. 852 would create a national trust fund to compensate victims of asbestos exposures in lieu of those victims pursuing compensation through the tort system. The legislation was reported by the Senate Judiciary Committee on May 26, 2005. There remain, however, major unresolved questions about the budgetary impact of this bill. These include: the actual cost of the program; whether proposed funding will be sufficient to compensate all claims; clarity on the allocation of assessments to business and insurance entities, including the balance of those assessments and whether these assessments will generate adequate revenues to satisfy the program's costs; the amount that will be borrowed from the Federal Government under the bill's Federal borrowing authority. The legislation proposes a fund of \$140 billion. CBO has advised that this amount could be sufficient to satisfy the program's claims and costs. CBO also cautioned, however that this amount could be insufficient, depending on a number of issues. . . .

Following the release of the CBO report, the Bates White economic consulting firm released a study demonstrating the fund could experience additional costs beyond the proposed amount between \$161 billion and \$421 billion.

Mr. President, \$421 billion in additional costs. The letter concludes:

Because of the major adverse impact the legislation could have on the Federal budget deficit if there are funding shortfalls, we ask that at least until these issues are fully resolved, that the Senate not take any further action on the legislation.

Mr. President, this bill is not ripe for floor debate and will not be in January. This bill does not adequately address the needs of the dying victims who cannot wait for this trust fund to be established. The bill doesn't address the needs of victims if the trust fund runs out of money, which it clearly seems destined to do. The bill provides special benefits for victims at one asbestos site

but ignores the needs of victims at another site. In another letter to Senators FRIST and this Senator, Senator REID, dated yesterday, November 15, 2005, from the Asbestos Victims Groups United, the victims write:

... [W]e write to express our continued and unified opposition to S. 852. We strongly believe that the bill is unfair to victims and is unworkable. . . . We believe it would be wholly irresponsible for Congress to proceed with consideration and passage of this legislation without accurate and complete information concerning the funding issue and the critical factors associated with it. Please do not allow the families who have lost so much to be victimized again.

This legislation will victimize asbestos victims and it will drive American companies out of business. I had a meeting not long ago with the only company in America that still makes wire. They said if this bill goes into effect they will go into bankruptcy. They are able to handle the situation now, but this bill demands that they contribute to a fund for which they have no responsibility. They are willing to take their lumps in the business world as they know them, but they will not be able to sustain themselves if they are told they have to contribute huge amounts of money to this fund.

Another company representative I have met said they spend \$1 million a year on asbestos litigation, but if this bill goes into effect, they will go bankrupt because they can't afford the contributions they will be called on to make.

Let us not rush into asbestos legislation. Let us not do it fast; let us do it right. We owe it to the American taxpayers, to our American businesses and we certainly owe it to our asbestos victims to take the time to get it right.

The PRESIDING OFFICER (Mr. VITTER). The Senator from North Carolina is recognized.

Mr. REID. Mr. President, if I could, I am confident the Chair recognizes that I used leader time for my statement.

The PRESIDING OFFICER. The Senator is correct. The Chair is aware of that.

Mr. SCHUMER. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from North Carolina has the floor. She can yield time.

Mr. SCHUMER. I want to ask a question so I can establish the floor order.

The PRESIDING OFFICER. The next 30 minutes is controlled by the majority, followed by 30 minutes controlled by the minority.

The Senator from North Carolina.

CONTINUED PROGRESS IN IRAQ

Mrs. DOLE. Mr. President, we are today at war—in Iraq, Afghanistan, and so many other places in the world, with an enemy who knows no borders. The recent bombings in Amman, Jordan during a wedding celebration are a strong reminder that terrorists know no limits to their ambitions and the means by which they would achieve

those ambitions, however violent and horrific.

Our dedicated American service men and women have answered a noble calling to defeat terrorism, taking the fight to the terrorists abroad, so that we do not have to fight them here at home. The central battleground in the war on terror is Iraq. It has been just 3 years since Iraq was liberated from the brutal regime of an evil dictator, and in that time, we have made tremendous progress. A constitutional democracy is taking hold, and the Middle East is moving towards greater stability. It is integral to the continued progress in this region and to the overall war on terror that we not allow the cowardly acts of insurgents to derail our efforts. America must stand firm with the Iraqis and see that this danger is defeated and freedom prevails.

Last January, the world watched as Iraqis voted for a new government. Rejecting intimidation and embracing the foundations of freedom, 8.5 million Iraqis went to the polls to vote in a free national election. Just last month, Iraqis returned to the polls once again for a referendum on a new constitution. This time, we saw significantly fewer insurgent attacks, with nearly 9.8 million Iraqis voting, and 79 percent supporting the approval of the new constitution. Iraqis have shown great courage by participating in the democratic process. They have walked for miles to the polls, stood in line for hours, and literally put their lives on the line to cast a vote for peace. Eighty-three-year-old Qadir Abdullah, seen here, made his way to the polls—on crutches. He said, "I wish I were young. This is the first time in my life that I've voted freely in Iraq. When I was young, there were always wars and misery." After decades of tragedy, there is a new optimism, as shown by the willingness of Iraqis to step forward and vote for a brighter future. And the success of the referendum indeed is a powerful milestone on Iraq's road to democracy.

In another sign of progress toward democracy, the Sunnis, who in large measure refused to even participate in the January elections, turned out in great numbers to vote in the constitutional referendum, exercising their right to engage in the democratic process. And in recent weeks, three major Sunni political groups have united to participate in the December 15 elections, in which Iraqis will elect a new national assembly to pass legislation and implement the constitution.

And Iraq has seen tremendous progress toward freedom in the new public services, infrastructure, free press, economic activity, and legal institutions that are critical to the longterm success of this democracy.

Over 3,400 public schools have been built; Hundreds of water and sewage projects, 149 new health facilities, and over 250 fire and police stations have been completed.

Before the war, Iraq's media was tightly controlled by Saddam Hussein's

propaganda machine. The country had no commercial TV or radio stations, and no independent newspapers or magazines. Today, Iraq has a thriving, competitive, free press, with 44 commercial TV stations, 72 commercial radio stations, and more than 100 independent newspapers and magazines. Iraqis can now make up their own minds, based on varying viewpoints in a marketplace of ideas, about the future of their new democracy.

And another foundation of freedom is taking hold—Iraq is experiencing the beginnings of a competitive financial market, with a modernized Iraqi stock exchange.

And Iraqis are for the first time experiencing the rule of law at work in their legal system, with an independent judiciary free to judge cases on their merits, not under the orders of Saddam Hussein and his henchmen.

Ever more, Iraqis are seeing the insurgents for the thugs, thieves, and indiscriminate killers that they are. In just the past nine months, there has been an astonishing 500 percent increase in the number of tips regarding insurgents that Iraqi civilians are providing to security forces.

Iraq is the central battleground in the war on terror. And yet despite the evident progress, some want to cut and run. They claim that our troops have simply done all that they can do, and that the United States should set arbitrary timelines for withdrawing our forces. Mr. President, I strongly disagree and believe that setting such a timeline would only embolden the terrorists and send the message that the United States has lost its resolve in the war on terror. This is the wrong message. Any timeline for withdrawal must be driven by success—not artificially tied to a calendar.

This is not the first time in our history when cynics and skeptics have balked in the face of landmark challenges. A few years may have passed since I had the pleasure of serving President Ronald Reagan in his Cabinet, but I can still remember the naysayers attacking him for his fixed resolve in fighting the cold war. They questioned President Reagan's reasoning, they questioned his strategy, and they questioned America's chances of coming away victorious in a battle to free Russia and other countries from the grasp of communism. President Reagan rejected communism, he rejected the iron curtain, and he refused to concede that freedom would not prevail. While the Soviet Union was extending its influence and doctrine throughout the world, President Reagan, in the face of severe criticism, pursued a different vision. He knew that the enemy must be defeated, not tolerated. We now know he was right in his actions to bring an end to communism—millions were freed and that global threat no longer exists.

Today, naysayers are at it again. Their droning doubt is all too familiar. Much of this defeatist criticism is

being leveled by the very same people who, having access to the same intelligence as the president, agreed that Iraq posed a real and immediate threat. And these very same people supported going into Iraq to fight the war on terror. Now they want to throw up their hands and walk away before the job is done.

No one ever said this would be easy, and mistakes have certainly been made. This is a war—and it is painful and horrific. Every life lost is one tragic loss too many. But we must ensure that their sacrifice was not in vain.

We must honor our fallen heroes, heroes like Major Jeffrey Toczykowski, by completing the job they set out to do. Major Toczykowski, seen here, was a Special Forces detachment commander assigned to the 10th Special Forces Group. Two weeks ago in Anbar province, he made the ultimate sacrifice for his country. In his last email home to his family and friends, he wrote how they should respond if he were to lose his life in battle: And I quote:

Don't ever think that you are defending me by slamming the global war on terrorism or the U.S. goals in that war. As far as I am concerned, we can send guys like me to go after them, or we can wait for them, to come back to us again. I died, doing something I believed in and have no regrets, except that I couldn't do more.

What a powerful testament to the commitment of our service members fighting the war on terror.

Just yesterday, we debated an amendment to the Defense authorization bill that would have forced the administration to set an arbitrary date for the withdrawal of U.S. troops. I am pleased the Senate rejected this proposal. The Frist-Warner amendment we accepted—79-19—sent a message—a forward-looking message—that we expect the Iraqis to continue their progress—and the Congress, in its oversight, will continue to receive reports on the progress being made. The timeline we should focus on is December 15 the election of a parliamentary government. The establishment of a constitutional democracy, coupled with the continued training of Iraqi security forces—now exceeding 210,000 personnel—will in time allow the Iraqis to defend themselves, and the United States to bring our troop levels down.

Around the country, Iraqi forces are now overseeing 72 percent of security checkpoints and leading 43 percent of all combat patrols. Two Iraqi brigades have been assigned their own battle space in Baghdad in an area once a haven for insurgents.

Freedom and democracy in Iraq are the terrorists' worst nightmare. They know what is at stake and try desperately to derail our success. In a letter intercepted last month from Bin Laden's deputy Zawahiri to al-Qaida's leader in Iraq—the terror network's plan was exposed: to expel the Americans from Iraq, establish radical Islamist authority in the country, and

extend the terrorists' jihad into neighboring countries and around the world. They seek to destroy our very way of life. We cannot cut and run—we know all too well what is at stake in this global war against terror. To our men and women in uniform who are protecting our freedom and our security, I say thank you and God bless you. You make us so very proud.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

FIGHTING THE WAR ON TERRORISM

Mr. THOMAS. Mr. President, I thank the Senator from North Carolina for her comments. Certainly I agree with what she has had to say.

Having spent the last weekend, as most of us did, celebrating various events on Veterans Day, I was very much impressed with what we did in my State of Wyoming where we had ceremonies at cemeteries, recognizing all that our veterans have done throughout the years for this country, and the sacrifices that were made by many people over many years to allow us to continue to have the freedoms which we have in our country.

I was particularly impressed by one of the events we had at a school where kids—junior high youngsters—sat there listening to the events that had gone by, and I think probably mostly unaware of the fact that there had been years of sacrifice by so many people to maintain and to protect the freedom of this country.

I think it is appropriate, as we look at all that has been done over the years, that we again focus on those who are now continuing to protect the freedoms of this country—those who are now in the Middle East doing the things we need to be done to ensure that in this country we have our freedom and that this freedom will be expanded to others. I think it is appropriate that we talk about this at this time. It is appropriate also that we continue to support our troops who are there doing these things for us.

One of the most difficult things that could happen in terms of our success and accomplishing our goals there would be to erode the support we have here—and that is not going to happen. We know we will support our troops doing the jobs they are doing.

The war on terror is being fought in Afghanistan and Iraq to fundamentally change the environment that has given rise to Islamic extremism and, of course, brought about, among other things, the terror attacks of 9/11. It is one to bring justice to not only the perpetrators of those horrific attacks but also to change the conditions in the Middle East that brought them about. That is the test. That is the job we must finish. The introduction of a stable democracy and freedom to that oppressed region of the world is the best way to address long term that program and problem.