clarify procedures and the statutory roles of various agencies in the investigation and prosecution of espionage and other cases affecting national security.

I thank all Senators for their cooperation in this conference report, particularly the members of the committee. I also thank the staff of the Select Committee on Intelligence for their hard work in developing this legislation.

SECTION 304

Mr. LEVIN. Mr. President, I would like to ask a question of the Vice Chairman of the Intelligence Committee, Senator BRYAN, for purposes of clarification with respect to one definition in the Intelligence Authorization bill. And that's the definition of ''classified information'' in Section 304 of the bill which amends Section 798A of Title 18. Section 304 establishes as a crime the willful disclosure of classified information to an unauthorized person. In paragraph (c)(2) it defines ''classified information'' as ''information that the person knows or has reason to believe has been properly classified by appropriate authorities, pursuant to the provisions of a statute or Executive Order. . .''

Mr. President, I would like to ask the Vice Chairman's assurance that this bill is not intended to alter in any way the existing definitions of classified information contained in other statutes relevant to the protection of classified information and whistleblower rights. Is that correct?

Mr. BRYAN. The Senator is correct, and I thank him for bringing this to the attention of the Senate.

Mr. WARNER. Mr. President, I ask unanimous consent the conference report be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The conference report was agreed to.

UNANIMOUS CONSENT AGREEMENT—H.R. 4461

Mr. WARNER. I ask consent that at 10 a.m. on Friday the Senate turn to the conference report to accompany H.R. 4461, the Agriculture appropriations bill, and it be considered under the following agreement, equally divided in the usual form.

I further ask consent that the debate continue beginning at 9:30 a.m. on Tuesday and proceed throughout the day.

I ask consent that the vote occur on adoption of the Agriculture conference report at 11:30 a.m. on Wednesday and that paragraph 4 of rule XII be waived and the time between 9:30 a.m. and 11:30 a.m. on Wednesday be equally divided in the usual form, and, finally, 45 minutes of the minority time be under the control of Senator HARKIN.

Mr. REID. I have no objection.

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

UNANIMOUS CONSENT AGREEMENT—H.J. RES. 111

Mr. WARNER. I ask consent that immediately following the vote on passage of the Defense authorization conference report, the Senate proceed to the consideration of H.J. Res. 111, the continuing resolution, the resolution be read the third time, and the Senate then proceed immediately to a vote on passage of the resolution with no intervening action or debate.

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

THE FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001—CONFERENCE REPORT

The PRESIDING OFFICER. The clerk will read the conference report.

The legislative clerk read as follows:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate on the bill H.R. 4205, to authorize appropriations for fiscal year 2001 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 and for the Armed Forces, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, and the Senate agree to the same, 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 was printed in the House proceeding of the RECORD of October 6, 2000.)

Mr. WARNER. Mr. President, it is my privilege as chairman, together with my distinguished friend and ranking member, Mr. LEVIN, the Senator from Michigan, to at long last bring to the Senate the annual conference report from the authorizing committee in the Senate and the authorizing committee in the House.

To refresh the recollection of Senators, I will read the time agreement: 2 hours under the control of the chairman of the Armed Services Committee, Mr. WARNER; 2½ hours under the control of the ranking member, Mr. LEVIN; 1 hour under the control of Senator GRAMM; 30 minutes under the control of Senator WELLSTONE. Following the debate just outlined, Senator ROBERT KERRY will be recognized to make a point of order. The motion to waive the Budget Act will be limited to 2 hours equally divided in the usual form.

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

Mr. WARNER. We hope to yield back some time because I know many of our colleagues are anxious to make commitments, but this is a very important piece of legislation. I am certain the Senators who are going to participate, whom I have identified, will do so in a manner that fits the importance of this annual piece of legislation.

This is the 39th consecutive authorization bill passed by the Congress, assuming it passes this Chamber. It passed the House by a vote of 382–31. That will give some clear indication of the importance of the legislation and the strong support that it merits and has merited in the House of Representatives.

Mr. President, the Senate, as I have been with my colleagues here for the past hour or so for the voting, reflects a very somber note on this sad day for America—indeed, for all those who, throughout the world, stand guard for freedom. We have suffered a tragic loss to the U.S. Navy. This is in parallel with frightful losses taking place elsewhere throughout the Middle East. It brings to mind that this is a most dangerous world that faces us every day. Men and women in the Armed Forces of the United States go forth from our shores, serving in countries all over the world. They, of course, now are on a high alert because of the tragic terrorist act inflicted upon one of our destroyers, the U.S.S. *Cole*.

First in mind are thoughts for our sailors who have lost their lives, and most particularly their families and the families who, at this hour, are still waiting definitive news with regard to the crew of that ship. The casualties number four dead, approximately 12 missing, and some 35 to 36 suffering wounds. Still the facts are coming in.

This clearly shows the danger; it shows the risks the men and women of the Armed Forces are taking—not only in the Middle East region. This, of course, happened in a port in Yemen. The ship was on a routine refueling, a matter of hours, as it worked its way up towards the Persian Gulf to take up its duty station in enforcing the United Nations Security Council sanctions against Iraq. Because of the smuggling that is taking place in violation of those sanctions, those are dangerous tasks and they are being performed every day by men and women of the U.S. Armed Forces, Great Britain, and other nations. Air missions are being flown over Iraq every day, and often those missions are encountering ground fire and other military activity directed against them. We must be a grateful nation for the risks that are constantly assumed by the men and women of the U.S. Armed Forces and their families.

The Senate will have an opportunity to get further facts in the course of the day.

I will now direct my attention to this particular bill, and I see the distinguished President pro tempore, the former chairman of the Senate Armed Services Committee. It is my privilege to succeed him. As an honor to our distinguished former chairman, I ask he lead off the debate on this bill today.

Mr. THURMOND. Thank you very much. I appreciate your fine work as chairman.

Mr. President, before I discuss the conference report on the Defense authorization bill, I want to join my colleagues in expressing my condolences to the families of the sailors killed and wounded in this morning's attack on the U.S.S. *Cole*. This heinous attack again demonstrates the constant peril faced by our military personnel and reinforces the need for this Nation to maintain its vigilance at all times.

Mr. President, I join Chairman WARNER and Senator LEVIN, the ranking member of the Senate Armed Services Committee, in urging my Senate colleagues to support the conference report to accompany the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001. The report, which is the culmination of hundreds of hours of work by the Senate and House Armed Services Committees, is a continuation of the Congress' efforts to reverse the decline in the readiness of our armed forces. It increases the President's budget request by more than $4 billion. More important, it directs the additional resources to the critical areas of procurement, research and development, and improving the quality of life for our military personnel and their families.

The chairman and ranking member have already highlighted the significant aspects of this bill. However, I do want to comment on the comprehensive health care provision for Medicare-eligible military retirees and the Energy Employees' Occupational Illness Compensation Program, both of which I consider significant aspects of this legislation. The health care provision is long overdue legislation that will ensure our military retirees and their families receive life-long health care committed to them as a condition of their service. It will significantly ease the uncertainty regarding health care and financial burden for thousands of military retirees who have dedicated their lives to the service of the Nation. The occupational illness compensation provision provides fair and just compensation to the thousands of workers who were exposed to dangerous levels of hazardous material and other toxic substances while they worked on the Nation's nuclear weapons programs. Although I understand that these benefits come at a significant financial cost, we must keep in mind our commitment to these patriots and remember the greatness of a Nation is not how much gold or wealth it accumulates, but on how it takes care of its citizens, especially those who serve in the Armed Forces.

As with all conference reports, there are disappointments. I am particularly disappointed that the provision to increase the survivor benefit plan basic annuity for surviving spouses age 62 and older was dropped during the conference. The provision would have increased the survivor benefit plan annuity for these individuals from 35 percent to 45 percent over the next four years. I understand that despite the obvious merit of the legislation it was dropped during the conference because it would have cost $2.4 billion over the next 10 years. I find this ironic, since there is more than $60 billion in direct spending attributed to this conference report.

Despite my disappointment regarding the survivor benefit plan provision, this is a strong defense bill that will have a positive impact on the readiness of our armed forces. It is also a fitting tribute to my friend FLOYD SPENCE, the Chairman of the House Armed Services Committee, to have this bill named in his honor. FLOYD has worked tirelessly for our military personnel throughout his long and distinguished career in the House of Representatives. Regrettably, due to the House Rules he will give up the chair of the Armed Services Committee at the end of this session. Although he will be missed as chairman, his leadership and concern for our military personnel will have a lasting legacy in this conference report and FLOYD will continue to serve the people of South Carolina and the Nation as a member of the House Armed Services Committee.

I congratulate Chairman WARNER and Senator LEVIN on this conference report and urge my colleagues to give it their overwhelming support.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I believe there is a parliamentary inquiry from our colleague. I yield for that purpose.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that following the Senator from Virginia and the Senator from Michigan, I be allowed to speak.

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

Mr. WELLSTONE. I thank the Chair.

Mr. WARNER. Mr. President, of course, his request is in the unanimous consent agreement, and, of course, we will observe it.

Today the Senate begins consideration of the conference report to accompany H.R. 4205, the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.

Before I discuss the provisions of the conference report, I want to report that my fellow Senators on the conference panel and I enthusiastically joined the House conferees in naming this bill. Representative FLOYD SPENCE has served as the chairman of the House Armed Services Committee for the last six years. His chairmanship, however, represents only a portion of the almost 30 years Representative SPENCE has been a tireless and dedicated supporter of the military men and women in uniform. As chairman of the committee, in particular, he has led the committee and the House of Representatives in addressing the many challenging national security issues that have confronted our nation in the wake of the cold war. Representative SPENCE has accomplished this undertaking with distinction. From this former Marine captain to a retired Navy captain, I salute him for his leadership. Under the rules of the House, he will relinquish command of the committee at the end of this Congress. Representative SPENCE will remain a member of the committee, and I look forward to continuing to work with him in the many years to come.

This legislation will have a profound, positive impact on our nation's security and on the welfare of the men and women of the Armed Forces and their families. For the second year in a row, the conference report before the Senate authorizes a real increase in defense spending. We have built on the momentum begun last year by authorizing $309.9 billion in new budget authority for defense for fiscal year 2001—$4.6 billion above the President's budget request. And how have we allocated this increase? This bill authorizes $63.2 billion in procurement, which is $2.6 billion above the President's budget request; $38.9 billion in research, development, test and evaluation, which is $1.1 billion above the President's request; and $109.7 billion in operations and maintenance funding, which exceeds the budget request by $1.0 billion.

It is said that success has a thousand fathers and failure is an orphan. The majority of credit for the successes in this bill however, can be attribute to five distinguished and decorated fathers: the Chairman of the Joint Chiefs of Staff and the four service chiefs. General Shelton, General Shinseki, Admiral Clark, General Jones, and General Ryan came to Congress repeatedly during this session and presented to the Senate Armed Services Committee their concerns about the state of the Armed Forces today. They also shared with us their observations about the future. They have consistently shared this information with us in a reasonable, earnest, and nonpartisan manner. We greatly appreciate their candor and contributions to this process.

We all recognize that our military today is over deployed and under recourced—both in terms of people and money.

Since the early 1990s, the U.S. military has been sent on operations overseas at an unprecedented rate; at the same time that force structure was reduced by a third and defense spending was declining. From the end of the Viet Nam War until 1989, there were 60 military deployments. From 1990 to today, there have been 343 deployments—a 571 percent increase. These statistics accurately tell the story. This trend has increased the risk to our forces and has exacerbated the recruiting and retention problems in the military. This cannot continue.

While the rate of military deployments is established by the President, the Congress, within our constitutional powers, is continuing to support the Armed Forces by improving the quality

of life for the men and women in uniform and their families, by providing for funding increases to address declining readiness problems, aging equipment, and recruiting and retention difficulties. The conference report does this. For the servicemen and women deployed around the world, and the families at home that wait their return, they should know that the Congress is steadfastly behind them.

I turn now to what is one of the most important single item in this conference report—military healthcare, particularly for our retired personnel and their families. History shows they are the best recruiters of all.

The conference report before the Senate fulfills an important commitment of ''healthcare for life'' made by the recruiters—the U.S. Government—beginning in World War II and continuing through the Korean war and the Viet Nam war. The goal of making that commitment was to encourage service members to remain in uniform and become careerists. Simply put, a commitment of health care for life in exchange for their dedicated career service.

Again, this convergence report fulfills the promise of healthcare for life. I am proud of the bipartisan unanimity with which the Senate Armed Services Committee supported this initiative—an initiative never taken before by an congressional committee.

Let me describe for my colleagues and for our active and retired service members around the world the legislation in this conference report to authorize health care benefits for Medicare-eligible military retirees and their families, and how we arrived at this outcome.

For as long as I can remember, military recruits and those facing re-enlistment have been told that one of the basic benefits of serving a full military career is health care for life. We all know now that this commonly offered incentive was not based in statute, but was, nonetheless, freely and frequently made; it is a commitment that we must honor.

Let me briefly review the history of military health care. Military medical care requirements for activity duty service members and their families were recognized as early as the 1700's. Congressional action in the last 1800's directed military medical officers to attend to military families whenever possible, at no cost to the family. During World War II, with so many service members on activity duty, the military medical system could not handle the health care requirements of family members. The Emergency Maternal and Infant Care Program was authorized by Congress to meet this road. This program was administered through state health agencies.

The earliest reference in statute defining the health care benefit for military retirees was in 1956 when, for the first time, the Dependent's Medical Care Act specified that military retirees were eligible for health care in military facilities on a space-available basis. In 1966, this Act was amended to create the Civilian Health and Medical Program of the Uniformed Services, CHAMPUS, to supplement the care provided in military facilities. This legislation, in 1966, specifically excluded from coverage military retirees who were eligible for Medicare—a program which had been enacted by the Congress one year earlier, in 1965.

The exclusion of over age 65, Medicare-eligible military retirees from guaranteed care from the military health care system was masked for many years because the capacity of military hospitals an the military medical system exceeded that required to care for active duty service members; therefore, many Medicare-eligible retirees were able to receive treatment, on a space-available basis, at military facilities. In the 1990s, we began to reduce the size of our military services and the base realignment and closure, BRAC, rounds began to close bases—and military hospitals—all across the Nation. The combined effect of fewer military medical personnel to provide care and the closure of over 30 percent of the military hospitals eliminated the excess capacity that had been so beneficial to military retirees. Also during this decade the retiree population grew dramatically, adding pressure to the military health care system. The true magnitude of the problem was finally exposed.

All of us have heard from military retirees who served a full career and, in so doing, made many sacrifices. Many times the sacrifices these heroic veterans made resulted in serious medical conditions that manifested themselves at the time in their lives when they were pushed out of the military health care system. As a nation, we promised these dedicated retirees health care for life, but we were ignoring that promise.

On February 23, 2000, I introduced a bill, S. 2087, that provided for access to mail order pharmaceuticals for ALL Medicare-eligible military retirees, for the first time. The legislation also would improve access to benefits under TRICARE and extend and improve certain demonstration programs under the Defense Health Program.

On May 1, 2000, I introduced S. 2486, which added a retail pharmacy component to the previous legislation, providing for a full pharmacy benefit for all retirees, including those eligible for Medicare.

On June 6, Senator TIM HUTCHINSON and I introduced S. 2669, a bill that would extend TRICARE eligibility to all military retirees and their families, regardless of age. Later that same day, I amended the defense authorization bill to add the text of S. 2669. This legislation provided uninterrupted access to the Military Health Care System, known as TRICARE, to all retirees.

While the Senate bill extended TRICARE eligibility to all military retirees and their families regardless of age, the defense authorization bill passed by the House of Representatives took a different approach. The House bill expanded and made permanent the Medicare subvention program. Medicare subvention is a program that is currently being tested in ten sites across the country. Under Medicare subvention, the Health Care Financing Agency of the Department of Health and Human Services reimburses the Department of Defense for providing health care to Medicare-eligible military retirees in military hospitals.

There are several problems with Medicare subvention. First, the amount of the reimbursement from Medicare to DOD falls well short of the actual cost of providing that care, causing DOD to absorb a loss for each retiree covered by the program. Second, expanding Medicare subvention nationwide would provide access to health care only for those beneficiaries living in proximity to the remaining DOD medical facilities. In contrast, the Senate bill covered 100 percent of the Medicare-eligible military retirees, regardless of where they live.

As many of you know, since the defense authorization conference began in late July, Senate and House conferees have been working toward the mutual goal of adopting legislation which would provide comprehensive health care to all military retirees, regardless of age. I am pleased to announce that the conference report to accompany the National Defense Authorization Act for Fiscal Year 2001 includes a permanent health care benefit for retirees—modeled on the Senate bill. I am delighted that we have honored the commitment of health care for life that was made to those who proudly served this nation. This is long overdue.

It had always been my intent to make this health care benefit permanent. In fact, when I originally introduced my legislation in February, with the support of many in the Senate, there was no time limit on the benefits contained in my amendment. During Senate floor consideration, a discussion arose about whether a budget point of order could be made against the bill due to the mandatory costs of the amendment. At that point, I made the decision to limit the provision to a preliminary 2-year period to ensure that there would be no point of order against the authorization bill. We knew of Senators who had a legitimate interest in raising such a point of order, and I did not want to put the bill at risk.

All through this process, I have made clear my commitment to work to make these benefits permanent at the earliest opportunity.

During the defense authorization conference we had an opportunity to make my retiree health care provisions permanent by converting the benefit to an entitlement and creating an accrual account in the Treasury. This conversion to an entitlement would not occur until fiscal year 2003.

Let me describe how funding the health care benefit through an accrual account would work. Accrual method of financing is more of an accounting mechanism than a change in funding. Using an accrual method of financing does not, in itself, increase the costs of a program. Accrual funding is commonly used in entitlement programs; one example of an accrual account is the military retirement account. The Department of Defense would annually deposit such funds, as determined by the actuarial board, into the accrual account in the Treasury. The Treasury, which would absorb the liability for certain costs attributed to providing health care, would also make an annual deposit to the accrual account. The costs of the health care benefit would than be paid from the accrual account.

The net effect of funding this important program as an entitlement would be similar to funding it from within the discretionary accounts of the Department of Defense. While a significant portion of the burden of funding this program is moved from the Department of Defense budget, there is little net cost to the federal government.

Permanently funding the military retiree health care benefit will be seen by retirees, active duty service members and potential recruits as the nation keeping it's commitment of health care for life to military retirees. Those serving today and those who are joining the military will see that the promise of a lifetime of health care, in return for serving a full career, will be honored in perpetuity.

Two weeks ago, in testimony before both the Senate Armed Services Committee and the House Armed Services Committee, General Hugh Shelton, Chairman of the Joint Chiefs of Staff, and each of the service chiefs strongly supported making this benefit permanent and using the accrual account method of financing. The Joint Chiefs have repeatedly testified that failing to honor the commitment to our retirees has been detrimental to their recruiting and retention efforts.

During our conference we made many tough decisions on issues that are very important to many Senators. I resisted every proposal that would potentially generate a point of order against the conference report. The accrual funding mechanism and the direct spending associated with the retiree health care benefit will make our conference report vulnerable to a motion to raise a point of order against our bill which would require a 60 vote majority to overcome. It is any Senator's legitimate right to take such an action. While I respect the right of any Senator to raise a point of order, I am urging my colleagues to consider the benefits of the health care provisions in this bill, which are fully justified. We would not want to leave our over-65 military retirees in doubt about our intentions with respect to their medical care. They must make critical decisions regarding their medical insurance plans and medical care. By making this health care plan a permanent entitlement, we are truly fulfilling the commitment made to all those who have completed a career in uniform.

If such a point of order is sustained, then the Defense authorization conference report will have to be recommitted to a new conference. There is simply not enough time in this Congress to commence a new conference.

If the Defense authorization conference report is not passed, there will be no health care benefit for Medicare-eligible military retirees. If the defense authorization conference report is not passed, this would be the first time in 38 years that the Congress has not passed a Defense authorization bill. That would be a tragedy. What a terrible signal to send to our brave men and women in uniform defending freedom around the world.

In addition to restoring our commitment to our retirees, the conference report also includes a number of important initiatives for active and reserve men and women in uniform today. The conferees authorized a 3.7 percent pay raise for military personnel effective January 1, 2001 and a revision of the basic pay tables to give noncommissioned officers an additional pay increase, effective July 1, 2001. I cannot understate the importance of providing our noncommissioned officers with this support. They are our career soldiers, sailors, airmen, and marines; tried and true, they are the backbone of our military and are more than deserving of this pay raise.

We included a provision to reduce the number of military personnel on food stamps. The conference report would provide up to $500 per month in an additional, special pay for military personnel who are eligible for food stamps. By our estimates, this provision should reduce the 6,000 military personnel estimated by DOD to be on food stamps today by about half. To further assist our most needy service members, the conferees agreed to eliminate the requirement that service members pay 15 percent of their housing costs out of their own pocket and directed implementation of the Thrift Savings Program of active and reserve service members.

The conference report extends current and authorizes additional recruiting and retention bonuses and special pays. If the bill is not enacted into law, all of these bonuses will expire on December 31, 2000. If the services are not able to offer the recruiting and reenlistment bonuses, their recruiting and retention progress of this past year will be for naught.

Also important to improving the quality of life for servicemen and women and their families is our continuing support for the modernization, renovation, and improvement of aging military housing. This conference report contains $8.8 billion for military construction and family housing, an increase of $788.0 million above the administration's request. More than $443.0 million of this amount is for the construction of 2,900 family housing units—800 more homes than last year. The conference report also provides more than $585.0 million to renovate and upgrade critical barracks space for unaccompanied military personnel and more than $660.0 million for vital military construction projects for reserve components.

This conference report also supports a group of dedicated men and women, who, while not in uniform, provided an equally important contribution to the defense of the Nation. The conference report establishes a new program to compensate Department of Energy, DOE, employees and DOE contractor employees who were injured due to exposure to radiation, beryllium, or silica while working at certain DOE defense-related nuclear facilities. This new program is intended to compensate those employees who, for the past 50 years, have performed duties uniquely related to nuclear weapons production and testing. Eligible employees would receive a lump sum payment of $150,000 and payment for all future medical costs related to the covered illness.

At this point, I recognize the important contributions of Senators THOMPSON, VOINOVICH, MCCONNELL, and DEWINE and their staff in crafting the final conference outcome on DOE workers compensation. Although they were not conferees, they were involved every step of the way as we negotiated this important issue with the House. They are to be commended for their tireless efforts on behalf of DOE workers.

I will now briefly highlight just a few of the important measures in this bill which support modernization and operations of our land, sea, and air forces, and which support our continuing efforts to identify and counter the emerging threats—information warfare or the use of weapons of mass destruction.

The conference report:

Increases funding by over $888.0 million for the primary military readiness accounts for ammunition, spare parts, equipment maintenance, base operations, training funds, and real property maintenance. While the additional funds that the conferees have provided will help with some of the most critical shortages in these areas, further efforts will be required over the next several years if we are to restore the Armed Forces to appropriate levels of readiness;

Supports the Army's transformation efforts by: authorizing an additional $750.0 million for this initiative; directing the Army to provide a plan that charts a clear course toward the fielding of an objective force in the 2012 time frame; and requiring an evaluation of equipment alternatives for Interim Brigade Combat Teams;

Adds $560.0 million to the President's budget request for ship construction;

Adds $15.7 million for five additional Weapons of Mass Destruction Civil Support Teams, WMD–CST, which will result in a total of 32 WMD–CSTs by the end of fiscal year 2001. WMD–CSTs, formerly known as Rapid Assessment and Initial Detection, RAID; Teams, are comprised of 22 full-time National guard personnel who are specially trained and equipped to deploy and assess suspected nuclear, biological, chemical, or radiological events in support of local first responders in the United States.

Includes a provision that would designate one Assistant Secretary of Defense as the principal civilian advisor to the Secretary for Department of Defense activities for combating terrorism. This provision—which is critically needed—ensures that there is a single individual within the Department responsible for providing a focused, comprehensive and well-funded DOD policy for combating terrorism.

Provides additional funding to address several of the Department of Defense's most critical shortfalls in combating cyber-warfare threats. The conference report adds $15.0 million to create an information Security Scholarship Program to address shortages in skilled DOD information assurance personnel by providing essential training and education in exchange for a service commitment, and $5.0 million to establish an Institute for Defense Computer Security and Information Protection to conduct critical research and development that is currently not being done by DOD or the private sector, and to facilitate the exchange of information regarding cyberthreats and related issues;

Adds $146.0 million to accelerate technologies leading to the development and fielding of unmanned air combat vehicles by 2010 and unmanned ground combat vehicles by 2015. This initiative will allow the Department to exploit the opportunities created by the rapid pace of technological development to provide our men and women in uniform with the most advanced weaponry and leverage these developments in a way that minimizes the risk to those deployed in harm's why;

Authorizes a net increase of $391.8 million for ballistic missile defense programs including a $129.0 million increase for National Missile Defense risk reduction, an $85.0 million increase for the Airborne Laser program, and an $80.0 million increase for the Navy Theater Wide missile defense program;

Reduces the congressional review period from 180 days to 60 days for changes proposed by the administration on the export control levels of high performance computers;

Ensures service contractors receive prompt and timely payment from the Department of Defense by requiring a plan for the electronic submission of supporting documents for contracts and the payment of interest for service contracts for payments more than 30 days late;

Authorizes $470.0 million in federal assistance to the Nation's firefighters over the next two years. The conference report also establishes a framework for the review and reauthorization of the program at the end of that time.

I would now like to take a few moments to address a provision which is not in the final conference report—the Warner-Kasich amendment on Kosovo.

As my colleagues know, I started the legislative effort to get our European allies to live up to the commitments they have made to provide assistance to the peacekeeping operation in Kosovo shortly after returning from a trip to the region in January. I was greatly troubled by what I saw in Kosovo—a U.N. peacekeeping mission that was out of money; a civil implementation effort that had barely begun, almost seven months after the war had ended; and U.S. and other NATO troops having to make up for shortfalls on the civilian side by performing a variety of non-military missions, from performing basic police functions to running towns and villages, to acting as judges and juries. I could not allow this situation to continue without reviewing the issue with our allies and bringing it to the attention of my colleagues.

The United Sates bore the major share of the military burden for the air war on behalf of Kosovo—flying almost 70 percent of the strike and support sorties, at a cost of over $4.0 billion to the U.S. taxpayer and great personal risk to our aviators. In return, the Europeans promised to pay the major share of the burden to secure the peace. European nations and institutions quickly volunteered billions in assistance and thousands of personnel for the effort to rebuild Kosovo. Unfortunately, as I discovered in January, these resources and personnel were not making their way to Kosovo—commitments were simply not becoming realities.

I introduced legislation that had a very clear and simple purpose: to tell our European allies that we would not allow the commitment of U.S. military personnel to Kosovo to drift on endlessly because of the failure of the Europeans to live up to their commitments. My legislation would have done no more than hold our allies accountable for the pledges and commitments they freely made.

For a variety of reasons, a form of the legislation that I originally sponsored failed in the Senate on a close vote. However, Congressman KASICH, after consulting with me, pursued similar legislation as an amendment to the defense authorization bill in the House of Representatives. The Kasich amendment passed the House by an overwhelming margin—over 100 votes. It was this amendment that we addressed during our conference.

I believe that the legislation Congressman KASICH and I jointly pursued this year has had a very positive effect. Money and personnel for civil implementation efforts are now flowing into Kosovo. Our allies are making credible progress in fulfilling their commitments. The civil implementation effort in Kosovo is now moving forward. While more clearly needs to be done, it was the feeling of a majority of the conferees—myself included—that the Kosovo legislation had largely achieved its purpose, and keeping this legislation in the final conference report could have a negative impact on relations with our allies and, perhaps, developments in Kosovo.

In place of the Kasich language, the conferees included a provision which requires the President to submit semi-annual reports to the Congress, beginning in December of this year, on the progress being made by our allies in fulfilling their commitments in Kosovo. Such reports will allow the Congress to keep track of developments in this important area. If these reports reveal that progress again lags, it is the intention of this Senator to pursue legislation in the future designed to ensure greater burden sharing by our European allies in this crucial venture.

In conclusion, I want to thank all of the members and staff of the Senate and House Armed Services Committee for their hard work and cooperation. This bill sends a strong signal to our men and women in uniform and their families that Congress fully supports them as they perform their missions around the world with courage and dedication.

I am confident that enactment of this conference report will enhance the quality of life for our service men and women and their families, strengthen the modernization and readiness of our Armed Forces, and begin to address newly emerging threats to our security. I strongly urge my colleagues to adopt the recommendations of the conference committee.

Mr. President, I especially thank my distinguished friend and ranking member for the cooperation he has given me. This is the 22nd year we have served together in the Senate. We have been partners all these many years. We are proud to have the joint responsibility of the leadership of the committee that tries at every juncture to exert wisdom and decisions reflecting bipartisanship and, as in the famous words of another Senator, we check politics at the water's edge, particularly as it relates to the forward-deployed troops of our Armed Forces.

We are proud of that record. We have worked together very well. There was unanimous signing of the conference report which is presently before the Senate. I am very proud of the participation of all members of our committee and, indeed, the superb staffs of both the majority and minority.

I join my distinguished colleague, the President pro tempore and former chairman, in recognizing this bill is named for FLOYD SPENCE, the chairman

of the House committee. Chairman SPENCE has served many years. He was a World War II veteran in the Navy and rose to the rank of captain. He has had a distinguished public service record in the United States. It is most fitting that this bill be named in his honor.

Mr. President, I see the presence of our distinguished colleague from Alabama. Perhaps he would like to follow the Senator from Minnesota.

Mr. SESSIONS. If that is appropriate, I will be honored to follow the Senator.

Mr. WARNER. Senator WELLSTONE, to be correct. Mr. President, I ask unanimous consent he be recognized following Senator WELLSTONE.

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

Mr. WARNER. Mr. President, unless the managers, Mr. LEVIN or myself, for some reason need to be recognized.

For the second year in a row, the conference report before the Senate authorizes a real increase in defense spending. We have built on the momentum of last year by authorizing $309.9 billion in new budget authority for Defense for the fiscal year 2001, $4.6 billion above the request of the President of the United States.

That additional funding over and above the President's request was the result of the actions of many Senators, most particularly our Senate leadership, Republican and Democratic, the Budget Committee chairman, Senator DOMENICI, the ranking member, and others, and I certainly had a strong hand in it. We had a record to take before the Senate to justify that increase, and that record, in large measure, was put together by the Joint Chiefs of Staff; specifically, the Chiefs of the Services who have periodically come before the Congress and, in accordance with the clear understanding between the Congress and the Service Chiefs, to give us their opinions with regard to the needs for their respective military departments and, indeed, the other departments. They give us those professional opinions, even though those opinions at times are at variance with the statements of the President, the Secretary of Defense, and possibly even the Chairman of the Joint Chiefs of Staff.

The Service Chiefs have come forward repeatedly and told us about the needs over and above budget requests. Therefore, at this time, I specifically thank them for their service and thank them also for standing up for those in uniform and their families in their respective military departments.

When you are down there, whether it is an enlisted man or junior officer, looking up to those four-stars, it is a long way, but they are the leaders and they are the most trusted of all, the most unbiased. When it comes to politics, there is not a trace. They are there for the interest of our Nation and most specifically for those who every day follow their orders. I thank them.

They confirmed what we all know: That today, the U.S. military is overdeployed and underresourced, resource in terms of people, dollars, procurement, and O&M funds. I will go into detail about them in the course of this debate.

Since early 1990, the U.S. military has been sent on operations overseas at an unprecedented rate. At the same time, that force structure was reduced by a third and defense spending was declining every year up until 2 years ago. From the end of the war in Vietnam until 1989, the records of the Pentagon show there were 60 military deployments.

From basically 1989 until today, there have been 343 deployments in sharp contrast to the 60 in the preceding period. This represents over a 500-percent increase in our deployments. These statistics tell the story.

I am not suggesting in any way that most of these deployments were absolutely essential. Many were in the vital security interests of the United States. As I think quite properly, those contending for the Presidency today, both Republican and Democrat, have pointed out that they will watch very carefully what has been brought to the attention, largely by the Congress and the Chiefs, that they are overdeployed and underresourced. Those are the statistics of this period basically from 1989 until today.

While the rate of military deployments is established by the President, the Congress, with our constitutional powers, is continuing to support the Armed Forces by improving the quality of life for the men and women in uniform and their families, and the President, in his budget submissions, has done that. But each time in the past 3 years, the Congress has gone above the President's request to add what we can, given the budget constraints, to further improve the quality of life of the men and women in the Armed Forces, to further increase procurement, to further increase O&M funds because we are highly aware of that theme—overdeployed and underresourced.

The conference report takes great strides in the direction to improve, over and above that requested by the President, the quality of life of our men and women and, I may say, the retirees.

I am proud of our committee. The Senate Armed Services Committee, the records show, is the first committee in the Senate to recognize the need for revising the health care program for career military retirees. Basically, that is 20 years or, in the case of those who have medical retirement, earlier than 20, but the career military have long been neglected.

I want to credit the many organizations and many individuals who approached this chairman, who approached, I believe, every Member of the Senate, and brought to their attention the need for correction. That correction, I am proud to say, is incorporated in this conference report and will be given in great detail.

Basically, these retirees, in my judgment, have been entitled to this for many years. In my judgment, they were promised this. At a later point in this debate, I will go into the specifics because I have researched it way back. And now, at long last, in this 2001 appropriations, we make the start for a health care program to have the care for those retirees which they deserve and to which they have been entitled for many years. One of the most important single items in this conference report is this military health care.

History shows that our military retirees are the best recruiters of all. One of the direct consequences of our military being overdeployed and underresourced—I will use that refrain over and over again—has been the difficulty in recruiting the needed personnel, the difficulty in retaining the middle grade officers primarily, and the middle grade enlisted, particularly those with skills that are in direct competition with our ever-burgeoning economy in the private sector, who know full well that to get a military person—trained in computers, trained in electronics—they know they get a well-trained, well-disciplined, reliable employee.

That is quite a lure to these young men and women who are overdeployed, who suffer so much family separation. There has been an over 500-percent increase in these military deployments in the past decade or so. So that is the reason we are having difficulty in meeting our recruiting goals.

But we are beginning to put a fix in to take care of the retirees, so once again they can go out, as they have done in the past—I am not suggesting they withstood recruiting, but certainly some of the incentive has been lacking because they have not been treated fairly—and, once again, they will be in the forward vanguard of recruiting. They are the best recruiters of all.

I have to say on a personal note, my father served in World War I. I am very proud of his service and believe he recruited me in World War II by simply saying: It is your duty, son. Although I had very modest service at the conclusion of, the end of that war, fathers like him all throughout the country—and some mothers—were the recruiters long before we got to the recruiting station.

The conference report before the Senate fulfills an important commitment of health care for life, as we have determined because in World War II, history shows, and continuing through the Korean war, and indeed through Vietnam, the goal of making that commitment was to encourage service members to remain in uniform and become careerists. Simply put, there was the commitment of health care for life in exchange for their dedicated career service.

Let me describe for my colleagues and for our active and retired service

members around the world the legislation in this conference report to authorize health care benefits for Medicare-eligible military retirees and their families. First, our committee, we were in the forward vanguard of this. Then we were joined by the House. But let me describe what we have done in this bill jointly—Senate and House—in this conference report.

Military medical care requirements for active duty service members and their families were recognized as early as the 1700s. That is how far back in the history of our country it goes—George Washington's Continental Army. Congressional action in the late 1800s directed military medical officers to tend to military families, whenever possible, at no cost to the family.

During World War II, with so many service members on active duty, the military medical system could not handle the health care requirements of many family members. The Emergency Maternal and Infant Care Program was authorized by Congress to meet that need in that wartime period. This program was administered through State health agencies. The earliest reference in statute defining the health care benefit for military retirees was in 1956, when for the first time, the Dependent's Medical Care Act specified that military retirees were eligible for health care in military facilities on a space-available basis.

In 1966, a decade later, this act was amended to create the Civilian Health and Medical Care Program of the Uniformed Services, called CHAMPUS, to supplement the care provided in military facilities. This legislation, in 1966, specifically excluded from coverage military retirees who were eligible for Medicare, a program which had been enacted by the Congress 1 year earlier, in 1965.

All of us have heard from military retirees who served a full career and in so doing made many sacrifices. Many times the sacrifices these heroic retirees made resulted in serious medical conditions that manifested themselves in a time in their lives when they were pushed out of the military health care program. As a nation, we promised these dedicated retirees health care for life, but at that period we were ignoring that promise of America.

On February 23, 2000, I introduced a bill, S. 2087, that provided for access to mail-order pharmaceuticals for all Medicare-eligible military retirees. This was the first time that has ever been done. The legislation would also improve access to benefits under TRICARE and extend and improve certain demonstration programs under the Defense Health Program.

On May 1, 2000, I introduced S. 2486, which added a retail pharmacy component to the previous legislation, providing for a full pharmacy benefit for all retirees, including those eligible for Medicare.

Now, I staged this purposely because throughout this period I was in consultation with the many veterans groups who came forward in that period, experts who had studied this for a long time and brought to my attention the added requirements in the legislation.

While I and other members of the Senate Armed Services Committee were working on this legislation, we were doing so in consultation regularly with those organizations representing the retired military and the Department of Defense. It is interesting, Secretary Cohen had some difficulty, understandably, because of his budget constraints. But I know in his heart of hearts he was concerned about the military retirees, as were the Chiefs. But the time came when the Chiefs had the opportunity to express their opinions, which, as I say, were at variance with those of the Secretary of Defense and, indeed, the President. They told us about the need for this legislation.

So while I thank the Senate and most particularly our committee for pioneering this effort for the first time in the history of the Congress, we owe a debt of gratitude to so many others who helped us, gave us the encouragement, and, indeed, showed us the path to follow.

On June 6, Senator TIM HUTCHINSON and I introduced S. 2669, a bill that would extend TRICARE eligibility to all military retirees and their families regardless of age. Later that same day, I amended the Defense authorization bill to add the text of S. 2669. This legislation provided uninterrupted access to the military health care system, known as TRICARE, to all retirees.

While the Senate bill extended TRICARE eligibility to all military retirees and their families regardless of age, the Defense authorization bill passed by the House of Representatives took a different approach. I respect their approach, but it was different from ours.

The House bill expanded and made permanent the Medicare subvention program. Medicare subvention is a program that is currently being tested in 10 sites across the country. Under Medicare subvention, the Health Care Financing Agency of the Department of Health and Human Services reimburses the Department of Defense for providing health care to Medicare-eligible military retirees in military hospitals.

There were two significant problems with Medicare's subvention in the judgment of the Senate, and particularly the conferees, when we got to conference.

First, the amount in the reimbursement from Medicare to DOD falls well short of the actual cost of providing that care, causing DOD to absorb a loss for each retiree covered by the program.

Second, expanding Medicare subvention nationwide would provide access to health care only for those beneficiaries living in proximity to the remaining DOD medical facilities. In contrast, the Senate bill covered 100 percent of the Medicare-eligible military retirees, regardless of where they live.

This is important; I emphasize that. Many of the military retirees live under very modest circumstances and have sought places in our Nation for their retirement homes which cost less and, therefore, very often are not co-located with large military facilities and military medical hospitals. They are scattered. It has been a burden on some of those people through the years to travel considerable distances to avail themselves of such medical assistance as was afforded to them prior to this bill.

Since the Defense authorization conference began in late July, Senate and House conferees have been working towards the mutual goal of adopting legislation which would provide comprehensive health care to all military retirees regardless of age. I am pleased to announce that the conference report to accompany the National Defense Authorization Act for fiscal year 2001 includes a permanent health care benefit for retirees modeled on the Senate's original version to have it permanent.

I am delighted that we have honored the commitment of health care for life that was made to those who proudly served the Nation on a permanent basis.

I acknowledge the strong participation by the House conferees; indeed, the Speaker of the House and the chairman of the House Subcommittee on Personnel, and Chairman Spence, Chairman Stump. I could mention many who worked on this. That was a subject of some concern in the conference because Senator LEVIN and I, when we had our bill on the floor with provisions which would, in an orderly way, have enabled us to have permanency to this program, were going to be challenged on a point of order. That may occur again today. Frankly, I would rather have it occur today than when this bill first was on the floor 2 months or so ago for various reasons.

So the conferees made the decision—a bold one—that they would make this permanent, and we now present that to the Senate. It had always been my intent to make this health care permanent. In fact, when we originally introduced the legislation in February, with the support of many in the Senate, there was no time limit on the benefits contained in the early Senate bills and amendments. I have covered the history of how we have gotten where it is now permanent.

The net effect of funding this important program as an entitlement would be similar to funding it from within the discretionary accounts of the Department of Defense. There is little net cost to the Federal Government. Permanently funding the military retiree health care benefit will be seen by retirees, active duty service members, and potential recruits, both enlisted

and officers, as the Nation keeping its commitment to health care for life to military retirees. Those serving today and those who are joining the military will see that the promise of a lifetime of health care in return for a career will be honored by America.

Two weeks ago in testimony before the Senate Armed Services Committee and the House Armed Services Committee, Gen. Hugh Shelton, Chairman of the Joint Chiefs of Staff, and each of the Service Chiefs strongly supported making this benefit permanent and using the accrual account methods of financing. While I respect the right of any Senator to raise a point of order, I am urging my colleagues to consider the benefits of the health care provisions of this bill which are fully justified. We would not want to leave our over-65 military retirees in doubt about our intentions with respect to their future medical care.

This issue is on the 1 yard line, ready to be carried across for a touchdown by the Senate, hopefully within a matter of hours.

These retirees must make critical decisions regarding their medical insurance plans and medical care. By making this health care plan a permanent entitlement, we are truly fulfilling the commitment made to all those who have completed a career in uniform and to those contemplating a career in the future.

I am going to yield the floor at this time so as to move along. I will return to my remarks at a later point.

I yield the floor to my distinguished colleague. Again, I thank Senator LEVIN for his untiring efforts on our behalf to create this historic piece of legislation.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first let me congratulate Senator WARNER, our chairman, for his distinguished service, as always, for his total commitment to the men and women in the military, for trying to produce a bipartisan product which we have produced again this year. Without his leadership, this would not be possible. I, first and foremost, thank my good friend JOHN WARNER for again coming through with a really good bill that I think will command the large number of votes which will be forthcoming.

Mr. WARNER. Mr. President, I thank my colleague. I know he would wish to share, with me, such credit for this legislation with all members on both sides of the aisle of the Armed Services Committee. We have a great team.

Mr. LEVIN. That was indeed the next point. We are blessed with a committee which operates on a bipartisan basis. The members of the committee work well together. The chairmen of our subcommittees work well. Our staffs work well together. We have many blessings to count being able to serve in this body and to serve our Nation, but surely one of our great blessings is being on a committee which is able to operate on such a bipartisan basis.

I echo Chairman WARNER's comments about the tragedy in Yemen this morning that involved the Navy ship, the U.S.S. *Cole*. Our hearts and prayers go out to the families of those who have been lost in this despicable act of terrorism. Our hearts and prayers go out to the sailors who have survived who are now struggling for life. Our hearts and prayers go out to their families. We are in, as we surely understand, for a long battle against terrorist acts.

I notice my good friend from Kansas on the floor, chairman of the subcommittee that addresses new threats we face. The terrorist threat which was exemplified this morning in Yemen has been repeatedly pointed out by him and other members of the subcommittee and of the Senate as being the type of threat that we face. That kind of terrorist act is a real world threat which is here and now.

That was not a weapon of mass destruction, but it was a weapon that caused massive injury, massive death. We must put our brains and our resources together with allies to try to prevent these kinds of actions from occurring and, when they do occur, to bring the perpetrators to justice.

The Senator from New York has requested that I yield 5 minutes to him so he may make a statement at this time. The order that we had established by unanimous consent was that after my opening statement the Senator from Minnesota would be recognized, and then the Senator from Alabama would be recognized. I want someone on the other side of the aisle to hear this, but I ask unanimous consent that that be modified at this time so I may defer my opening statement to yield to the Senator from New York 5 minutes.

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

The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my friend, the Senator from Michigan. He is gracious as always, and I appreciate the opportunity to briefly interrupt this proceeding. I also compliment him and Senator WARNER on the bill they have put together. As was mentioned, the whole Chamber admires the bipartisan way in which the Senators from Michigan and Virginia have worked together.

I rise today to say I am stunned and saddened by the violence which has erupted in the Middle East. I am saddened by the loss of four innocent and brave American sailors, victims of malicious, malevolent, maddening terrorism that has no rationale, no justification.

My prayers and thoughts are with their families, as well as with those who have been injured and those who are missing, and their families as well. Terrorism can strike anywhere at any time. We have to be doing all we can in this Chamber to deal with it.

I am stunned also that after 7 years of good faith negotiations all too many Palestinians still see violence as the means to achieve their ends. The violent pictures we saw of the two Israeli reservists being thrown from a window and brutally beaten is enough to turn anyone's stomach. Pictures such as that and so many other pictures that we have seen are not only very disturbing to us, but it lessens the chances for peace in the Middle East.

I am disappointed and sad that Chairman Arafat has failed to stop or even condemn the violence. Yasser Arafat says he is for peace and he has signed agreements for peace. Yet violence has erupted in the Middle East and not only has he failed to stop it, you don't hear a word of condemnation. Instead, one may feel that he misguidedly thinks violence is a means to an end. I am saddened that a peace process which saw the courage and sacrifice of leaders such as Yitzhak Rabin and Ehud Barak may be crumbling before our eyes. The prospect for peace, at least in the near future, has been shattered by today's events.

I have been a supporter of the Oslo peace process because I truly believe that peace is the only realistic, long-term alternative for Israel and Israel's Arab neighbors. It will be through peace that they achieve strength and security. It will be through peace that Israel will have its future aglow with possibilities. But now, to be honest, I am not so sure what will come of the Oslo peace process, let alone how much more Israel can sacrifice in the name of peaceful compromise which may never come to be. Prime Minister Barak went further than anyone dreamed he could go, and even those exceedingly generous and courageous offers were rejected.

Peace has to be a two-way street; otherwise, it is just empty promises.

Chairman Arafat must be called to task for his inability to control the violence and to embrace peace. The sad truth is that while Israeli leaders were preparing their citizens for peace by bringing them to accept the compromises necessary for peace, Arafat was doing the opposite. He was making false promises to his people and raising false hopes.

If there is to be real peace in the Middle East, Chairman Arafat has a responsibility to prepare his people for peace, not violence. That means changing Palestinian textbooks which still call for the destruction of Israel. It also means stopping the rhetoric of hate concerning Jewish claims to Jerusalem's holy sites. Most of all, it means telling his people, as Ehud Barak has, that compromise is the way to attain a fair and just settlement, and that violence is no longer an option.

As a result, today, sadly, extremists on both sides have been strengthened. Who has benefited from what has happened in the last 10 days? Ideologues, and only ideologues; not average people, whether they be Jew, Arab, Christian, or Moslem.

I believe Mr. Arafat will rue the day he let this genie out of the bottle. He

has let forces loose and he now has a tiger by the tail, and I even wonder whether he can survive.

To the Israelis, I say: Stay the course, even at this painful moment. It will be very easy to throw up one's hands and give up. Yes, be strong, and make sure that when a horrible thing such as happened to the two in Ramallah happens, there will be a price paid. But don't give up on the course to peace; don't give up to those who will tell you there is another solution. There is not.

To my fellow Americans, I say: First, we are so saddened, again, by the loss of innocent lives—people defending America as Americans have for more than 200 years. I also say to my American brethren that we can't isolate ourselves, that this conflict in the Middle East is not one on which we can turn our backs. Just look; not only are four Americans dead; several more are missing and many more injured, and oil prices are up. We are carefully watching movements of troops in Iraq and Iran at this moment. We are worried about terrorism even on our own shores. No, we all must stay the course.

As I mentioned, the prospects for peace in the Near East have been shattered by today's actions. Only by strong, courageous but careful and judicious action by people of good will—Americans, Israelis, and Arabs—can those pieces be put back together. I thank the Chair.

Mr. WELLSTONE. Mr. President, if my colleague will yield for 30 seconds, I know other colleagues want to respond, but I say to my colleague from New York in as sincere a way as I can, I thought his words were powerful and eloquent. They were beautifully written, beautifully said, and very important. I want to associate myself with him. I know I can't speak on it as well as the Senator did, so I associate myself with what he said. It is just the way I think about it and feel about it.

Mr. SCHUMER. I thank the Senator.

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator from Kansas is recognized.

Mr. ROBERTS. Mr. President, I ask the distinguished Presiding Officer this: It is my understanding that the Senator from Michigan will be recognized next, to be followed by the distinguished Senator from Minnesota, to be followed by the Senator from Alabama, Mr. SESSIONS; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. ROBERTS. I ask unanimous consent that I may be recognized following the remarks by Senator SESSIONS.

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

Mr. LEVIN. Mr. President, while the Senator from New York is still on the floor, I commend him for his thoughtful comments about the Middle East. I was not only struck by the content of his comments, but also by the way in which they were so forcefully and calmly delivered, which I think will reverberate throughout this Chamber.

These are times of great violence in the Middle East. One of the most striking things to me is the silence of Chairman Arafat relative to violence. Prime Minister Barak has said to his own citizens, ''I urge our Jewish citizens to refrain from attacking Arabs and their property under any circumstances.'' From Chairman Arafat, we have had silence about the actions of the Palestinians in the streets. That silence speaks volumes. It was referred to by the good Senator from New York, and I want to again say that I thought his comments were exactly the right substance and tone.

I also want to expand on that one thought, about what we have not heard once from Chairman Arafat, which is a statement saying that violence—by whoever—is wrong. We have not even gotten that much from Chairman Arafat, and it is a huge and very obvious and intentional omission on his part, which speaks very loudly about what his intentions are.

I would be happy to yield to my friend from Nevada.

Mr. REID. Mr. President, I think the Senator from New York summed up my feelings. I think Americans have to understand that tiny, little Israel, the only democracy in that part of the world—surrounded by some of the worst tyrannies in the world—is having a very difficult time right now. If there was ever a country in the history of the United States that has shown their friendship to the United States it has been Israel. During this time of need for Israel, we have to show our friendship toward them—no one wants to see the violence taking place—and recognize that Israel is a democracy. It was in 1948. It is today.

As my friend from Michigan said, I hope we will have Chairman Arafat come forward and do something publicly to denounce what is taking place on the Palestinian side. It has been despicable—from the raiding of the tomb, to the terrible murders of these two Israeli soldiers today.

I support the statement made by my friend from New York, and certainly my friend from Michigan who is managing this bill. Today, of all days, signifies to me the importance of the work that he and Senator WARNER have done to get this bill to this point so we can authorize the many things that need to be done by the U.S. military. We have talked about the act of terrorism against our U.S. Navy, and this bill addresses that.

As I said yesterday, the Senator from Michigan is to be commended for his work on this bill.

Mr. LEVIN. Mr. President, I thank the Senator from Nevada. He is always thoughtful and on the point. He joins those of us who have commented on the tragic loss of our sailors and on the injuries to our sailors on the U.S.S. *Cole* because not only is it happening at the moment—this act of terrorism—but it is dramatizing what the major threats to our security are. But it is just another reminder of the sacrifices of the men and women of our military and the risk that they face every day in this world.

I thank him for his comments.

I am happy to yield to the Senator from New York.

Mr. SCHUMER. Mr. President, I thank both of my colleagues for not only their kind remarks but for their leadership on this and some other issues. It is a pleasure to serve in the Senate under such leaders as the Senators from Michigan and Nevada. I thank them.

Mr. LEVIN. I thank the good Senator from New York.

Mr. President, let me now continue with my remarks relative to the Defense authorization bill itself.

The most far-reaching step that we have taken in this conference report is to answer the call of Secretary Cohen and the Joint Chiefs of Staff to address shortcomings in the health care program. We provide health care for our military personnel and our retirees and their families. But there are shortcomings. There are gaps. There are holes. There are lapses. We are trying to fill those. We are trying to make the commitment of health care to our military men and women and to their families, and after they retire, a real-world commitment. We want to fulfill the promise of lifetime health care to those who complete a military career by providing, as we do in this bill, that retired members and their families remain in the TRICARE health program for life. When they become eligible for Medicare, TRICARE would serve as a Medigap-type policy and pay virtually all costs for medical care that are not covered by Medicare itself. This means that retirees will be able to choose any medical provider that accepts Medicare, and TRICARE would pay the deductibles and the copayments.

Second, the budget request that we approved improves access to health care for families of active duty members by eliminating deductibles and copayments for care provided by the TRICARE program.

We would also make TRICARE Prime available to the families of service members assigned to remote locations where they don't have access to military treatment facilities. And we provide for physical exams for family members when required for school enrollment.

Finally, we would address the rising price of prescription drugs by providing a generous pharmacy benefit for military retirees. Under this provision, prescriptions filled in a military facility will be free. Prescriptions filled through the military's national mail-order pharmacy will cost $8 for a 90-day supply. Retirees would pay a 20-percent copayment for prescriptions filled in a way which is on an approved list of retail pharmacies. There is the so-called ''network retail pharmacy.'' They

would pay a 25-percent copay for prescriptions filled in a non-network retail pharmacy; in other words, from a pharmacy not on the approved list.

I am appalled, as so many Members of this body are appalled, by the rising costs of pharmaceuticals in this country, and by the growing gap between the prices paid for drugs by our citizens and people who live in other countries—frequently, by the way, for prescription drugs manufactured in this country and often subsidized either directly by taxpayers in the form of NIH grants to people who develop those drugs and do the research on them, and indirectly through the Tax Code. We provide credits for research and development. We have this gap between what our citizens pay and citizens in other countries pay for drugs manufactured in the United States. We are not curing that gap in this bill, except we are taking a step relative to military retirees. This step at least addresses that problem for military retirees.

It is my hope that before the end of this session or in the next Congress that we will provide a similar benefit for Medicare beneficiaries.

The importance of this prescription drug program is shown by the effort that was made to achieve it. The importance of this benefit is reflected in the fact that military retirees brought to our attention the extraordinary expense to them of prescription drugs. We are responding to that. We have a moral obligation to respond to that because we made a commitment to them.

This country has a moral obligation surely to our seniors—I think to all of us, but at least to our seniors—to make prescription drugs affordable. We haven't made the same kind of commitment technically to our seniors. But surely we should feel the moral obligation to make sure our seniors have access to affordable prescription drugs. That commitment that we surely should feel, I believe, will be advanced by this action that we are taking relative to our military retirees. Hopefully it will prod us to do the same for all of our seniors as we do for our military retirees in the area of prescription drugs.

We cannot overlook the fact that these provisions are going to be expensive to implement. This bill would establish a new entitlement program for military retiree health care at an estimated cost of $60 billion. The $60 billion cost of this program is over the next 10 years. It is actually, technically, a $40 billion net cost to the Government for reasons that I will go into when we get to the waiver of the point of order relative to the budget.

It is a significant amount of money, $60 billion of direct spending, or $40 billion net, over the next 10 years. Either one of those numbers is a big number. We should be very conscious of what we are doing. That is why it is very important this body act openly and forthrightly on this proposal.

Senator WARNER mentioned that we had made a proposal in committee which would have achieved this same goal on a phased-in basis, first for 2 years and then permanently, in a way which would have met the requirements of the Budget Act without creating a point of order.

In the wisdom of the conferees, we made this a permanent benefit. It is the right thing to do. But there is a cost to it which exceeds the amount of money this committee has been authorized to allocate under our mandatory spending limits. This body will then be offered the opportunity and presented with the question: Do we wish to waive that limit, to use the waiver authority as provided for us in the Budget Act, in order to approve this permanent benefit?

That will be argued at a later time in this debate. I intend to vote to waive the Budget Act and permit this benefit to go into effect for our retirees. However, it is important that this body, when it exceeds these spending allocations, does so in a way where everyone has a chance to recognize what it is we are doing in that regard.

As I said, there was no provision made in this year's budget resolution for this level of mandatory spending. We were given a very small amount, closer to half a billion. There was a way we could have operated within that level in a 2-year program, then expecting to make that permanent later on in a way which would have complied with the Budget Act. But this conference went in a different direction. It is a reasonable approach, perhaps even a more straightforward approach. In any event, it does create this point of order which we now need to address in this bill.

I believe these steps to address problems in the military health care system are the right thing to do. Again, we just should do so openly. We should not do so blindly. The problem is not with this bill but in the budget resolution itself, which is not realistic in the amount of money it provided for this and for other purposes.

The conference report also includes a title numbered 35 in the Senate bill which is the Energy Employees Occupational Illness Compensation Program. This Nation now has a great debt to the many workers in our nuclear weapons facilities who played such a vital role in winning the cold war, a deterrent which they produced which was able to deter aggression to help maintain security and peace. But we now know that many of these workers were exposed to dangerous radioactive and chemical materials in the course of their work, and they are now suffering from debilitating and often fatal illnesses as a result. It is simple justice that these workers and their families should be compensated for those illnesses.

The Department of Energy Employees Occupational Illness Compensation Act provides that compensation, and it does so in a fair and balanced manner. We were able to overcome significant opposition in the House of Representatives and provide compensation to the loyal Department of Energy workers who were poisoned by that work in support of our Nation's defense. Now there is a cost. We should be aware of that cost. It is a cost of $1.1 billion over 5 years and about $1.6 billion over 10 years.

I am particularly pleased that the conferees rejected a House provision which would have prohibited the continued deployment of United States ground combat forces in Kosovo under certain circumstances. What the House provision said was, if the specified contributions by our allies for civilian policing and reconstruction were not met by a target date, then our troops would automatically be withdrawn.

First of all, our European allies are almost to those levels. They are now clearly the senior partner in Kosovo. That is the right thing. We want our allies to be senior partners and the United States to be the junior partner. Many times we are not the senior partner. That is a very good development.

It would be a mistake, and this body voted it would be a mistake, to put in an automatic withdrawal date because of the uncertainty that would create, the weakening of the NATO alliance which would be created, and the negative impact of morale on our men and women who would then believe, somehow or other between now and that automatic removal date, that our troops may be removed. That kind of uncertainty is not healthy either in terms of who our adversary was and could still become theoretically; it is not healthy in terms of the NATO alliance; it is not healthy in terms of the morale of our men and women in uniform.

We have all put pressure on our European allies to do more. It is something in which many of us, if not most of us, believe. They are now doing more. Our response should be a positive response rather than this automatic threat that unless they meet a specified numerical target by a fixed date, something would automatically happen without any further action of the Congress.

The process in the House bill, which was rejected by the Senate after a lengthy floor debate, but adopted by the House, would have led to the automatic withdrawal of our forces, even if there was no action in the future by Congress. That at least, in my judgment, would not have been a responsible exercise of congressional authority but rather its abdication. Putting this on automatic pilot would not have been the best way to exercise congressional authority.

We have the power of the purse, and we have a right to exercise it. If we want to withdraw troops, we have the right to do that. If we have troops in too many places, we have the right to say: Pull them out, don't spend any money to keep them there. We have that responsibility. If we are in too many places, we are the ones with the

power of the purse. We can say: Pull forces out of here, pull forces out of there.

The specific effort to do that was made relative to Kosovo. It was rejected. I am glad, by the way, that both the candidates for President rejected that approach. But if we are going to do it, we ought to be accountable ourselves for doing it and not put something on automatic pilot so that something will happen in the future even if we do nothing between now and then. That is not the way I believe the power of the purse should be used.

I believe very deeply in the power of the purse, and I believe there are occasions when we want to say we believe that troops should not be in a certain place and we are not going to provide money for it. But that ought to be done directly and not be done at a future date in the absence of a decision by the Congress.

The conferees also rejected a provision that would have placed burdensome restrictions on our efforts to support the antidrug effort in Colombia. We rejected a provision that undermined our ability to implement agreements designed to prevent development of nuclear weapons by North Korea. We rejected a provision which implied that a national missile defense would be deployed immediately without regard to the system's operational effectiveness or affordability or the impact that it might have on our overall national security. Those were unwise provisions, in my judgment, and I am pleased they were not included in the conference report. I am pleased the conferees did adopt a series of provisions implementing the agreement between President Clinton and the Governor of Puerto Rico regarding the status of training exercises by the Navy and Marine Corps on the island of Vieques. Training on Vieques, as we know, was suspended last year after the tragic death of a security guard at the training range. The Secretary of the Navy, the Chief of Naval Operations, and others have testified that there is just no adequate substitute for that training on the island of Vieques.

As of today, the Commonwealth of Puerto Rico has lived up to its obligations under the agreement. The training range on Vieques has been cleared of protesters with the assistance of the government of Puerto Rico, and Navy training exercises have now resumed on the island with the use of inert ordnance, as provided for in the agreement.

The Navy is working with the citizens of Vieques and others throughout Puerto Rico towards the resumption of live-fire training on Vieques. This bill, hopefully, provides the framework for the resumption of that training.

The President's budget request added $12 billion of defense spending to last year's appropriated levels, and the Congressional Budget Resolution added an additional $4.5 billion. For the most part, the conference report spends this money wisely, to meet needs that were identified as priorities by the Joint Chiefs of Staff or to accelerate items that are included in the Future Years Defense Plan.

The bill also provides funding support and legislative guidance for key Department of Defense priorities, including the Army's transformation plan and the Joint Strike Fighter Program.

On the first point, the conference report provides appropriate support for the Army transformation plan, the plan that was put forward by Secretary Caldera and General Shinseki. The conferees concluded that the Army needs to transform itself into a lighter, more lethal, survivable, and tactically mobile force. We approved all of the funds requested by the Army for this purpose, and we actually added some research money to the amount requested to help the Army in the long-term transformation process.

At the same time, we directed the Army to prepare a detailed roadmap for the transformation initiative and to conduct appropriate testing and experimentation to ensure that the transformation effort is successful.

Mr. President, I have a few more minutes but I have taken a little longer than I expected. I would like, at this point, if the Senator from Minnesota is ready, to yield to him for his presentation.

Mr. WELLSTONE. Mr. President, I do not want to break up the flow of my colleague. I am pleased to follow the Senator from Michigan.

Mr. LEVIN. Actually, if the Senator from Minnesota is ready to speak at this time, it will work to my convenience if I interrupt myself at this moment and yield to the Senator, but I ask unanimous consent I then be given back the floor for perhaps 10 more minutes of remarks following the Senator from Minnesota.

The PRESIDING OFFICER. Is there an objection?

Mr. SESSIONS. Mr. President, I understand Senator ROBERTS was seeking to speak. Perhaps with that exception? The two of you could talk about that, perhaps.

Mr. LEVIN. I will be happy to comment on the request of the Senator from Alabama because he is correct. As I understand it, the order now is that at the end of my remarks Senator WELLSTONE is to be recognized, the Senator from Alabama is to be recognized, and then the Senator from Kansas is to be recognized.

What I am suggesting is that the remarks of the Senator from Minnesota come now in the middle of my remarks, I then complete my remarks following the Senator from Minnesota, and then we go back to the Senator from Alabama and the Senator from Kansas; if that is all right?

Mr. SESSIONS. That is fine. I have no objection.

Mr. LEVIN. It will just take me 10 minutes more when Senator WELLSTONE has finished. I thank my friend from Alabama.

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

The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, let me again thank Senator WARNER of Virginia for his statement about the crew of the U.S.S. *Cole*. My understanding is four American sailors have lost their lives, others have been injured. As a Senator from Minnesota, I want to express my support and my concern. I do not think we have as yet knowledge of who is behind this. It certainly looks like a well-planned terrorist attack, but I echo the words of my colleague from the State of Virginia.

The chair of the committee, Senator WARNER, and the ranking minority member, Senator LEVIN, are two of the best Senators in the Senate. Therefore, I want to speak with a little bit of humility because I don't want this to come off as arrogant. I want to express my opposition to this bill. I don't think there will be many opposed, but I want to give this at least my best effort.

Let me start out with my own framework. I believe part of the definition of real national security for our Nation is a strong military, but I also think part of the definition of real national security is the security of our local communities—whether it is affordable housing, whether it is affordable child care, whether it is good health care for citizens, or whether we have the best education for every child. It is within this framework that I rise to speak against this bill.

The bill provides $309.8 billion for the military. That is $4.5 billion more than the administration's request and $19 billion above fiscal year 2000 levels. Yet the majority party could not find the additional money for more school counselors, could not find additional money for Head Start. One of the scandals is we keep talking about how important the early years are, we keep talking about how important the Head Start Program is to give children a head start. Yet I think we provide funding for about 3 or 4 percent of the children who could benefit from the Early Head Start Program.

The majority party could find the additional $4.5 billion, above and beyond the administration's request, but they could not find the additional money for affordable housing. They could not find additional money up to this time for prescription drug benefits for elderly people. It is a matter of priorities. I think as long as our country is first in the world when it comes to spending on the military but ranks 10th in the world when it comes to spending on education, we will never achieve our strength and our greatness.

The cry for more money, the rallying cry from some of my colleagues for more Pentagon funding, was for readiness. We have heard about the crisis in

readiness, lack of spare parts, inadequate training funds, difficulty retaining pilots and other key personnel, declining quality of life. I am all for the part of this budget that increases funding in these decisive areas. But if you look at the category of spending with the largest increase from fiscal year 2000 to fiscal year 2001, it is procurement of weapons. It is not military readiness, with an 11-percent increase; or operations and maintenance, which funds most of the readiness programs, which goes up 4 percent; or family housing, on the other hand, which actually declines by 3 percent; military construction declines by 6 percent. These figures are from the Pentagon budget authority.

But the real increase in the funding—if you look at fiscal year 1999 to fiscal year 2005, procurement increases 39 percent. This is the largest increase in this Pentagon budget. In fact, 53 percent of the increase in budget authority during this 6-year period goes to new weapons.

I have to ask the question in this post-cold war period, in an opportunity to redefine some of our priorities and to redefine national security and to have a strong military, but also to make sure that we concern ourselves with national security as in the security of local communities—good education, good health care, good jobs, affordable housing. It seems to me this budget does much more for the military contractors than it needs to do, is beyond the President's request. And, frankly, we are in a zero sum game. You cannot have it all. Money spent in one area is money not spent in another area.

I believe that overall what we have before us in this piece of legislation, and the amount of money it calls for, for the Pentagon and military, reflects some distorted priorities. It is for that reason I will oppose this conference report.

Related to this question I have raised about budget priorities is an amendment which was dropped from the conference report. This was an amendment I offered, which was accepted, which asked that we in the Congress do a careful study of child poverty under welfare ''reform'' to find out how children are doing, to find out whether not only has there been a decrease in poverty of children but among those children who are poor—from the last report we received—we have an increase in poverty among children who are poor. I wanted us to do an honest policy evaluation.

Over the last 2 years I have offered this amendment four or five times, and every time it is dropped in conference committee—every single time. It seems to me we would want to know, as we move into the reauthorization of the welfare bill, what this dramatic decline in the welfare roll means. Any fool can throw people off the welfare rolls. That is easy. The question is, Where are the mothers and where are the children and are they better off?

Some I think are better off. For that I am grateful. Some have living-wage jobs and can support their families, and that is what it was supposed to be about. But I am telling my colleagues, I traveled some of the country—I am going to do more over the next 2 years because obviously we need to know what is happening out there—and it is my observation that the vast majority of the women and children are in the following situation: These women are working but now they are working poor. These jobs do not provide anywhere close to our salaries or even close to what would be called a living wage; in other words, on what they can support their families.

From the studies of Families USA and what I have seen with my own eyes, too many of these women no longer have medical assistance for themselves and their children and in all too many situations—Yale and Berkeley did a study on the child care situation—2- and 3-year-olds—these are mothers with children—are in child care situations which at best are inadequate and quite often are dangerous.

We have seen, roughly speaking, a 25- to 30-percent decline in food stamp participation, the major safety net for poor children.

I want to know what is happening out there. I would think colleagues would want to know, but sometimes we do not want to know what we do not want to know.

For the fourth or fifth time, this amendment has been dropped, and I have come to the floor to express my opposition to the dropping of this amendment. The majority party found $4 billion more than the administration requested, I am sorry, but is unwilling to do an honest policy evaluation of the welfare bill, its effect on children, the poverty of children, and whether we can do better for poor children. That is a misplaced priority.

When we come back next year—we will be moving into the period of time of reauthorization of this welfare bill—one of my commitments as a Senator from Minnesota is to do everything I can to focus the Senate, Democrats and Republicans, on an honest policy evaluation of what is happening to poor women and poor children in our country.

I can think of better uses for some of this money in the Pentagon budgets as opposed to new weapons systems, for example. I can see putting more into child care. I can see putting more into education. I can see putting more into expanded health care coverage. I can see putting more into affordable housing. I can see putting more into making sure there is long-term care so elderly people are able to stay at home and live at home with dignity as opposed to being forced into nursing homes. I can see some other priorities.

The Hate Crimes Prevention Act, which was passed by the Senate as an amendment, was taken out of the conference. In the United States of America, surely we as a people no longer accept the proposition that a citizen can be killed or injured because of his or her race, national origin, religion, gender, disability and, yes, sexual orientation.

Not that long ago, James Byrd was dragged to death by the most vicious of racists, and he was killed for only one reason: He was black.

It was less than a year ago that two men were killed and three others were injured in Pittsburgh when a gunman shot them down for only one reason: They were white.

It was only a few months before that when a man went on a shooting spree in Chicago aiming at people for one reason and one reason alone, and that was because they were either black, Asian or Jewish.

Let's not forget Matthew Shepard who was killed in Wyoming for one reason and one reason only: He was gay.

The amendment we adopted in the Senate with 57 votes and was taken out of this conference report would have permitted Federal intervention in serious violent crimes. In addition, the crimes that would have been covered would have included gender, disability, and sexual orientation.

There is not one Senator who can say that Matthew Shepard was not murdered because of hate. By failing to keep this amendment in this conference report, we have communicated a message that says we still tolerate these hate crimes; we are not willing to take strong action.

The majority party took that amendment out of this conference report. The majority party took the hate crimes amendment out of this conference report, and I think we have communicated a terrible message to the country.

Hate crimes are a kind of terrorism. They are not just meant to intimidate the victim but all those who belong to the group and make all of the people victims. They are meant to instill fear. They are meant to communicate the idea that one group of people has supremacy over others. They are meant to dehumanize people. They say not just to the victim but to all those who are like the victim: You are vulnerable and you could be next because you are gay, lesbian, transgender, or bisexual; you could be next because of your disability; you could be next because of your religion; you could be next because of the color of your skin; you could be next because of your national origin. And they took this amendment out of this conference report. I believe that is shameful, and that is another reason I am going to vote against this conference report.

Mr. President, I have 30 minutes reserved. How much time do I have left?

The PRESIDING OFFICER. The Senator has 15 minutes 47 seconds.

STATE DEPARTMENT AUTHORIZATION

Mr. WELLSTONE. I say to my colleague from Alabama, I will take a couple more minutes to speak on one

other related issue, not so much to this conference report.

While I am on the floor of the Senate, I express my disappointment—I have to do this with a little bit of a twinkle in my eye—at the eleventh hour attempt by some of my colleagues to ram through—and this is not, I say to the Senator from Virginia, in this conference report; this is separate—an ill-conceived, unjust, and unbalanced ''bankruptcy reform'' through the Senate by co-opting an unrelated conference report, although I am not surprised.

The fact that the House and the Senate Republican leadership is willing to trample the traditions of the Senate in their rush to pass this legislation speaks to the tremendous clout and the financial resources of the financial services industry.

Make no mistake about it, that is why I say I have to have a twinkle in my eye. This is a tactic straight out of ''Invasion of the Body Snatchers.'' Listen to this. House and Senate Republicans have taken a secretly negotiated bankruptcy bill—I am sorry; I do no damage to the truth when I say this—and they have stuffed it into a hollowed-out husk of the State Department authorization bill. Not one provision of the original State Department bill remains.

Of course, the State Department authorization is the last of many targets. The majority leader has talked about doing this on an appropriations bill, on a crop insurance bill, on the electronic signature bill, on the Violence Against Women Act. So desperate are we to serve the big banks and the credit card companies that no bill has been safe from this controversial baggage.

Colleagues, there is no question that this is a significantly worse bill than the one that passed the Senate. In fact, there is no pretending that this bill is designed to curb real abuse of the bankruptcy code.

Does the bill take on wealthy debtors who file frivolous claims and shield their assets in multimillion-dollar mansions? No. Let me repeat that—no. It guts the cap on the homestead exemption which was adopted by the Senate. Nor does this bill contain another amendment adopted by the Senate, that Senator SCHUMER worked on, that would prevent violators of the Fair Access to Clinic Entrances Act—which protects women's health clinics—from using the bankruptcy system to walk away from their punishment.

Indeed, colleagues, this legislation would deny a fresh start to low- and moderate-income families who file bankruptcy out of desperation. It has an arbitrary test making it very hard for people to go to chapter 7. But at the same time, this legislation has no balance, does not hold the credit card industry accountable, does not hold the financial institutions accountable. It has now been stuffed into a hollowed-out State Department bill, and it is going to come over to the Senate, I suppose, sometime around Wednesday.

I just want to say—I could go into all of the detail, but I will not—should the majority leader follow through on this strategy, I announce I will use my procedural rights as a Senator, of course, as any other Senator would, to slow down this conference report. The conference report would be hard to stop, but we could take at least a couple of days of the Senate's precious remaining time to consider the ramifications of this legislation on working families.

And finally——

Mr. WARNER. Mr. President, could I ask my distinguished colleague, on my time—I was momentarily off the floor due to the unfolding crisis in regard to one of our Navy's ships in the Middle East. He made reference to the hate crimes legislation.

Mr. WELLSTONE. That is correct.

Mr. WARNER. At an appropriate time, I would like to give to my distinguished friend and colleague from Minnesota, and also to inform the Senate precisely, my role as chairman of the conference and what I did in that context. So at the appropriate time, I would like to do that. And perhaps the Senator would like to make a reply to what I have to say. Indeed, perhaps my distinguished friend and colleague, the ranking member, would like to make a comment. But I think that should be made a part of the RECORD.

Mr. WELLSTONE. I would be pleased to hear from my colleague from Virginia.

To expedite matters, included with my statement about this so-called bankruptcy reform bill I just will include a letter from the White House. This is from John Podesta, announcing that the President will veto this bankruptcy bill that has been stuffed into a hollowed-out State Department authorization bill. The President just makes it clear that none of the fundamental problems with this piece of legislation has been addressed and that he fully intends to veto this. I thank the White House for their very strong support. The President is doing the right thing.

So I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, October 12, 2000.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I understand that the House will take up today the conference report on H.R. 2415, which apparently incorporates the text of S. 3186, a recently filed version of bankruptcy legislation. if this bankruptcy legislation is sent to the President, he will veto it.

Over the last few months, this Administration has engaged in a good faith effort to reach agreement on a number of outstanding issues in the bankruptcy legislation. The President firmly believes that Americans would benefit from reform legislation that would stem abuse of the bankruptcy system by, and encourage responsibility of, debtors and creditors alike. With this goal in mind, we have pursued negotiations with bill proponents on a few key issues, notwithstanding the President's deep concern that the bill fails to address some creditor abuses and disadvantages all debtors to an extent unnecessary to stem abuses by a few.

An agreement was reached in those negotiations on an essential issue—limiting homestead exemptions—with compromises made on both sides. Unfortunately, H.R. 2415 fails to incorporate that agreement, instead reverting to a provision that the Administration has repeatedly said was fundamentally flawed. The central premise of this legislation is that we must ask debtors, who truly have the capacity to repay a portion of their debts, to do so. This would benefit not only their creditors but also all other debtors through lower credit costs. Unlimited homestead exemptions allow debtors who own lavish homes to shield their mansions from their creditors, while moderate-income debtors, especially those who rent, must live frugally under a rigid repayment plan for five to seven years. This loophole for the wealthy is fundamentally unfair and must be closed. The inclusion of a provision limiting to some degree a wealthy debtor's capacity to shift assets before bankruptcy into a home in a state with an unlimited homestead exemption does not ameliorate the glaring omission of a real homestead cap.

Moreover, the President has made clear that bankruptcy legislation must require accountability and responsibility from those who unlawfully bar access to legal health services. Yet the conference report fails to address this concern. Far too often, we have seen doctors, health professionals and their patients victimized by those who espouse and practice violence. Congress and the States have established remedies for those who suffer as a result of these tactics. However, we are increasingly seeing the use of the bankruptcy system as a strategic tool by those who seek to promote clinic violence while shielding themselves from personal liability and responsibility. It is critical that we shut down this abusive use of our bankruptcy system and prevent endless litigation that threatens the court-ordered remedies due to victims of clinic violence. The U.S. Senate was right in voting 80–17 to adopt an amendment that would effectively close down any potential for this abuse of the Bankruptcy Code. We fail to understand why the bill's proponents refuse to include this provision and shut down the use of bankruptcy to avoid responsibility for clinic violence.

I repeat President Clinton's desire to see balanced bankruptcy reform legislation enacted this year. The President wants to sign legislation that addresses these known abuses, without tilting the playing field against those debtors who turn to bankruptcy genuinely in need of a fresh start. He will veto H.R. 2415 because it gets the balance wrong.

Sincerely,

JOHN PODESTA,
Chief of Staff to the President.

Mr. WELLSTONE. I thank the Chair and yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. Under the previous order——

Mr. WARNER. Mr. President, I ask unanimous consent that I be allowed, as the manager, on my time, to address this issue for such time as I believe may be necessary.

Mr. LEVIN. Reserving the right to object, and I will not object, I just want to, while the Senator from Alabama is on the floor, alert him that

this will delay his place. He has been very patient here.

Mr. WARNER. I know he has been patient, but this is important. It will be put in the RECORD. I shall probably not take more than 3 or 4 minutes.

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

Mr. WARNER. Mr. President, the annual Armed Forces bill should really become almost an omnibus bill because so many amendments can be attached under the rules of the Senate, which I support. I do not criticize any Member exercising his or her rights under the rules of the Senate to put on bills, subject to a vote, such legislation as they deem appropriate.

There are other rules that preclude that in certain areas, but in this instance we had a freestanding, amendable piece of legislation on the floor. Senator KENNEDY courteously informed me, the ranking member, and others that he was going to raise the issue of what is generically referred to as the hate crimes legislation. Senator HATCH likewise said he had a version and he was going to put it before the Senate. Both Senators brought those bills. Both bills passed. Both bills went to conference as a part of the Senate bill.

My decision, as chairman of the conference, was made to drop those pieces of legislation—both of them; Senator KENNEDY's bill, Senator HATCH's bill—because I looked upon it as my duty to get this bill passed and enacted into law. That is my principal responsibility as chairman of the Armed Services Committee, working with my ranking member and other members of the committee.

I have been here 22 years. I understand Senators quite well. I respect their rights, and I know when they speak with sincerity. I was advised, not by one, not by two, but by many Senators on both sides of this issue, of the gravity of the issue and the seriousness of the issue. It was made clear to me that if this legislation—either Senator KENNEDY's bill or Senator HATCH's bill—were left in the conference report, in all likelihood we would have a series of filibusters. And given the very short period of time which is remaining in this session—even though we have been active as a committee and got the bill timely to the Senate; even though we were on the floor for weeks intermittently, having to have it laid aside—we are here in the final hours of this session of this Congress. If we do not act on this bill tonight, and if we do not pass this bill tonight, it is questionable whether the leadership will find additional time for consideration. And, as we say, it may be that pieces of it would be put into some appropriations bills or a CR or something—some parts—but much of it could well be lost, unless this conference report is enacted. So I made the decision. I take full responsibility for the decision of urging the conferees to drop this legislation.

My distinguished colleague, the ranking member of the committee, I presume, will address the Senate in a moment on this point. Exercising his rights in a very courteous way, he said he wished for me to convene the full Committee on Armed Services and have a vote: That we did. By a narrow margin, my recommendation was sustained by the full committee, I might add, in a bipartisan exchange of votes.

So that is the history as to why this legislation was dropped, I say to my colleague from Minnesota. I take responsibility. I believed it was necessary that this bill should be passed. On this day when the world is in such a tragic situation, whether it is the violence in the Middle East or the attack on an American ship, all of America expects Congress to do its duty on behalf of the men and women of the Armed Forces, and this is the most important piece of legislation done every year.

So I do not regret for a minute the decision I had to make in the face of representations, fairly and honestly made to me, by colleagues on both sides, as to the tactics that would be used if this bill would be brought up in a conference report before the Senate with either pieces of that legislation contained in the bill.

I yield the floor.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first, on the hate crimes legislation issue, my good friend from Virginia has accurately presented the facts. There are some additional facts, though, which should also be brought to bear.

I can't remember a time, although there may have been one, when the Senate has adopted language, as we did by a vote of 57–42, and when the House of Representatives has adopted language, as they did by 30 or 40 votes—when I say ''adopted language'' in the House, let me be clear, what the House of Representatives did was even more precise than adopt the hate crimes language; they instructed their conferees to agree to our hate crimes language by 30 or 40 votes—I cannot remember a time when one body has adopted language and the other body has instructed their conferees to yield to the first body's language where that language has then been dropped in conference.

I am not saying that has never happened because I haven't checked the records to be sure. I can say I can never remember it happening. Think about it. We had a big debate on this issue. We adopted Senator KENNEDY's hate crimes language by a vote of 57–42 in this body. Then the House had a debate, instructing their conferees to agree to our language, and somehow or other it is dropped in conference.

Let it be clear as to what happened. The House conferees would not accept our language, despite the instruction from the House of Representatives. Then we were faced with the question, Do we then give it up, despite the vote in the Senate?

There was a vote among Senate conferees. Ten Republicans and one Democrat voted basically to give it up, which was the 11-vote majority. Eight Democrats and one Republican voted not to give it up; let us maintain this fight; let us bring this language back in the conference report. If someone wants to filibuster a conference report, they have that right. But this legislation is too important. This is the hate crimes bill that this body adopted. It is simply too important a subject to be dropped because of the threat of a filibuster after being adopted in the Senate and having the House telling their folks to yield to us. If we refused to adopt important legislation around here whenever there was the threat of a filibuster, we would never adopt anything important. The civil rights legislation of the 1960s was adopted after weeks of debate, a filibuster that lasted weeks, with numerous cloture votes, because it was important legislation.

Let me say this about our chairman: He is absolutely correct that he felt that his responsibility was such that he had to bring a bill to the floor. He made the judgment, as he indicated, and it was a good faith judgment. I may disagree with him, which I do, but I don't in any way disagree with the fact that the chairman made a good faith judgment that it was necessary to drop this language because the House would not accept it. And even though I disagree with it and think we should have put this language in here and let someone filibuster, nonetheless, I surely agree that as always he acts in the best of faith.

Mr. WARNER. Mr. President, may I express to my colleague my respect for his acknowledging the fact that my judgment was predicated on sound facts.

Mr. WELLSTONE. Mr. President, the Senator from Virginia was gracious enough to say I may want to respond. Other colleagues want to speak, and I believe the exchange between my two colleagues covered the ground and spoke to the question I raised. If I had spoken, I would have said what Senator LEVIN said. I just wouldn't have said it as well. I appreciate the forthrightness of the Senator from Virginia, his directness and, as always, his intellectual honesty.

Mr. WARNER. I thank my colleague. I only say to him, the fervor with which he addresses issues and pursues his goals in the Senate for this cause, be it hate crimes in favor, I think he will recognize that that same fervor is matched by others who have a different point of view very often. Therein lies the issue which I had to take responsibility to resolve, and this bill was of paramount interest to anything else before the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I apologize to my good friend from Minnesota. I assumed he had yielded the floor. Has the Senator yielded?

Mr. WELLSTONE. I yield back my time.

Mr. LEVIN. I thank him for his contribution to this debate, so many debates of this body.

I am going to be briefer than I had actually planned to because our good friends from Alabama and Kansas have been waiting for some time. I do want to spend a couple more minutes.

One of the items in this conference report which should be noted is the fact that we have agreed to the language in the Senate bill that would replace the Army's School of the Americas with a new Western Hemisphere Institute for Security Cooperation. This new institute is going to provide professional education and training to military personnel, law enforcement personnel, and civilian officials of Western Hemisphere countries in areas such as leadership development, counterdrug operations, peace support operations, disaster relief, and human rights.

The legislation specifies that the curriculum of this institution include mandatory instruction for each student of a minimum of 8 hours of instruction on human rights, the rule of law, on due process, on civilian control of the military, and the role of the military in a democratic society. In a very significant addition, we have a Board of Visitors, which includes, among others, four Members of Congress and six members from academia, the religious community, and the human rights community, to review the institute's curriculum and its instruction. The Board of Visitors will submit an annual report to the Secretary of Defense, and the Secretary of Defense, after consultation with the Secretary of State, will submit an annual report to Congress on the operation of the institute.

I am hoping that this will be a positive, new chapter and that some of the controversial history of the School of the Americas can now be, in fact, in the history books and that we can turn to a new approach in terms of our relationship with the leadership, both civilian and military, in the democratic countries of the Western Hemisphere.

We have some important beliefs that we want to share with others in democratic societies about civilian control of the military and human rights. These and other subjects, such as due process, are vital to us and, we believe, vital to the success of any democratic institution. They have been under challenge, under stress in too many countries in the Western Hemisphere. They have been too often violated. We have a positive role to play in this area. This provision, particularly now with the kind of Board of Visitors we are going to have that includes members of the religious community, human rights communities, and Members of Congress, I think is now going to make it possible for us to have a new Western Hemisphere Institute which is going to have a proud record of achievement.

Second, the bill contains an amendment that I offered to prohibit DOD from selling to the general public any armor-piercing ammunition or armor-piercing components that may have been declared excess to the Department's needs. This prohibition was enacted on a one-year basis in last year's Defense Appropriations Act, and Senator DURBIN has introduced a bill in the Senate to make the ban permanent. There is no possible justification for selling armor-piercing ammunition to the general public, and I am pleased that we have taken this step toward enacting the ban into permanent law.

Third, the conferees rejected House language that would have effectively restricted the bidding when DoD privatizes its utility to the sole utility authorized by a state government to operate in that particular area. The conference agreement requires competitive bidding, with a level playing field for all bidders, when DoD privatizes these assets, and allows DoD to determine the rates they will pay after privatization as a matter of contract rather than by state regulation. The conference agreement also protects people on military installations by requiring DoD to enforce prevailing health and safety standards.

Mr. President, this is a good bill as far as it goes. But I am deeply disappointed, however, by the failure of the conference to include several important provisions that were added in the Senate.

First, I am disappointed that conferees refused to include title XV of the Senate bill—the Kennedy hate crimes legislation—in the conference report despite the clear support of a majority of both Houses for this legislation.

Hate crimes are a special threat in a society founded on ''liberty and justice for all.'' Too many acts of violent bigotry in recent years have put our nation's commitment to fairness to all our citizens in jeopardy. When Matthew Shepard, a gay student was severely beaten and left for dead or James Byrd, Jr., was dragged to his death behind a pick-up truck, it was not only destructive of the victims and their families, but threatens more broadly to others, and to the victims' communities, and to our American ideals.

When a member of the Aryan Nations walked into a Jewish Community Center day school and fired more than 70 rounds from his Uzi submachine gun, and then killed a Filipino-American federal worker because he was considered a ''target of opportunity,'' it not only affected the families of the victims and their communities, but the broad group of which they were a part of.

The conferees had an opportunity to address this problem and send a message that America is an all-inclusive nation—one that does not tolerate acts of violence based on bigotry and discrimination. Sadly, we failed to do so.

Despite a 232–192 vote in the House of Representatives instructing the conferees to adopt the Senate provision, the House majority refused. And then despite a 57–42 vote in the Senate to make the hate crimes legislation part of the bill, the Senate conferees voted 11–9 to drop the legislation.

Mr. President, this issue will not go away. If this Congress will not pass legislation addressing the acts of hatred and violence that terrorize Americans every day, I am confident that another Congress will, and I will continue to work toward that objective.

The Senate bill also included landmark legislation authored by Senator CLELAND that would have permitted our men and women in uniform to extend the benefits of the GI bill to family members in appropriate circumstances, and would have addressed an inequity toward disabled veterans by eliminating the requirement that disability pay be deducted dollar-for-dollar from retirement pay. I am disappointed that we were unable to find a way to include these important provisions.

Overall, however, this is a bill which should become law. Once again, I want to thank our chairman, Senator WARNER, all of the members of the Senate Armed Services Committee, and the staff on both sides of the aisle, for their long hours of hard work on this legislation. I hope the Senate will join us in passing this bill and sending it to the President for signature.

I thank my good friend, the chairman of the committee, for his fine leadership, and all the members of the committee and our staffs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I join with my colleagues in expressing my support for the Defense authorization bill. I salute Senator WARNER and Senator LEVIN, the ranking member, for the work they have given in creating a bill that strengthens our Nation's defenses and allows us to be more efficient and innovative as we move forward into the future. I wish we could have done more, but irregardless, we will in the future. I must give Senator WARNER credit. Under his leadership, for the last 2 years, we have produced a defense budget with real increases in defense spending. A defense spending increase that has outpaced the inflation rate.

For 15 consecutive years, we had a net reduction in the defense budget. As a result, we have some real problems today, as the Joint Chiefs of Staff told us 2 weeks ago in a very important Armed Services Committee hearing. We need to focus on the It is also important for us, all of us who care about the men and women in uniform, to pause and remember the men and women of this Nation who risk their lives daily, including the five who were killed in a dastardly attack by terrorists in the Middle East today. Unfortunately, this is the kind of world we live in. I wish it weren't so.

This is a $310 billion bill. In fact, it is $4 billion above what the President requested. It is above what the Joint Chiefs, who are appointed by the President, said they needed to maintain an adequate force, although they told us after the budget had been written they really needed a lot more over a sustained period of time.

Two weeks ago, in the Armed Services Committee, which I am honored to be a member of, we had the Chairman of the Joint Chiefs of Staff, General Shelton, and the Chiefs for each of the service branches—Army, Navy, Air Force, and Marines. They were asked by Senator WARNER: Tell us the truth, what is the situation in with the military?

Each one of these men were appointees of this administration, but under oath they came forward and told the truth. That is, they testified that they have thankfully restored and maintained the readiness of two Army divisions that had fallen to the lowest readiness rating possible last fall. In other words, the Chiefs in the past were forced to take resources from other areas to maintain readiness. I believe Senator ROBERTS, who will speak in a minute, used the phrase, ''The point of the spear then is OK, but it is the shaft that is wrong.'' That is what they agreed to. At least three of the five used the phrase, ''We are mortgaging our future.''

What did they mean by that? They meant that this Nation has been robbing research and development, recapitalization, new equipment, and the kinds of things we need to maintain the greatest military in the world. But to maintain that, you have to continue to invest in those requirements. We are not doing that. The Chiefs stated it plain and simple, and I emplore anybody who doubts it to read the transcript of that hearing. They agreed with the phrase that one Senator used, quoting the Clinton Assistant Secretary of Defense, that the defense budget is in a death spiral. What he meant by that was that when you spend more and more money to try to maintain equipment that is worn out, you are pouring money down a bottomless pit. What we should have done, and what we have not done these past 8 years when we have had good economic times, is increase this defense budget. We could have recapitalized and replaced wornout equipment. But we haven't been doing that. As a result, we will face a future readiness crisis.

The Secretary of Defense, Bill Cohen, testified earlier this year that this Nation has been living off Ronald Reagan's military buildup of the 1980s. He said we are going to be facing a crisis in the years to come. That is testimony by the Secretary of Defense and this administration has not listened to that warning. They are going to let this burden fall on the American people in the immediate future. The Secretary of Defense says it, the Chairman of the Joint Chiefs of Staff says that, and the chairman of our committee who has been involved in these issues for so many years says that. It has been complicated, as they testified, with our excessive and unusually high number of deployments of our men and women around the world. This wears out equipment, it drains additional resources, and it tires our men and women in uniform. In addition, it separates them from their families for extraordinary periods of time.

We have a real problem because we have a peace dividend. Oh, they say, President Bush cut the Defense Department when he was in there. Well, of course, he did. We had a legitimate peace dividend. The Berlin wall fell. We had a tremendous change as a result of the will of President Reagan and President Bush to maintain an unwavering stand against the Soviet Union. Consequently, we were able to save a lot of money.

So, yes, he was cutting; yes, we wanted to reduce manpower and reduce any costs we could, and use those savings to strengthen this country. But he didn't pretend to have it go on forever.

So that is where we are. I have to say that we have not yet faced up to the challenges of our future. I am reminded by the gulf war and our soldiers taking on the Iraqis. Our fighting men and women did an outstanding job. At that time, I heard the Senator from Minnesota, Mr. WELLSTONE, say we needed more preschool teachers and we needed more guidance counselors, and anything else you can think of that he would spend money on, but when we committed those men and women in the desert, what did they use? They used the finest equipment the world had ever seen. We were able to put missiles in the windows of buildings and our tanks were able to destroy the enemy's before they new it.

Our forces were able to defeat the enemy and devastate them with minimum loss of life on our side. That is what we want to do. We do not want to get into a war in which this Nation is not able to carry out its just national interests and suffer a huge loss of life. We want to be able to carry out our just national interests effectively. We do not want to over extend ourselves and become engaged in conflicts all over the world. But we need to be ready to execute to defend our legitimate national interests. We can't do that if we don't spend some money on it.

We are heading to a time where we can't live off the Reagan buildup anymore. We are going to be at a time where we will have to do something about it. We will be at a time when we need to improve our cruise missiles and our smart bombs and during the gulf war, we had superiority in the Middle East. We avoid wars by being strong.

Senator STEVENS, chairman of the Appropriations Committee, understood these issues and fought for them. When the conflict occurred, we prevailed at minimum loss of life to American citizens.

I agree with Senator WARNER. This bill does not need to be jeopardized by adding such measures as hate crimes legislation, that should have come out of Judiciary on a law enforcement bill, rather than on a Defense bill. This type of ploy only adds to the complication on these matters.

I think we are making a solid step forward. It would have been better if the Commander in Chief had told us we needed more money and challenged us to find more. It is hard for Congress to find more money when the President says, as Commander in Chief, he doesn't need it. Nevertheless, we spent $4 billion more than he asked for, which is hard to do. But the core function of Government ultimately is to defend our national sovereignty. We have a leadership role in this world, whether we want to have it or not. We have the ability to lead this world into the greatest century in the history of mankind. We can avoid wars if we remain strong. If we have competent leadership, we can maintain peace. We need a steady, mature funding of defense so that we are always above and ahead of our competitors. We do not want to go into a war on a level playing field. If we do have to go to war, we must have the resources available to prevail at a minimum loss of life.

All of this could create a more stable world order, and promote peace. Goodness knows, the events in the last few days are enough to make an impact and to see what happens in Belgrade, to see what happens in the Middle East, to see what happens now with an attack on our warship. Doesn't that tell us we live in a very dangerous world? The history of the world hasn't changed. There will always be struggles, fights, and wars, it seems. But if we are prepared, if we lead, and if we have a strong military that allows us to speak softly but carry a big stick, we can do great things. We can fulfill our destiny at this point in time; that is, to lead this world into a peaceful future.

I will just say this: We need to maintain the ability to act unilaterally when we need to. This Nation cannot allow some multinational group to decide for us how to use the power that we have. Of course we want the support and friendship of every nation in the world, but we don't need to be in a position where we have to have NATO votes to tell us whether or not we can deploy our forces. We don't need to have the U.N. voting with a single veto in the security council stopping us from deploying either. Would that be wiser than the leadership within the United States? Not at this point in time. I believe we can help the world. We need to maintain our independence. We need to maintain a strong national defense.

If I haven't used my time, I will yield it back and thank the chairman for giving me this opportunity.

Once again, I thank Senator WARNER and Senator LEVIN for their leadership

and bringing a bill that I believe will help preserve this Nation's strength in the future.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, as chairman of the committee, I thank the Senator from Alabama for his service on the Senate Armed Services Committee. He has only recently joined the committee. But his voice and his wisdom are brought to bear on many key issues. His attendance at the hearings is among the highest. I thank him for the time that he has been working for our committee. We very much value his judgment and his wisdom as we deal with these tough issues.

Mr. SESSIONS. I thank the chairman. I am honored to serve with him.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. WARNER. Mr. President, I would be happy to yield to my colleague, the chairman of the Appropriations Committee, and the chairman of the Subcommittee on Military Construction.

At this time, may I say, Mr. Chairman, it is essential that the chairman of the Appropriations Committee, and most specifically the chairman of the Subcommittee on Military Construction, and the chairman of the Armed Services Committee, and, indeed, our two ranking members—Senator BYRD, is on the Armed Services Committee, as well as the Appropriations Committee—our ability to work together as a team is essential. In my many years on their committee, I can recall where the relationships between the chairman and the various committees was somewhat strained. I say to Senator STEVENS that he has been an exemplary and wonderful working partner on our two bills in tandem on behalf of the men and women of the Armed Forces. I thank him.

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

Mr. WARNER. Mr. President, I yield all of my time, or such time as our distinguished colleague and a very valuable member of the Armed Services Committee may wish to take

Mr. ROBERTS. Mr. President, I believe the regular order is that I have the time. But I ask unanimous consent that the distinguished chairman of the Appropriations Committee be recognized prior to my remarks at this time, and I would be delighted to have him speak, or I will yield to the distinguished chairman, whatever is his preference.

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

Mr. STEVENS. Mr. President, I thank both Senators. I am delighted that I was able to be here at the time Senator SESSIONS made his remarks. I thank him for his kind remarks about my service, and I am delighted that he is on the Armed Services Committee because I like very much what he said.

I had intended to make a statement on the Defense bill. But I have been engaged this week in sort of herding turtles around this place. If it is agreeable to my friend from Virginia, I will make my statement concerning the Defense bill next week and ask it be printed in the permanent record as part of this RECORD.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. I yield to my distinguished friend and colleague from Oklahoma for a unanimous consent request.

Mr. INHOFE. Mr. President, I ask unanimous consent I be recognized at the conclusion of the remarks of the Senator from Kansas.

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

Mr. ROBERTS. Mr. President, there has been some discussion on the floor in reference to this bill, the Defense authorization bill, on the merits of including a hate crimes provision. I am struck by the fact that we have just witnessed an international terrorist hate crime with the attack on the U.S.S. *Cole*, leaving, according to my notes, 5 dead and 36 wounded, 12 missing. All of our U.S. military are on alert in terms of force protection. Our intelligence services are working full time to make sure that we have the proper force protection as they do their duty. In fact, I think that is a hate crime to which this particular bill speaks.

I associate myself with the remarks of the distinguished chairman. While Members on both sides have strong feelings about the hate crimes bill, in no way should this defense authorizations bill be further held up or impeded.

I express my sincere condolences, as my colleagues have, to the families and friends of the crewmembers of the U.S.S. *Cole* who were killed and injured today in the Port of Aden in Yemen. They died or they were injured in the services of this Nation, and we all feel their sacrifice. The apparent—I say ''apparent''; I think we all know it was—terrorist attack on the U.S. ship was brutal, it was unprovoked, it was an act of terrorism. All the information is not yet available to determine the source and the motivation of the attack. The Government of Yemen has said they are certainly not involved, so we have to reserve judgment on the response, if this is a terrorist strike.

No matter what the cause of the explosion, this again points out the risks that our service men and women face every day. We have to be ready every day. There is no strategic response to terrorism in regard to the service they provide to our Nation.

We must never forget that we ask the members of the military to be on the front line of U.S. diplomacy, and, unfortunately, they are the obvious targets of terrorist groups.

I have the privilege of being the chairman of the Emerging Threats and Capabilities Subcommittee on the Armed Services Committee. As has been indicated by Senator LEVIN and others, we have the responsibility to make sure we are ready and we have the proper resources to combat terrorism.

I can make a solemn promise to the families involved and to our military: We are going to continue to do our very best budgetwise and our very best in regard to legislation and policy to assure the force protection that we must have to protect our troops.

I rise to add my compliments to the chairman and the distinguished ranking member, Senator LEVIN, of the Armed Services Committee on a job that I think is well done. Through their hard work and their perseverance over the last legislative year, and in particular in regard to the conference with our colleagues in the House, we are presenting to the Senate a bill that will make significant progress.

Senator SESSIONS has made what I consider to be an excellent speech on the state of military readiness, the problems and the challenges we face. I see the distinguished chairman of the Readiness Subcommittee, the Armed Services Committee, Senator INHOFE, who does a splendid job in that regard. He has been sounding the alarm for years in regard to the readiness problems we face. We will make significant progress toward stopping what I call the readiness drain now facing our military. It is not enough, but this bill does actually lay down a marker that the Congress is very serious, that the committee is very serious about its commitment to reversing the damaging readiness cuts. We owe the men and women of the Armed Forces nothing less.

Over time, the last several years, we have authorized significant increases in pay. We have certainly done a better job in regard to the retirement system. We reformed that. As the distinguished chairman and the ranking member have pointed out, under the health care banner, we are now providing health care for the military retired. That is an obligation we must keep.

As I have indicated, I have the privilege to serve as the chairman of the Emerging Threats and Capabilities Subcommittee. I am very proud of our accomplishments this year in the subcommittee. I thank the distinguished Senator from New Mexico, Mr. BINGAMAN, for his assistance, as well as all the members of the subcommittee, working in a bipartisan fashion to produce this work product.

Behind the success was the hard work of our staff. I have always said that there are no self-made men or women in public office today. It is your friends who make you what you are. I put staff in that category. We are only as good as our staff in terms of the work product we are able to pass. I take this opportunity to thank them. They are not expecting this, but I want to take this opportunity to present: The head of our Emerging Threats and Capabilities ''posse,'' if I can refer to us in that

vein, and who I consider to be the iron lady and the iron fist of the science and technology world, Ms. Pam Ferrell; Mr. Military Transformation, who did an outstanding job, Mr. Chuck Alsap; the strong duo dealing with counterterrorism, the very subject we are dealing with today, even as I speak, as the 250 members of the U.S.S. *Cole* try to right the ship and save the ship, is Mr. Ed Edens and Mr. Joe Sixeas; the guy, the young man or the staffer that the drug cartels probably fear as much as anybody, Mr. Cord Sterling; our cyber warrior, Mr. Eric Thommes; and our tough negotiator in dealing with the Russian programs, the counterthreat reduction programs, an investment for us, and we think an investment for the Russians, as well, Miss Mary Alice Hayward; and the cleanup hitter, Miss Susan Ross.

I thank each and every one of them for their hard work, their professionalism, and the work product we were able to produce.

There are many successes for this year I want to address, but time is an issue. I know the Senators from Oklahoma and Iowa want to make some remarks, but there are four areas I would like to highlight of which I am especially proud.

First, we have two educational programs designed to increase research and the number of technically trained Americans. We have a technology personnel gap. I do not know what the acronym is for that. We hear about gaps in the past in terms of arguments in regard to the military. But, boy, this is a gap that is real and it is a gap that must be filled.

We have authorized $15 million to establish what is called an Information Security Scholarship Program for the Secretary of Defense to award grants to institutions of higher education to establish or improve programs in information security and to provide scholarships to persons who would pursue a degree in information assurance in exchange for a commitment of service within the Department of Defense. That is a breakthrough.

Senator WARNER gave his personal leadership to this. As a matter of fact, it is his initiative. I like to think I had something to do with it, as well as all members of the committee in a bipartisan fashion.

We have also authorized $5 million to establish something called an Institute for Defense Computer Security and Information Protection. This institute will conduct research in technology development in the area of information assurance and to facilitate the exchange of information with regard to cyber threats, technology tools, and other relevant issues.

Again I go back to the technology personnel gap. This will assist us to really close that gap. As a matter of fact, when we asked the experts in our subcommittee, What keeps you up at night? they mentioned a lot of things, but they mentioned two things of priority interest. No. 1 is the possibility of the use of biological weaponry by some state-supported terrorist or non-state-supported terrorist. The second thing they worry about is cyber attacks, information warfare. So we think this institute is long overdue. We have authorized $5 million. That is going to get it started.

The second thing I would like to mention is that we ensure that the Department of Defense will focus real coordination in their responsibilities to combat terrorism activities through a single office. We had four people before the subcommittee testifying in regard to DOD responsibilities and the challenge they face in regard to terrorism, so I asked the witnesses: Would you sit in order of your authority. Nobody knew where to sit—No. 1, 2, 3, 4—because they didn't know. We had so many people within the DOD who shared partial responsibility for this that we did not find one person in charge. So that is what we are going to have after this bill passes.

We made a suggestion on the Senate side; we really singled it out and put it in a particular person's area of responsibility. The House came back and said let's let the Secretary of Defense decide that. But I will tell you again, we are going to ensure the Department of Defense is focused in regard to their responsibilities to combat terrorism through one single office.

We included a provision that would designate one Assistant Secretary of Defense as the principal civilian advisor to the Secretary for Department of Defense activities for combating terrorism—one guy in charge, one lady in charge, one person in charge. This provision ensures there is a single individual within the Department responsible for providing focused and comprehensive and well-funded DOD antiterrorism policy.

I have said that about three times now, but three times I want to say how important that is. I think it is a real step forward.

The third area is to reduce the risk of the expansion of weapons of mass destruction and to help provide opportunities to Russian scientists outside of their weapons development. We authorized over $1 billion for nonproliferation and threat reduction programs for the Departments of Defense and Energy to assist nations of the former Soviet Union in preventing the expansion of their weapons of mass destruction and dissemination of their scientific expertise. This is a program really started by Senator Nunn and Senator LUGAR. Conferees included several initiatives to obtain greater Russian commitment to these programs—these programs are not without controversy—and the necessary U.S. access to ensure these programs do achieve their threat reduction goals.

We authorized $443.4 million for the Department of Defense Cooperative Threat Reduction Program for fiscal year 2001 to reduce the threat posed by the former Soviet Union weapons of mass destruction. So, let's see, there is $443.4 and $1 billion for the nonproliferation and threat reduction programs. That is quite an investment to assist the Russians, to work together with the Russians to reduce that kind of capability.

Last, I would like to say to help the military continue to put a solid effort in the invaluable area of science and technology and to ensure we are ready to address the emerging threats, we added $209 million for the Defense Science and Technology Program; that is the S&T programs, the science and technology programs. We focused on revolutionary technologies to meet the emerging threats. And we required the services to undertake a comprehensive planning process to identify long-term technological needs in consultation with the warfighting and the acquisition communities, and to ensure that the services' programs in regard to science and technology are appropriately designed to support these needs.

I could list some other significant accomplishments in the joint warfighting area, in the continued focus on helping our military communities prepare for the possibility that they may have to handle the consequences of a terrorist attack on our homeland.

We all know about the U.S.S. *Cole*. That threat exists in regard to our domestic situation as well and in several other key areas where we have jurisdiction. But I am going to let that go. I will probably put something in the RECORD at a later date in regard to what I think we have done in meeting our responsibilities in that area.

Again, I thank the chairman, Senator WARNER, who has labored long and hard. We did this several months ago. We have been in conference for 2 or 3 or 4 months. In the rush to complete our business, we had all sorts of things pop up out of the woodwork, almost a gauntlet to get this bill done. I thank Senator WARNER, Senator LEVIN, all members of the committee for their leadership, their guidance, their help during the development of this year's Defense bill.

There is no more important bill. Our first obligation as Members of this body is to do what we can in behalf of our national security. Today's events certainly prove that is the case. That has been spoken to by the distinguished chairman.

I think it is a good bill. We need to get it passed, and it needs a big vote. It needs a big, solid vote for the responsibility we have to our men and women in uniform.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LEVIN. Mr. President, if I may interject, I thank Senator INHOFE for the work he has done on Vieques. I ask unanimous consent that, following the remarks of Senator INHOFE, Senator

HARKIN be recognized for up to 10 minutes and Senator ROBB then be recognized for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I join in the remarks that were made by the Senator from Kansas about the U.S.S. *Cole*, the tragedy that took place. We are all so saddened to hear about that. It was a complete surprise to all of us. Also, his comments about our chairman—our chairman, the Senator from Virginia, has done just an incredible job of leading the way and getting this bill done.

I see this bill we are about to vote on as turning the corner. After 7 years of neglecting our military, we are actually starting to improve some things. We have some things in this bill that I think are long overdue. In our readiness funding, the conferees add more than $888 million to the primary readiness accounts. That included areas of neglect: $125 million to the war reserves and training munitions. We have places where they actually do not have enough bullets, enough ammunition to train with; $222 million for spare parts—that is not nearly enough, but there is a trend going up in the right direction now.

I go around as chairman of the Readiness Subcommittee of the Senate Armed Services Committee to quite a few of the places around the country and around the world and find the cannibalization rates, getting spare parts out of engines. I have seen them open up a new, crated F–100 engine just to pull off spare parts. That becomes very labor intensive. As a result of that, we are having terrible retention rates.

We hear about the pilots, but we don't hear about the mechanics and some of the other MOS, military occupational specialties, where we really are having a crisis.

This bill also goes a long way to try to get us back into opening up the live range on the island of Vieques.

Mr. ROBERTS. Mr. President, will my distinguished colleague yield for a question?

Mr. INHOFE. Certainly.

Mr. ROBERTS. Mr. President, I ask the Senator if he is familiar with the statement made by the Under Secretary of Defense for Acquisition and Technology—this is somebody who appeared before his subcommittee and mine—Secretary Jacques Gansler?

Mr. INHOFE. Yes, he has appeared before our committee on three occasions I can recall.

Mr. ROBERTS. He made a recent statement in regard to the very issue the Senator from Oklahoma is pointing out. I think it will be helpful if I read this, if the Senator from Oklahoma will permit me. This is somebody from the administration. He stated this:

> We are trapped in a death spiral.

I do not think one could make it any more plain than that.

> We are trapped in a death spiral. The requirement to maintain our aging equipment is costing us more each year in repair costs, down time, and maintenance tempo. But we must keep this equipment in repair to maintain readiness. It drains our resources—resources we should apply to modernization of the traditional systems and development of new systems.

Then the Secretary went on to say:

> So we stretch out our replacement schedules to ridiculous lengths and reduce the quantities of new equipment we purchase, raising the cost and still further delaying modernization.

I do not think one can be any plainer than that. So the Senator's remarks are backed up not only from what we hear in testimony but also from the many bases at home and overseas. I thank my distinguished colleague for all the effort he makes from his personal time and other duties to go to bases all over the world. He checks with the enlisted; he checks with the NCOs; he checks with the officers; and he checks with the commanders and shows them his candor and integrity. We talked about this at great length.

In terms of readiness, there is no other person in the Congress of the United States or, for that matter, whom I know in this city who knows better the readiness problems we have, and it is backed up by this statement by a Secretary of the administration. We owe the Senator from Oklahoma a debt of gratitude.

Mr. INHOFE. Mr. President, I appreciate very much getting that into the RECORD because that testimony came out in our committee meetings. The Senator from Kansas is right. Sometimes when you sit in a committee meeting in Washington, everything is filtered. You do not really get the truth you find in the field.

This bill is going to put $449 million in real property and maintenance. The RPM accounts are accounts that are mandatory that we have to get down, and yet I have been down to Fort Bragg during a rainstorm. Go into the barracks and one will see our soldiers are actually covering up their equipment with their bodies to keep it from rusting. It is a crisis. We are addressing that crisis with this bill. It is a start. We should be doing more than we do with this particular bill.

Mr. WARNER. Will the Senator yield on my time?

Mr. INHOFE. I yield to the chairman.

Mr. WARNER. Mr. President, I wish to express not only my appreciation but that of the whole committee, on both sides of the aisle, for the amount of travel the Senator has done. I heard the Senator talk about how he made these inspection trips. He spent a great deal of his time traveling to our military bases in the continental United States and abroad. There is no one who pulls harder on their oar than the Senator from Oklahoma.

I especially credit him with trying to resolve in a very fair and balanced manner the diversity of positions regarding the Vieques issue. The President had his views, the Government of Puerto Rico had its views, colleagues in the Senate had their views, and the Senator worked his way through that problem, and I know in this bill we have a fair and good solution to that difficult problem. I thank him.

Mr. INHOFE. I thank the chairman. Also I thank the ranking member, Senator LEVIN, who was very helpful on this whole issue. I believe we addressed it properly in this bill.

If we let an agreement go that had a financial motivation for the 9,000 residents of the island of Vieques to vote to kick out the Navy forever and lose that as a range, that had to be changed. This bill does that. We changed it so that the western land is not going to the Governor of Puerto Rico but to the people of Vieques.

A lot of people do not realize that Vieques is like a municipality in Puerto Rico, and the people of Vieques are very fond of the Navy. I am the first one to admit the Navy had some PR problems, but I say to our chairman, they have worked very hard, and I see a change in attitude there.

I was recently in Vieques meeting with a group of people. I left firmly convinced that if we have this referendum and if the referendum has a motivation for them to vote right—and that is to accept the Navy and the live firing range—then I believe they are going to do it.

The other day, I was on a talk show and someone called in. Actually, it was someone who was on the other side of this issue. They said: How would you like to have a live range in your State of Oklahoma?

I said: Let me tell you about Fort Sill.

Mr. WARNER. Mr. President, I know the answer to that question. It is the same thing with the State of Virginia. Less than 30 miles from this Chamber is a live-fire range for the U.S. Marine Corps.

Mr. INHOFE. That is exactly right. My concern has been, I hope and I will go on record right now and I am already on record saying, if we have this referendum, this will be the last time that we should allow a referendum to take place on closing a live range. When one stops and thinks about the domino effect this will have on other places, such as Capo Teulada in Sardinia or Cape Wrath in northern Scotland, it would be a real crisis if we lose those, and yet they logically ask the question—I have seen it in print in Scotland: Wait a minute, if they do not allow the training to take place on land they own, why should we let them come here to our country and bomb it?

Mr. WARNER. I thank my colleague.

Mr. INHOFE. The western land now will go not to the politicians in Puerto Rico but to the residents of the island of Vieques, and in the event something should happen that they should vote to reject the Navy, then it is not going to go into some developer's hands where someone is going to stand to get rich over this.

We have done a good job——

Mr. ROBB. Mr. President, will the Senator from Oklahoma yield for a very brief comment?

Mr. INHOFE. Yes, I yield to the Senator from Virginia.

Mr. ROBB. Mr. President, I add my voice to that of my senior colleague in thanking our colleague from Oklahoma for the way he has worked on this particular problem. For a number of months, this seemed to be one of those intractable problems that was probably not going to be resolved.

I know the very strong feelings the Senator from Oklahoma has and brought to bear on this question in particular. We may disagree on other matters, but on this question in particular, he struck just the right balance, represented the long-term interests of the United States in a way that allowed us to come to closure on an issue that might not have closed at all and certainly would have created all kinds of difficulty for the United States in our long-term relations in the hemisphere with the Commonwealth of Puerto Rico and others.

I add my voice to others in thanking the chairman of the Readiness Subcommittee for his very important and tireless work on this issue.

Mr. INHOFE. Mr. President, I thank the Senator from Virginia, who is the ranking member on the Readiness Subcommittee, for the contributions he has made. The Senator from Virginia is in the same position I am in, having live ranges in his home State.

I can recall going out on one of the carriers before one of the deployments from the east coast to the Persian Gulf. They have this integrated training on the island of Vieques. They have F–14s and F–18s doing air work; they have the Marine expeditionary, with which the Senator is familiar, since he was a marine, doing their work, and at the same time they have live Navy fire. They say they can get that training elsewhere but not at the same type of place. The analogy was called to my attention by someone who was on one of the deploying battle groups. It is like you have the very best quarterbacks, the very best offensive line, and the very best defensive line. If one is training over here, one is training over here, and one is training over here, but they never train together. On the day of the big game, of course, they lose. The integrated training is necessary.

I believe the language in this bill is going to offer the self-determination of the people of Vieques to support the Navy live range, and I have every expectation that is exactly what is going to happen. American lives are at stake.

I want to make one last comment. I have mentioned several times we should have probably gone further with this bill. I have been concerned about our state of readiness, and we outlined some of these things in the real property and maintenance accounts and others.

But I was reading, the day before yesterday, in the Wall Street Journal, an editorial by Mark Helprin. Mark Helprin is a contributing editor to the Journal but is also a senior fellow of the Claremont Institute. He talks about the crisis that we are going to have to take care of, and that we should not be talking about the fact that we right now, today, are better equipped than we have been. We are not better equipped than we have been before. He goes on to talk about the fact that in Kosovo, 37,000 aerial sorties were required to destroy what Gen. Wesley Clark claimed were 93 tanks and 53 armored fighting vehicles. That is approximately 8 percent and 7 percent, respectively, of which Milosevic actually had.

He goes on to say:

> Twenty percent of carrier-deployed F–14s do not fly, serving as a source of spare parts instead. Forty percent of Army helicopters are rated insufficient to their tasks. Half of the Army's gas masks do not work.

It goes on and on.

I ask unanimous consent that this entire editorial be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. INHOFE. Lastly, let me just say I am glad that defense has become prominent in this Presidential election. We have had a degradation in what has happened to our defense. We have great troops, but right now we are operating at roughly one-half the force strength we were during the Persian Gulf war. And that can be quantified.

So often when people stand up politically and say we are stronger now than we were, or as strong as we were back during the Persian Gulf war, that just isn't true. We are approximately 60 percent of where we were in terms of force strength. That can be quantified.

I am talking about 60 percent of the Army divisions, 60 percent of the tactical air wings, 60 percent of the ships floating around, going from a 600-ship Navy to a 300-ship Navy. It is true some of that was from the previous administration. The Bush administration wanted to go down from 600 to 450 ships. But now we are far below that.

I think this administration has done a bad job the last 8 years. We are going to have to turn that around and do a massive rebuilding in the next administration. I think we are probably going to do it. I think we are going to see our Defense authorization committees of the House and the Senate do that. As well the Appropriations Committees are primed and ready, as is evidenced by the bill we are discussing today that we are going to pass. We are going to turn that corner and start rebuilding America's defense again.

With that, I yield the floor.

EXHIBIT NO. 1

[From the Wall Street Journal, Oct. 10, 2000]

MR. CLINTON'S ARMY

(By Mark Helprin)

Many people have come to believe that thinking about war is akin to fomenting it, preparing for it is as unjustifiable as starting it, and fighting it is only unnecessarily prolonging it. History suggests that as a consequence of these beliefs they will bear heavy responsibility for the defeat of American arms on a battlefield and in a theater of war as yet unknown. Theirs are the kind of illusions that lead to a nation recoiling in shock and frustration, to the terrible depression of its spirits, the gratuitous encouragement of its enemies, and the violent deaths of thousands or tens of thousands, or more, of those who not long before were its children.

They will bear this responsibility along with contemporaries who are so enamored of the particulars of their well-being that they have made the government a kindly nurse of households, a concierge and cook, never mind a resurgent Saddam Hussein or China's rapid development of nuclear weapons. They will bear it along with the partisans of feminist and homosexual groups who see the military as a tool for social transformation. And they will bear it with a generation of politicians who have been guilty of willful neglect merely for the sake of office.

ABJECT LIE

So many fatuous toadies have been put in place in the military that they will undoubtedly pop up like toast to defend Vice President Gore's statement that ''if our servicemen and women should be called on to risk their lives for the sake of our freedoms and ideals, they will do so with the best training and technology the world's richest country can put at their service.'' This is an abject lie.

To throw light on the vice president's assertion that all is well, consider that in Kosovo 37,000 aerial sorties were required to destroy what Gen. Wesley Clark claimed were 93 tanks, 53 armored fighting vehicles, and 389 artillery pieces; that these comprised, respectively, 8%, 7%, and 4% of such targets, leaving the Yugoslav army virtually intact; and that impeccable sources in the Pentagon state that Yugoslav use of decoys put the actual number of destroyed tanks, for example, in the single digits.

To achieve with several hundred sorties of $50-million airplanes the singular splendor of destroying a Yugo, the United States went without carries in the Western Pacific during a crisis in Korea, and the Air Force tasked 40% of its intelligence, surveillance, and reconnaissance assets, and 95% of its regular and 65% of its airborne tanker force, in what the chief of staff called a heavier strain than either the Gulf War or Vietnam.

One reason for the ''inefficiency'' of Operation Allied Force is that this very kind of farce is funded by cannibalizing operations and maintenance accounts. Such a thing would not by itself be enough to depress the services as they are now depressed. That has taken eight years of magnificent neglect. Case in point: The U.S. Navy now focuses on action in the littorals, and must deal with a burgeoning inventory of increasingly capable Third World coastal submarines that find refuge in marine layers and take comfort from the Navy's near century of inapplicable blue-water antisubmarine warfare. But our budget for surface-ship torpedo defense will shortly dip from not even $5 million, to nothing in 2001.

The reduction of the military budget to two-thirds of what it was (in constant dollars) in 1985, and almost as great a cut in force levels, combined with systematic demoralization, scores of ''operations other than war,'' and the synergistic breakdown that so often accompanies empires in decline and bodies wracked by disease, have produced a tidal wave of anecdotes and statistics. Twenty percent of carrier-deployed F–

14s do not fly, serving as a source of spare parts instead. Forty percent of Army helicopters are rated insufficient to their tasks. Half of the Army's gas masks do not work. Due to reduced flying time and training opportunities within just a few years of Bill Clinton's first inauguration, 84% of F–15 pilots had to be waived through 38 categories of flight training. The pilot of the Osprey in the December 1999 crash that killed 19 Marines had only 80 hours in the aircraft, and the pilot who sliced the cables of the Italian aerial tram in 1998, killing 20, had not flown a low-altitude training flight for seven months. It goes on and on, and as the sorry state of the military becomes known, the administration responds by doing what it does best.

In the manner of Gen. Clark presenting as a success the—exaggerated—claim of having destroyed 8% of the Yugoslav tank forces in 78 days of bombing, the administration moved to ''restructure'' the six armored and mechanized divisions by shrinking force levels 15% and armor 22%, while expanding the divisional battle sector by 250%, the idea being that by removing 3,000 men and 115 tanks and Bradley Fighting Vehicles while vastly expanding the area in which it would have to fight, a division would somehow be made more effective.

The two failed Army divisions cited by George W. Bush in his acceptance speech were returned to readiness with speed inversely proportional to the time it takes the White House to produce a subpoenaed document, perhaps because, according to the Army, ''new planning considerations have enabled division commanders to make a more accurate assessment,'' and ''the timelines for deployment . . . have been adjusted to better enable them to meet contingency requirements.'' In 1995, brigade officials told the General Accounting Office that they felt pressured to falsify readiness ratings, and that the rubric ''needs practice'' was applied irrespective of whether a unit scored 99% or 1% of the minimum passing grade.

But there is more. Mainly by coincidence but partly by design, several broader measures exist. The Army rates its echelons. In 1994, two-thirds of these were judged fully ready for war. By 1999, not one of them was. More than half the Army's specialty schools have received the lowest ratings, as did more than half its combat training centers (although the chaplains are doing very well). These training centers serve as an instrument that illuminates the character of all the units that pass through them. By examining their ratings it is possible to get a comprehensive view of the Army's true state.

I have obtained National Training Center trend data that are the careful measure of unit performance in 60 areas over three years. Of 200 evaluations, only two were satisfactory. This 99% negative performance, stunning as it is, is echoed in the preliminary findings of a RAND study that, according to sources within the Army, more than 90% of the time rates mission capability at the battalion and the brigade levels as insufficient. RAND has voluminous data and doesn't want to talk about it until all the t's are crossed, long after the election.

If Gov. Bush becomes president, the armies his father sent to the Gulf will not be available to him, not after eight years of degradation at the hands of Bill Clinton. Given that their parlous condition is an invitation to enemies of the United States and, therefore, Mr. Bush might need them, and because the years of the locust are always paid for in blood, he should take this issue and with it hammer upon the doors of the White House at dawn.

In the Second World War, Marine Brig. Gen. Robert L. Denig said, with homely elegance, ''This is a people's war. The people want to know, need to know, and have a right to know, what is going on.'' Nothing could be truer, and the vice president of the United States does not speak the truth when he characterizes as he does those forces that for two terms his administrations have mercilessly run down. The American military does not deserve this. It is not a cash cow for balancing the budget, a butler-and-travel service for the president, an instrument of sexual equality, or a gendarmerie on the model of a French Foreign Legion with a broader mandate and worse food.

CAESAR'S LEGIONS

If we are, in effect, the enemies of our own fighting men, what will happen when they go into the field? The military must be redeemed. Should Gov. Bush win in November he should bring forward and promote soldiers and civilians who understand military essentials and the absolute necessity of readiness and training, people both colorful and drab, but who would, all of them, understand that these words of Gen. George S. Patton are the order of the day:

''In a former geological era when I was a boy studying latin, I had occasion to translate one of Caesar's remarks which as nearly as I can remember read something like this:

'' 'In the winter time, Caesar so trained his legions in all that became soldiers and so habituated them in the proper performance of their duties, that when in the spring he committed them to battle against the Gauls, it was not necessary to give them orders, for they knew what to do and how to do it.'

''This quotation expresses very exactly the goal we are seeking in this division. I know that we shall attain it and when we do, May God have mercy on our enemies; they will need it.''

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Iowa.

Mr. HARKIN. Mr. President, this conference report contains a number of provisions of great importance to our troops and our veterans. First, I am very glad that one of the top priorities of this conference report is improving the military health care system. The expansion of TRICARE, the military health care system, to Medicare-eligible retirees provides a permanent comprehensive health care benefit to military retirees, regardless of age. All military retirees and their families will now be able to remain in the TRICARE health program for life.

At least as important, military retirees will now have complete prescription drug coverage. With this new benefit, there is an even stronger case for Congress passing a Medicare prescription drug plan for all seniors this year before we go home.

I am also pleased that this bill provides our troops a significant pay raise as well as supplementary benefits for troops on food stamps and increased WIC nutritional support for troops overseas. These are issues on which I have worked for several years on the Defense Appropriations Subcommittee.

I am especially pleased that we have overcome significant opposition among the House majority to provide compensation to some of those who were harmed by dangerous conditions at our nuclear weapons plants. I am sure that by now all my colleagues are aware that many of our citizens were exposed to radioactive and other hazardous materials at nuclear weapons production plants in the United States. While working to protect our national security, thousands of workers were subjected to severe hazards, sometimes without their knowledge or consent.

I would like to address in more detail another provision that is important for former workers at our nuclear weapons facilities. The dangers at these plants thrived in the darkness of Government secrecy. Public oversight was especially weak at a factory for assembling and disassembling nuclear weapons at the Iowa Army Ammunition Plant in Middletown, IA. I first found out about the nuclear weapons work there from a constituent letter from a former worker, Robert Anderson. He was concerned that his non-Hodgkins lymphoma was caused by exposures at the plant. But when I asked the Department of Energy about the plant, at first they denied that any nuclear weapons work took place there. The constituent's story was only confirmed when my staff saw a promotional video from the contractor at the site that mentioned the nuclear weapons work.

The nuclear weapons production plants were run not by the Defense Department but by the Atomic Energy Commission, which has since been made part of the Department of Energy. The Department of Energy has since acknowledged what happened, and is now actively trying to help the current and former workers in Iowa and elsewhere by reviewing records, helping them get medical testing and care, and seeking compensation.

I compliment Secretary Richardson for his foresight and for taking this matter very seriously and making sure that the Department of Energy is forthcoming in regard to getting testing and care and compensation.

I was pleased this past January to host Energy Secretary Richardson at a meeting with former workers and community members near the plant in Iowa. The Department specifically acknowledges that the Iowa Army Ammunition Plant assembled and disassembled nuclear weapons from 1947–1975. And their work has helped uncover potential health concerns at the plant, such as explosions around depleted uranium that created clouds of radioactive dust, and workers' exposure to high explosives that literally turned their skin yellow.

And while the Department of Energy is investigating what happened and seeking solutions, the Army is stuck, still mired in a nonsensical policy. It is the policy of the Department of Defense to ''neither confirm nor deny'' the presence of nuclear weapons were assembled in Iowa without admitting that there were nuclear weapons in Iowa. So they write vaguely about ''AEC activities,'' but don't say what those activities were.

There have been no nuclear weapons at the Iowa site since 1975, but it is well known that weapons were there before that. The DOE says the weapons were there. A promotional video of the Army contractor at the site even says the weapons were there. But the Army can't say it.

What this does is, it send the wrong signal to the former workers. These workers swore oaths never to reveal what they did at the plant. And many of them are still reluctant to talk. They are worried that their cancers or other health problems may be caused by their work at the plant. But they feel that they can't even tell their doctors or site cleanup crews they worked there or what the tasks were they did. They don't want to violate the oaths of secrecy they took. One worker at the Iowa plant said recently: There's still stuff buried out there that we don't know where it is. And we know people who do know, but they will not say anything yet because they are still afraid of repercussions. Instead of helping these workers speak out, the Army has forced them to keep their silence.

I am pleased that the conference report includes a provision I offered to help these workers. It is narrowly targeted to require the Defense Department, in consultation with the Energy Department, to review their classification and security policies to ensure they do not prevent or discourage workers at nuclear weapons facilities from discussing possible exposures with their health care providers and other appropriate officials. The provision specifically recognizes that this must be done within national security constraints. It also directs the Department to contact people who may have been exposed to radioactive or hazardous substances at former Defense Department nuclear weapons facilities, including the Iowa plant. The Department is to notify them of any exposures and of how they can discuss the exposures with their health care providers and other appropriate officials without violating security or classification procedures.

I thank the chairman and the ranking member of the conference committee for joining with me in a colloquy to clarify that this provision applies to all workers at such facilities, and not just DOD personnel.

I am pleased we are passing this provision today. I thank the managers of the bill for including this provision and for the fine work they have done on all aspects of this bill.

Lastly, I am very concerned about the recent upsurge of violence in the Middle East. I strongly support the efforts of President Clinton and U.N. Secretary General Kofi Annan to negotiate a cease-fire. This cycle of killings and destruction must end so there can be a return to the negotiating table to achieve a comprehensive and lasting peace agreement in the Middle East.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank Senator HARKIN for his wonderful commitment to the workers, particularly in his State, but really the workers in America. He noticed something in our bill which inadvertently could have left out some workers we wanted to cover and he wanted to cover.

We worked out the colloquy with Senator HARKIN which will be made a part of the RECORD. I thank Senator HARKIN for his intrepid effort on behalf of the workers of America and Iowa. It has really paid off.

Mr. WARNER. Mr. President, I join my colleague. The three of us signed the colloquy. I thank the Senator. He does look after his people.

Mr. HARKIN. If I might reciprocate, I thank the chairman and Senator LEVIN, the ranking member, for including this in the bill. These were hard workers. They were good people. They work for a contract employer, not the Department of Defense. With this change, it makes it clear they are covered also. I thank them both.

Mr. WARNER. I thank the Senator.

While I have the floor, Mr. President, I would like to advise Senators that there is an effort being made to try and get the vote on first, presumably, a point of order that will be raised and then, following that, on final passage. We hope to begin to move to those votes possibly as early as 6 o'clock. So we are condensing down the period of time prior to the vote that Senators wish to speak.

Of course, we can arrange for such time after the votes as Senators desire. This is to accommodate both sides of the aisle and many Senators. I thank my colleagues for working with me to achieve these goals. We now have in place two Senators ready to speak, then I will consult with our leadership.

Mr. LEVIN. Mr. President, if the Senator from Virginia will yield for an additional minute, I ask unanimous consent that Senator ALLARD be recognized immediately after Senator ROBB for up to 5 minutes, and then that Senator BYRD be recognized immediately after Senator ALLARD. I will talk to Senator BYRD about the time situation in which we find ourselves.

Mr. WARNER. Senator BYRD is a member of our committee and he has a key piece of legislation in here. It is my hope that we can have Senators speak briefly so that we can get on to the issue by Senator KERREY.

Mr. LEVIN. I will speak with Senator BYRD about the amount of time.

Mr. WARNER. And Senator ROBB, our valued colleague, a member of the committee, is about to address his issues.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. ROBB. Mr. President, the defense authorization bill before us today has historic qualities. It represents another year of real growth in our commitment to national defense and the readiness of the men and women who serve this Nation in uniform. It represents our reinvigorated and growing national consensus on the importance of American military power, and our military's continuing relevance to world peace, stability, and prosperity. Friends and allies around the world will see in this bill America's commitment to leadership and our willingness to keep our military the most powerful ever and equal to the challenge.

This bill continues to chip away at the quality of life issues that make service in today's military a greater sacrifice than it needs to be. This bill raises pay, improves housing, authorizes additional bonuses to improve retention, and improves medical care for servicemembers and their families.

I am particularly proud that this bill at last acknowledges the promise of lifetime health care made to America's thousands of military retirees and their families. The program put in place by this bill sets the conditions for keeping our promise, but we should have no illusion that this fulfills our debt. The devil, as usual, is in the details and there is much work ahead ensuring that the system we create is up to the requirements of this benefit and accomplishes its purpose. In a respect our real work lies before us, now that we are over the political and budgetary hurdles of keeping the promise.

This bill, thankfully but modestly, also increases our procurement, readiness, and research and development accounts. Anyone reading this bill will see our clear intent to deal with our daunting maintenance challenges. Anyone reading this bill will see our clear intent to modernize our tactical aircraft. Anyone reading this bill will see our clear intent to increase shipbuilding rates necessary to sustain a globally capable 300-ship Navy. Anyone reading this bill will see our clear intent to accelerate research and development to bring forward the next generation of aircraft—manned and unmanned, ships, and combat vehicles necessary to our future readiness and security.

Unfortunately, the rush, early this year, to massive tax cuts and political fears over new spending worked against us in making the kinds of real and significant increases necessary to address the challenges to our readiness today and tomorrow.

There is no doubt that significant increases in the defense top line are ahead. But regrettably, we have missed an opportunity to apply additional resources this year to some of our more chronic military requirements such as aviation spare parts and ship depot maintenance.

Equally regrettable, we fail again, in my judgement, to take on the issue of excess infrastructure.

One of the best ways we can help pay for current readiness is through reducing the DOD's large ''tail'' of infrastructure and support, which is taking away critical funding for the teeth—

our warfighting troops and equipment that will fight the next year.

And the best place to reduce tail is to cut more bases.

I am encouraged by the Armed Services Committee chairman's commitment to making additional BRAC legislation his first priority for our next session. It is time to get over the history of this issue and get on with supporting defense establishment requirements.

Mr. President, there are very exciting days ahead for America's Armed Forces. The benefits of a strong national economy with projected budget surpluses provide a historic opportunity across the range of national priorities—from paying off our national debt to tax relief. But we also enjoy a historic opportunity to address today's military challenges and reach deeply into the future assuring our continued peace and prosperity.

At the same time, we must be careful and have the courage to make tough choices where necessary ensuring that we get the most for our defense dollars. We must not become embroiled in an arms race with ourselves. We are the best already, we need only stay ahead of our greatest threats.

Mr. President, for the last couple years one of our greatest readiness challenges has been recruiting and retention. I believe a young American today should see not only a tremendous opportunity to join the best military in the world, but an opportunity to join a military that will get the resources it needs to stay trained and ready. And, more importantly, a military that will get even better.

In addition, Mr. President, I rise to talk about events earlier today.

The explosion and loss of life this morning aboard the U.S.S. *Cole* is deeply disturbing and has affected all of us. The U.S.S. *Cole*, her crew, and their families are homeported in Norfolk, VA, and are proud members of Virginia's Navy family. Our prayers go out to those sailors killed and injured or missing. Our prayers go out to the courageous crew members right now dealing with the aftermath of this attack, and our prayers go out to the families of the U.S.S. *Cole* who live, as Navy families always have, with quiet courage, with this kind of danger, and in the face of this kind of tragedy.

I can confidently report that the extended Navy family in Virginia and around the country is coming together in this tragic moment to support and comfort the families of the U.S.S. *Cole*. The resources of this Nation will be there for them in this time of great sorrow and need.

The U.S. Navy sails into harm's way every day around the world protecting America and her interests. Today's attack is a painful reminder that the world is still a dangerous and uncertain place. America's young men and women in uniform are truly on freedom's frontier. As the CNO reminded us this afternoon, the U.S.S. *Cole* is one of 101 warships that are currently deployed.

We stand ready to provide the Navy whatever support is necessary at this painful time. We are doing everything we can to ensure the rapid evacuation of our casualties, to ensure the security of the crew and ship, to determine who is responsible for this attack, and to take appropriate action in response.

Even in the best of conditions, service in the U.S. Navy, afloat or ashore, is inherently dangerous, difficult work. Ships and aircraft at sea in all types of weather, during the day and during the night, are, over the long haul, as hazardous as any conditions we ever ask Americans to serve under. We owe these men and women and their families the best possible leadership, a reasonable quality of life, modern ships, aircraft and equipment, and realistic training. We owe them a fighting chance to serve in harm's way and to come home safe and proud.

The Navy is appropriately treating this as a suspected terrorist attack and has responded with antiterror-capable Marine security forces, in addition to the medical support flowing to the aid of the ship and her crew. If we determine that this was a terrorist attack, we should respond in a manner that guarantees that anyone or any state that might use terror against our military or civilians understands that they will pay a heavy price for misjudging either our capability or our will.

The U.S. Navy provides an indispensable contribution to world peace and stability. This incident cannot deter us from our commitment to defend our interests wherever they are, anyplace in the world. America will never retreat from our responsibilities, and we will take steps to bring to justice those responsible for this tragic loss of American life.

In this time of shock and sorrow, American resolve is called upon once again. We will meet this challenge.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I join with my colleague from Virginia in his expression of concern about the crew and members of the U.S.S. Cole. It still shows that we do live in a dangerous world, and our fighting men and women are exposed to danger every day they do their job.

Mr. WARNER. Mr. President, I would like to also make reference to the remarks of my colleague from Virginia. He and I have a very special responsibility in this tragedy. We will undoubtedly, working together on that, do what we can on behalf of the families, particularly, in this instance.

Mr. ROBB. I thank my senior colleague from Virginia. We will be doing everything we can to respond to this tragedy.

Mr. WARNER. The Senator is aware of the availability at 6 o'clock of the briefing on this matter?

Mr. ROBB. Mr. President, I say to the senior Senator, I am and I have already availed myself of other briefings today.

Mr. WARNER. Thank you.

Mr. ALLARD. Mr. President, before I begin my statement regarding the conference report, I want to say that my heart goes out to the families of the crewman of the U.S.S. *Cole* in the Aden Gulf who were killed, injured, or are missing. Let it be said, that if this was a terrorist attack, the United States shall not allow this to stand without a strong response by the United States and no matter where these terrorists go, they will be found and they will be held accountable.

Now to the conference report, I want to thank Chairman WARNER for allowing me the opportunity to speak in strong support of this essential Defense authorization conference report which provides the needed resources for our men and women in the armed services. I believe this bill is a fitting tribute for those who served, are serving, and will serve in armed services in the future.

The Fiscal Year 2001 Defense Authorization Act conference report has been a bipartisan effort and for the second year in a row we have reversed the downward trend in defense spending by increasing this year's funding by $4.6 billion over the President's request, for a funding level of $309.9 billion.

As the Strategic Subcommittee chairman, I would like to point out a few key provisions in the subcommittee's jurisdiction, plus a few of keen interest to myself.

As has been the pattern over the last several years, we had to increase the funding for our ballistic missile and space programs. This bill increases the ballistic missile defense programs by $391.8 million, a very important increase of $78 million for military space research and development programs, an increase of $91.2 million for strategic nuclear delivery vehicle modernization, and $80.5 million increase for military intelligence programs.

Regarding a few specific items—an increase of $85.0 million the Airborne Laser Program which requires the Air Force to stay on the budgetary path for a 2003 lethal demonstration and a 2008 deployment; an increase of $10 million for the Space Based Laser Program; a $129 million increase for National Missile Defense risk reduction; an increase of $80 million for Navy Theater Wide; an extra $8 million for the Arrow System Improvement Program; and for the Tactical High Energy Program an increase of $15 million.

Beyond the budget items, there four very important legislative provisions I would like to point out.

First, the Secretary of Defense is required to conduct comprehensive review of our nuclear posture—the first major review since 1994. Second, the Secretary of Defense, in consultation with the Secretary of Energy, must develop a long range plan for the sustainment and modernization of the U.S. strategic nuclear forces. We are concerned that the Department does not have a long term vision beyond their current modernization efforts.

Third, in 2002, the Space-Based Infrared System Low or the SBIRS Low program will be transferred from the Air Force to the Ballistic Missile Defense Organization. And fourth, in order to assess an emerging threat, a commission has been established to assess the threats to the United States from an electromagnetic pulse attack.

This conference report also authorizes the activities at the Department of Energy in regards to their defense activities. In order to ensure that America's nuclear weapon stockpile is safe and reliable and that our nuclear waste is managed responsibly, we have authorized $13 billion for Atomic Energy Defense activities at the Department of Energy.

However, unfortunately, DOE has had a few problem areas in keeping and protecting our nation's most valued nuclear secrets. That is why we established in the fiscal year 2000 authorization bill the National Nuclear Security Administration or the NNSA and this year's bill provides a total of $6.4 billion for the NNSA. This total includes $4.8 billion for weapons activities, $877.5 million for defense nonproliferation activities, and $695 million for naval reactors activities.

A priority for me is the timely and efficient cleanup and closure of formerly used DOE weapons facilities, such as Rocky Flats in my State of Colorado. This bill moves the cleanup and closure of these forward with strong funding lines and some key legislative provisions. For example, DOE believed it would be best if they moved all the security and safeguards funding into one line and into one office at the DOE Washington, DC, headquarters. The problem is that this would have taken the responsibility away from the people who are responsible for the safeguards and security at each individual site, plus would have removed the needed flexibility to manage the sites effectively. For instance, once the material requiring security are removed from Rocky Flats, the savings from the reduction of these security needs would then be used to accelerate the cleanup and closure at the site. That is one of the reasons why we have a provision which would keep the funding and responsibility at each Environmental Management site.

In regards to the workers at Department of Energy sites, we provide employee incentives for retention and separation of federal employees at closure project facilities. These incentives are needed in order to mitigate the anticipated high attrition rate of certain federal employees with critical skills.

Another key provision which is very important not just for the workers I know at Rocky Flats, but for workers throughout the DOE sites in the United States is the establishment of an employee compensation initiative for DOE employees who were injured, due to exposure to radiation, beryllium, or silica, as a result of their employment at DOE sites. These workers performed a unique, important, but sometimes thankless task, of producing and testing our nuclear weapons arsenal.

Finally, I would like to mention a few important highlights of the conference report outside of the Strategic Subcommittee. In last year's authorization bill, we enacted a much needed and deserved pay raise for our military personnel. This year's bill continues that progress with a 3.7-percent pay raise beginning January 1, 2001. Along with the last year's pay raise, we also made major retirement reforms, including a Thrift Savings Plan for our service personnel. After many delays at the Pentagon, this year's bill directs the Department to implement the Thrift Savings Plan, in order to allow our military to prepare for life after their military service is complete.

Let me finish with a provision that by no small measure is the most expensive but couldn't be more deserving for those who have served. Beyond the many changes we have made in the pharmacy benefit and extension of benefits for active duty family members, we provide a permanent comprehensive health care benefit for Medicare eligible military retirees. This has been a priority for this committee and Congress and I believe we are doing the right thing for our military retirees who have served and protected this Nation.

I want to thank Chairman WARNER for the opportunity to point out some of the highlights in the bill which the Strategic Subcommittee has oversight and to congratulate him and Senator LEVIN in the bipartisan way this bill was developed and ask that all Senators strongly support the Defense Authorization Conference Report. I also want to congratulate the chairman in the way he shepherded this conference report down the long arduous road this bill saw.

One of Congress' main responsibilities is to provide for the common defense of the United States and I am proud of what this bill provides for men and women in uniform. I see this bill as a tribute to the dedication and hard work of these young men and women. I ask for a strong vote on this bill in order to get that much needed and well deserved resources to our military personnel.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, consideration of the annual Defense Authorization conference report is generally an occasion for celebration and congratulation in the Senate as we reflect on the strength and superiority of America's armed forces. The report that we are considering today is indeed a solid achievement in our efforts to keep this nation on the right track as we work to bolster America's military readiness and national security.

Unfortunately, the circumstances under which we are taking up this report offer no cause to celebrate. The United States today is mourning the loss of at least five American sailors, a death toll likely to rise, and the injury of dozens more in an apparent terrorist attack on the destroyer U.S.S. *Cole* in Aden, Yemen. At the same time, the Gaza Strip and the West Bank are in chaos as the escalating violence between the Israelis and the Palestinians threatens to erupt into all-out war.

Our thoughts and our prayers are with the crew of the *Cole* and their families, and with the entire Navy family. The attack on the *Cole* was a vile and contemptible act. We must leave no stone unturned in working to determine the origins of this attack, to bring those responsible to justice, and to redouble our efforts to protect our forces overseas. And we must renew our calls to the Palestinian and Israeli leaders to quell the violence in the Middle East, to stop the fighting between the two sides from spiraling out of control. Too many lives have been lost already in this latest round of violence, too many children have been sacrificed to the disputes of their governments. It is time for the Israelis and Palestinians to each accept responsibility for their actions, to stop the fighting, and to resume talking.

These grave crises are a stark reminder of the importance of maintaining a strong and ready U.S. military, and the FY 2001 Defense Authorization conference report that we considering today does a good job in meeting that goal. Like the Defense Appropriations conference report that was passed earlier this year, this authorization measure provides needed funding increases and policy directives to meet the changing nature of our national security challenges and to respond to crises affecting our national security as they arise.

With the current focus on the readiness of America's military, this is a timely package that makes a clear statement about the Senate's commitment to our men and women in uniform. There is no question that this is a big bill, topping out at $309.9 billion—$4.6 billion over the President's budget request. It is a broad and complex measure, affecting virtually every facet of our nation's military forces and readiness capabilities. It has not been an easy task to finalize the conference and reach this point. Many controversial issues had to be confronted and resolved along the way. Conferees began their work before the August recess, and have labored intensely over the past several weeks to complete the conference. I commend our Chairman, Senator WARNER, and Ranking Member, Senator LEVIN, for their guidance, skill, and leadership during the conference. While not every Senator may agree with every provision of this conference report, all Senators can be assured, thanks to the leadership of Senators WARNER and LEVIN, that the conferees never lost sight of the essential purpose of this legislation, which is to provide for America's national security and military readiness.

I am particularly pleased that the authorizers concurred with the appropriators in funding a 3.7 percent pay raise for military personnel. We can never adequately compensate our men and women in uniform for their dedication and service to this nation, but we must always strive to provide the best pay and benefits package that we can. In that regard, I also welcome the comprehensive package of improved health benefits for Medicare-eligible military retirees, although I understand the concern that has been raised over the cost of the so-called ''TRICARE for life'' provision that was included in this conference report. The cost of health care for aging Americans, be they military or civilian retirees, is an issue that this nation is going to have to confront, and that Congress will have to provide for in future budgets. I have no doubt that whatever we do, as we have seen in this measure, the price tag will be steep.

I am also pleased that the conferees agreed to accept the provision that I offered on behalf of myself, Senator WARNER and Senator LEVIN establishing a United States-China Security Review Commission to monitor and assess the national security implications of the U.S.-China trade relationship. In the wake of the recent enactment of legislation to extend Permanent Normal Trade Relations to China, this Commission can play a key role in assuring that an enhanced economic relationship between the United States and China does not undermine our national security interests.

The purpose of the U.S. China Security Review Commission is to determine whether China, which is working hard to gain entry to the World Trade Organization, or WTO, and to extend its economic dominance throughout the hemisphere, will use its enhanced trade status within the WTO and income from increased international trade to compromise the national security of the United States. Given the circumstances—including the fact that the Chinese Central Committee just this week approved an economic plan that calls for doubling China's economy over the next decade—this is a timely and serious issue to address.

Mr. President, we have good reason to be wary. I think it is significant that even before the President signed the PNTR legislation into law, the Chinese started waffling on promises they had made to secure entry to the World Trade Organization. I note that the President's top trade negotiator was dispatched to Beijing this week, shortly after the PNTR signing ceremony, to attempt to nail down China's commitment to reduce tariffs on imports and open markets to foreign companies.

Let me read from an item in Wednesday's New York Times, entitled ''Clinton Warns China to Abide by Trade Rules.''

I will read from the article.

Mr. Clinton sent Charlene Barshefsky, the United States trade representative, on her mission on the same day that he signed into law the legislation to grant China permanent normal trade relations, the culmination of 14 years of negotiations and a protracted struggle on Capital Hill.

But even as administration officials and bipartisan Congressional leaders gathered on the White House lawn to hail what they called China's integration into the world economy, American officials acknowledged that China was slipping on pledges to open its markets that it had made as part of its efforts to join the World Trade Organization.

I wish I could say I was surprised by China's apparent backing away from its WTO commitments, but I was not. I predicted this. China's record on trade agreements is abysmal. Since 1992, six trade agreements have been made, and broken, by China. In addition to its record of broken promises on trade agreements, China also has a history of weapons proliferation, religious repression, poor labor protections, and aggressive foreign policy postures. Is this the kind of behavior we want to reward with permanent normal trade relations?

I opposed PNTR for China, and I have grave reservations over the impact of China's membership in the WTO. We are entering uncharted waters in our economic relationship with China, and it is absolutely essential that we do so with our eyes open. We gave away our only means to bring the issue of trade with China before the Congress on an annual basis when we passed PNTR.

I believe there were 13 Senators who had their eyes open when they voted on that matter and they voted against it. I was one of the 13.

This U.S.-China Security Review Commission will restore a vital measure of scrutiny to the economic relationship between the United States and China. It is a fundamental safeguard, and I am glad that we are moving forward with it.

It is not a trade commission. It is a national security commission.

Let's have some group that will advise the Congress as to what impact the trade engaged in by China with the United States might have on our national security. We are not depending upon the administration. We are not depending upon the executive branch. We have a commission that will advise the Congress so that we will know, we will have some idea as to what the impact on national security is of this permanent normal trade relations legislation.

So it is a fundamental safeguard, and I am glad that we are moving forward with it.

Once again, we stand at a time when tensions throughout the world are high. In the span of only a few days, we have ricocheted from the euphoria of democracy—this is the way of making China a democratic nation. We will have great influence upon China. It is laughable that we, the people of 212 years, will have influence upon the people of 5,000 years. No. We have ricocheted from the euphoria of democracy sweeping through Yugoslavia, to the despair of escalating violence in the Mideast, to the horrific images of dead and injured American soldiers on the U.S.S. *Cole*, the victims of an apparent anti-American terrorist attack. We are reminded that peace remains an elusive goal, and that America must remain vigilant.

The first order of business is to ensure that the United States maintains the finest, the best equipped, the best protected, and the best managed military in the world; a military force—but we will have to make it all of these things—a military force suited for the emerging challenges of the 21st century. This conference report goes a long way to meet that test. It is a good package.

I urge its adoption, and I again commend Senators WARNER and LEVIN for having led the way for others of the conferees to the final development of this package.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first, let me thank our dear friend from West Virginia for his nice remarks about the chairman and myself. I am wondering if we could line up some speakers. We have Senator REED of Rhode Island and Senator CLELAND on our side who need some time on the conference report before we get down to the point of order. I have not had a chance to talk to Senator HOLLINGS on that issue. But I am wondering if we could set up a line of speakers with Senator REED for 5 minutes on our side.

Mr. WARNER. Mr. President, I want to make sure I hear because I have Senator DOMENICI and Senator GRAMM of Texas.

I, first, want to thank our very valued Member, Senator BYRD, of the committee. I was privileged to join him on the legislation on the China Commission. I can't tell you how our committee benefits from his work and wisdom that he has given us through the many years.

I thank the Senator.

Mr. BYRD. Mr. President, the distinguished Senator from Virginia was a sterling and very steadfast advocate of this legislation. I am deeply in debt to him for his leadership in the committee, and also to my friend, Mr. LEVIN, for his support of this commission.

Mr. WARNER. We thank the Senator.

Mr. LEVIN. Mr. President, let me join our chairman in commending Senator BYRD for the way in which he worked so hard for this commission, and for the valuable function this commission is going to perform for all of us. Whichever side of that debate we were on in terms of PNTR, and however we voted on it, this commission is going to be very helpful to all of us.

I thank my friend from West Virginia.

Mr. WARNER. Mr. President, Senator LEVIN and I will endeavor to see what we can do to convenience the Senate and keep this bill moving.

Our esteemed colleague, Senator KERREY, has his time reserved. We want to have several others before we get to his issue, if that is agreeable. Senator REED has been waiting, Senator GRAMM, and Senator DOMENICI.

Mr. LEVIN. Senator CLELAND.

Mr. WARNER. Senator CLELAND, a member of the Armed Services Committee.

Let's alternate between sides.

Mr. LEVIN. Senator REED, who has been waiting the longest, wishes 5 minutes.

Mr. WARNER. Senator DOMENICI, on my time for another 5 minutes.

Mr. LEVIN. And back to Senator CLELAND for 10 minutes.

Mr. WARNER. Then we go to Senator GRAMM, who has his time under the unanimous-consent agreement.

It would be our hope the Senator will consume less than the allocated amount under the unanimous consent.

Mr. GRAMM. I was hoping our distinguished chairman would consume less than allocated on the budget but he consumed 10 times as much.

Mr. WARNER. We will have the opportunity, Mr. President, to have a few words on that subject.

Mr. LEVIN. If the chairman will yield, it is my understanding under the existing unanimous-consent agreement after the 2 hours under your control, either used or yielded back, 2½ hours under my control, either used or yielded back, the 1 hour under the control of Senator GRAMM of Texas, either used or yielded back, and Senator WELLSTONE, I believe, has already utilized his time, at that point we then turn to the point of order, and Senator KERREY would be recognized for that purpose.

Mr. WARNER. That is correct. For those who are following this, you will make a point of order, at which time I will seek recognition to have that point of order waived.

Mr. LEVIN. We jointly ask unanimous consent the order of speakers be followed for such length of time that we outlined.

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

The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I rise to express my support for the fiscal year 2001 Defense authorization conference report.

I believe this bill contains many excellent provisions which will ensure that our military remains the finest in the world.

As to personnel benefits, this bill also takes great steps to improve health care, pay and benefits for armed services personnel.

For the second year in a row, Congress approved a pay raise for military personnel. This year's 3.7 percent pay raise will go into effect on January 1, 2001.

This bill directs the Secretary of Defense to implement the Thrift Savings Plan for active and reserve service members.

Many Members of Congress have been outraged to learn that a number of active duty service members qualify for food stamps. This bill addresses that issue by directing the Secretary of Defense to implement a program which provides additional special pay of up to $500 per month for those service members who qualify for food stamps.

This bill also eliminates co-payments for active duty family members for health care received under TRICARE Prime. In addition, Congress extended TRICARE Prime to families of service members assigned to remote locations.

For military retirees, this bill goes far to fulfill the promise made to our military retirees when they enlisted that they would be given lifetime healthcare.

Congress approved a permanent comprehensive health care benefit for Medicare-eligible retirees which effectively makes all military retirees eligible for health care within TRICARE.

Under this plan, military retirees and family members may keep their Medicare coverage and use Tricare as a Medicare supplement to pay costs not covered by Medicare.

This provision can save military retirees thousands of dollars in out-of-pocket costs.

Congress also expanded the comprehensive retail and national mail order pharmacy to benefit all Medicare eligible retirees and their eligible family members, without enrollment fees.

On submarines, this bill also provides significant resources for the Navy's submarine fleet, a military asset very close to the hearts of the residents of my home state Rhode Island:

Authorizes funding for the construction of the third *Virginia* class submarine, the U.S.S. *Hawaii*;

Authorizes a block buy of submarines from FY03–06 which will greatly increase the efficiency and lower the cost of our next generation of submarines.

In transforming for future threats, the Navy will soon be faced with a decision on whether to refuel old *Los Angeles* class submarines or convert four Trident submarines which are scheduled to be retired to special operations boats. I believe that this decision must be made very carefully and so I am pleased that this report contains language directing a study of the advantages of Trident conversion over refueling.

I am also pleased that significant funding has been authorized for countermine measures. I believe this is a necessary program that has been woefully underfunded in recent years.

As to Army transformation, in October 1999, senior Army leaders announced a new vision to enable the Army to better meet the diverse, complex demands of the 21st century.

At present, in some instances the Army faces strategic deployment challenges that inhibits its ability to negotiate rapidly the transitions from peacetime operations in one part of the world to small-scale contingencies in another.

Army heavy forces have no peer in the world, but they are a challenge to deploy.

The Army has the world's finest light infantry, but it lacks adequate lethality, survivability, and mobility once in theater.

The Army Transformation Strategy will result in an Objective Force that is more responsible, deployable, agile, versatile, lethal, survivable and sustainable than the present force.

A force with these capabilities will allow the Army to place a combat capable brigade anywhere in the world, regardless of ports or airfields, in 96 hours.

It will put a division on the ground in 120 hours. And it will put 5 divisions in theater in 30 days.

This bill supports the Army Transformation efforts by authorizing an additional $750 million for the initiative, of which $600 million is for procurement requirements and $150 million for R&D requirements.

On impact aid, I am also pleased that the conference report contains language I authored to address the considerable financial strain on school districts educating military children with severe disabilities and help military families get the best education for their children with severe disabilities.

As many of my colleagues are aware, military personnel with children with severe disabilities often request and receive compassionate-post assignments to a few districts known for their special education programs.

The cost of providing such education is disproportionately high for these communities. In fact, for some of these children, the cost is upwards of $50,000 to $100,000 a year (as compared to an average per pupil expenditure of $6,900).

In my home state, Middletown, Portsmouth, and Newport are districts with many military children with disabilities. This year, Middletown alone is providing education to 66 high need military children with disabilities at a total cost of nearly $1 million.

This experience, however, is not unique to Rhode Island. In fact, districts ranging from San Diego and Travis Unified in California to Fort Sam Houston Independence in Texas also face considerable financial strain in their endeavor to educate military children with disabilities.

Section 363 of the conference report, Impact Aid for Children with Severe Disabilities, requires a report containing information on military children with severe disabilities, and authorizes funding to ease the strain on local communities providing education to high numbers of such children.

Mr. President, this critical program will help ensure that military families get the best education for their children with disabilities, while providing needed relief to school districts, and I am very pleased that it has been adopted.

I look forward to working with my fellow committee members, the Department of Defense, impact aid organizations, military personnel, and affected communities to press for funding for this program next year.

Under the Montgomery G.I. bill, Mr. President, I would now like to turn to some items that I regret have not been included in the conference report.

First, I would like to mention the expansion of Montgomery G.I. bill benefits that have been advocated for years by our colleague, Senator CLELAND.

One of the most innovative provisions he proposed would have allowed service members to transfer Montgomery G.I. bill benefits to family members.

I believe this transferability would have been an effective tool for recruiting new members and retaining trained and skilled service members.

This provision would have had a negligible impact on the budget: The provision was not written as an entitlement, but rather would have been implemented at the discretion of the service Secretaries.

However, this provision, which was included in the Senate bill, was ultimately eliminated from the conference report because it was too expensive.

Yet while this provision was considered too expensive, in conference, majority leaders created and approved a greatly expanded entitlement for retirees which will cost $60 billion over ten years.

I am disappointed that we were not able to include both of these worthy items in this conference report and I will continue to work with Senator CLELAND to ensure it is included next year.

As for hate crimes, Mr. President, I would like to express my extreme disappointment regarding the stripping of the hate crimes legislation from the Department of Defense (DOD) authorization conference report.

Fifty-seven United States Senators voted to add this important legislation to the DOD authorization bill, 232 Members of the House of Representatives instructed the conferees to keep the hate crimes legislation in the DOD authorization bill, and both the President and Vice-President have expressed unwavering support for this legislation.

Although some argue that hate crimes legislation has nothing to do with authorizing our nation's defense programs, a majority of the Senate added it to the DOD authorization bill because we were never given the opportunity by the Republican leadership to vote on it as a stand alone bill.

I support this legislation because it sends a message that society finds crimes motivated by bias especially heinous and worthy of punishment.

Hate crime laws recognize that a violent act committed against someone just because of who they are, is intended to intimidate and frighten people other than the immediate victim. While a hate crime might be targeted at one person, it is really directed at an entire community.

Considering the intent behind a person's action in committing a crime is not a new development. Deeply ingrained in our nation's laws is the recognition that intentions count when it comes to crime. That's why premeditated murder is punished more severely than manslaughter.

Hate crime laws express society's judgment that a violent act motivated by bigotry deserves greater punishment than a random crime committed under the same circumstances.

The Local Law Enforcement Act does not trample on our nation's ideals of free speech and equal justice under the law.

The Supreme Court has held constitutional state legislation that enhances penalties for hate crimes, respecting findings that hate crimes often provoke retaliatory crimes, inflict distinct emotional harms on their victims, and incite community unrest. The Court affirmed that it is reasonable to have greater punishments for crimes that cause greater individual or societal harm.

Hate crimes are very real offenses, combinations of uncontrollable bigotry and vicious acts of personal injury. These crimes not only inflict physical wounds, but wreak mental and emotional devastation by attacking a person's identity.

People who hurt or kill someone because that person represents a certain community, deserve harsher penalties.

Dr. Martin Luther King, Jr., said that he hoped that one day all people will be judged by the content of their character.

A majority of the U.S. Senate, a majority of the House of Representatives and the President and Vice President believe this to be the case. Our nation's hate crime laws should be extended so that we—that all people can have the freedom to be themselves without fear of being attacked for who or what they are.

Mr. President, I regret that we were not able to accomplish all that we set out to do with this conference report.

However, I believe that it is ultimately a solid legislative effort that will help our military and I urge my colleagues to support it.

Mr. President, I commend Chairman WARNER and the ranking member, Senator LEVIN, for their great work in bringing to the floor a comprehensive and critically needed reauthorization of our defense programs. This is legislation which recognizes the extraordinary sacrifices of our military personnel around the globe—sacrifices which were certainly highlighted today in the gulf.

One part of this legislation is an enhancement of personnel benefits, both pay and health care. There is a sentiment which I subscribe to, frankly, as a veteran and as an American, that we cannot reward our service men and women enough for what they do each day. There is a very practical consideration, and that is the limits of our budget.

This legislation does many good things, but it raises an important question. It raises the question of whether we are reaching the limits of resources that we can effectively devote to personnel concerns, not only in terms of overall economic strategies in the country but also in terms of the inherently limited defense dollars because dollars we commit to personnel force cannot be used for operations, cannot be used for modernization, cannot be used for a host of programs that give us the qualitative education, and give our service men and women serving today the tools to do this very critical job. That question keeps emerging in the context of this legislation. For those personnel enhancements, certainly no one deserves more recognition or reward than our men and women in uniform.

Let me speak about several other topics included within this legislation. First, I am pleased to see that submarines have been recognized. This is a very valuable aspect of our national security. This legislation would authorize funding for the construction of a third *Virginia* class submarine, the U.S.S. *Hawaii*, and authorize a block buy program of submarines for fiscal years 2003 to 2006. It is more efficient, a better way to spend our dollars to get the quality submarines we need. It also recognizes the requirements to augment our submarine fleet by either new construction or by refueling existing 688 attack submarines.

This legislation, I am pleased to say, contains legislation language that directs a study of conversion of Trident over refueling, conversion of certain submarines over refueling, and that type of study is inherently positive and useful for future deliberations.

What is happening to our services today as we speak is a profound transformation based upon new threats, a transformation based upon new political realities in the post-cold-war world. It is a transformation we have to undertake with each service. I believe this legislation lays out some good guidelines for the transformation.

With respect to the Army, it does support the Chief of Staffs' commitment to forming five to six new interim Army brigades that would be more mobile, better able to be positioned around the world. It also sets up testing requirements that will ensure these new concepts are thoroughly tested.

With respect to the Air Force, it recognizes what has already been done in terms of organizing 10 aerospace expeditionary forces in providing resources and certainly support for that.

With respect to the Navy, it recognizes and, again, as evidenced today, the Navy now has responsibilities close in shore, along the littorals. They have to be prepared to meet the hostile fleet

at sea. But more often they are called upon to be close in, supporting operations, supporting political and diplomatic issues. That, too, is recognized here.

So we have legislation that is comprehensive, legislation that recognizes the need to reward our service men and women, legislation that recognizes the need to transform our military services because of our new world, and legislation that I think goes a long way in building those vital programs, such as submarines, but there are others, that are critical to our future national security.

There are several regrets, though, and one regret is that included within the Senate version of the legislation was the hate crimes bill—important legislation that could match our ideals with our legislative intent. We all profess, indeed, would say stoutly and without reservation, our abhorrence for hate crimes, the need to condemn them. Unfortunately, this language which was included in the Senate version, and which the House also favorably supported for at least an instruction of the conferees, could not be included in the final version of the legislation. I regret that.

What it means is that we have to return next January with a commitment to pass this legislation. Hopefully we can pass it standing alone; hopefully, if that is not the case, on some legislative vehicle. But this legislation is necessary. Certainly I will be supporting this legislation because it will make us more capable, it will help us modernize our forces, and will reward those forces who are serving so valiantly.

The PRESIDING OFFICER. The Senator from New Mexico is next to be recognized under the unanimous consent agreement.

Mr. DOMENICI. I believe I have 5 minutes.

Mr. President, I rise today to support for the Defense Authorization Conference Report of 2001. The conferees have worked very hard to achieve consensus or reach compromises on the provisions found in this year's report.

The conference report contains many positive things for ensuring America's continued military dominance; in addition, it also includes several authorizations for defense activities in the state of New Mexico. I thank the Chairman and Ranking Minority Member for their contributions.

I would like to specifically address what has been achieved in this bill with respect to laser programs and directed energy technologies. I strongly believe that lasers, like THEL and Airborne Laser, will offer offensive and defensive military means far beyond our current capabilities. These programs deserve our full support. At the same time, we need better coordination of our nation's efforts in lasers and other directed energy technologies.

I am pleased the Committee accepted my amendment that requires the Secretary of Defense to implement the High Energy Laser Master Plan and authorizes up to $30 million for these vital technologies. This amendment also requires selection of a site for the Joint Technology Office (JTO) by the Secretary of Defense. The JTO will perform a critical role in achieving better coordination and execution of our nation's laser programs. The bill also underscores the vital role of the High Energy Laser Test Facility at White Sands Missile Range and the importance of DoD's close coordination with other federal agencies, academia and industry in creating a stable foundation for further progress in these technologies.

Although my original legislation encompassed all directed energy technologies, including microwaves, in this defense-wide effort, the conferees would not support this position. Instead, the legislation will require the Pentagon to take a hard look at integrating all other directed energy technologies into the current structure for High Energy Laser programs. From my perspective this would be a logical next step in the Pentagon's efforts to streamline and better coordinate its research programs. This would also accelerate progress and maximize efficiencies for these related technology areas.

The conferees also addressed shortfalls in some specific ongoing laser weapons programs. They authorized $85 million to restore the most of the Airborne Laser (ABL) program funding. The Air Force's ABL program is the only missile defense system currently contemplated that would strike and kill missiles in their boost phase.

In addition, the conferees reached a reasonable compromise on the control of funding for Airborne Laser after the Air Force radically cut that program's budget. The Air Force will retain funding control for ABL; however, it must have the Ballistic Missile Defense Organization's (BMDO) approval before making any changes to any aspect of the program, including its budget.

The Tactical High Energy Laser (THEL) was authorized at $15 million for FY2001. THEL represents one of the first weapons systems being tested that utilizes high energy lasers for the purposes of missile defense. I led the charge to obtain an additional $5.7 million in FY00 funding for continued testing of this weapon system this year. Since the passage of the Senate bill earlier this year, THEL has shown that lasers can provide effective, speed of light defenses against Katyusha rockets. In the coming months, THEL will be tested against other targets and will provide us additional insights into the lethality of this particular type of system.

I am committed to addressing the shortfalls in the science and technology funding to ensure more rapid development and fielding of high energy laser weapons. However, I am also committed to expanding these efforts to all directed energy technologies. While I appreciate the Committee's attention to these vital programs, more must be done to ensure the directed energy science and technology is fully streamlined and sufficiently funded. These technologies can assist in countering some of the most prevalent threats confronting us.

This long-awaited conference report will have a positive impact on the day-to-day concerns confronting our military. For example, quality of life received much needed attention. I applaud the 3.7 percent pay raise for military personnel and the comprehensive health care for Medicare-eligible military retirees. The conference report also retained the extension of the TRICARE Prime benefit to families of service members assigned to remote locations and the elimination of co-payments for services received under TRICARE Prime.

This legislation contains landmark provisions with respect to healthcare for our military retirees. Many complicated and situation-specific problems currently exist with the health care programs for active and retired military members as well as for veterans. It will take more than one year of fixes to find the right combination of policies and ensure that the funding for military health care is not forced to compete with other defense priorities.

These will aid in addressing the health care crisis within our military and provide proof of our desire to keep our promise. I applaud the conferees for enacting sweeping reform to a broken system.

Military Construction and family housing is authorized at $8.8 billion, an increase of $788 million over the Administration's request. I am pleased that projects critical to the operational effectiveness and well being of the service members and military families residing in New Mexico were addressed in this bill. These are not glamourous projects. These authorizations will replace critical crumbling infrastructure, such as repair of the Bonito pipeline between La Luz and Holloman Air Force Base.

Five additional Weapons of Mass Destruction Civil Support Teams were included at a cost of $15.7 million. This will provide us with a total of 32 Civil Support Teams by the end of fiscal year 2001. These teams are comprised of full-time National Guard personnel trained and equipped to deploy and assess suspected nuclear, biological, chemical, or radiological events in support of local first responders. One such team is currently being trained and fielded in New Mexico, ensuring that New Mexico constituents and its vital assets have better protection against such attacks.

The bill authorizes a total of $13 billion for Atomic Energy Defense activities of the Department of Energy. A total of $6.4 billion of this funding is for the National Nuclear Security Administration.

Over $1.0 billion is authorized for the nonproliferation and threat reduction

programs of the Departments of Defense and Energy. These programs continue to make great strides in the critical process of securing weapons of mass destruction and retaining scientific expertise in the former Soviet Union. To further ensure that these threat reduction programs achieve their goals, the committee has also included several initiatives to obtain greater commitment and necessary access from Russia.

Earlier this year I introduced a bill to improve the structure and signal a meaningful U.S. commitment to DOE's nuclear cities initiative. I strongly believe that without significant restructuring in nuclear weapons production complex of Russia the progress in strategic arms reductions could readily be reversed. Further, the proliferation threat of underemployed and underpaid Russian weapons scientists could create a direct, negative impact on international security. I thank the Committee for focusing efforts on this issue.

While I am pleased with the authorization levels to support stockpile stewardship and nonproliferation, I am dismayed that the conferees took it upon themselves to adopt additional provisions on polygraphs. These new requirements will entail polygraphs for an estimated 5,000 additional persons working in our nuclear complex. I find it astounding—especially in light of the findings in the Baker/Hamilton Report—that the conferees included these provisions. That report stated unequivocally that ''(t)he current negative climate is incompatible with the performance of good science. A perfect security system at a national laboratory is of no use if the laboratory can no longer generate the cutting-edge technology that needs to be protected . . .''

There is little evidence that polygraphs administered as a screening technique is an effective use of security resources. The Conferees apparently view mass polygraphs of everyone at the Labs as a silver bullet that will ensure no future security breaches. That is a naive view of security that fails to recognize that polygraphs are simply one tool among many, that must be wisely and judiciously used to ensure a strong security culture that will allow science to thrive. Otherwise, the silver bullet of mass polygraph will end up killing the labs, not protecting them.

In sum, security is a moot point if our national laboratories fail to achieve scientific advances worth protecting. The Baker/Hamilton Report clearly indicated that we should avoid further ''made in Washington'' rules that frustrate scientific pursuits and only serve to further demoralize laboratory personnel. I believe these provisions will only make a bad situation worse.

Finally, $38.9 billion is provided for the defense research, development, test and evaluation programs—an increase of $1.1 billion over the President's budget. This funding will focus on the revolutionary technologies to address emerging threats and ensure that America's military remains dominant in the future.

In years past I have repeatedly emphasized the need to stop the ebbing tide and end the lengthy decline in defense budgets. We must not tire in our efforts to maintain a strong, ready and professional military. Quality of life is central to recruitment and retention. Combat readiness of our armed forces must never be at risk. And we must ensure that we are developing and leveraging new technologies to the maximum extent. Our soldiers, sailors, airmen and marines require the means necessary to respond to international uncertainty and address different and diffuse security threats. We must not fail them or U.S. citizens in rising to this challenge.

One of the most dangerous things confronting the United States of America is the current situation of morale at the three nuclear laboratories of the United States. These are the three labs that for three generations we have sent the greatest scientists in America, the best young scientists who wanted to go because it was a great place to work. We used to get the top graduate Ph.D.s from Texas A&M in physics. They would cherish going to one of the nuclear laboratories for 10 or 12 years. From MIT, from Harvard, from Cal Tech, everywhere.

We were being told about a current report available to this committee, while it was in conference, the committee that produced this bill, called a Baker-Hamilton report, named after Senator Baker and Representative Hamilton. It is about 6 weeks old. They were asked to check the current situation in our laboratories. They are more worried about the morale of the scientists there than any other single thing. They have concluded that the recruitment of young, bright scientists is off in excess of 50 percent because of the constant bombardment of those laboratories over the last 18 months with references to security, some of which has been corrected.

They also concluded that a laboratory which is perfectly secure but cannot maintain the highest degree of science in the world is not a very good laboratory. They maintain that we should do less polygraphs, not more, be more targeted, and more efficient and more effective.

Guess what the bill does. This bill permits 5,000 additional laboratory employees. This may even permit them to go down to a janitor, I don't know, and submit polygraph tests to them. And believe it or not, they provide a waiver for the Secretary of Energy. Then they say you cannot use the waiver if, in fact, the reason for it is that the laboratory is having morale problems and cannot keep its personnel to stay alive. That is paraphrasing.

I read the exact words: This amendment would prohibit the Secretary from using the waiver to maintain the scientific viability of a DOE laboratory. That is the precise reason you should be able to use a waiver, the viability of the laboratories.

Frankly, I am not at all sure everyone who signed this conference report and produced the bill that they really think is a great bill knows that provision is in there.

I say to my good friend, the chairman of the committee, I worked hard and fast and side by side with the Senator from Virginia to get a new law to create a new, semiautonomous agency with which he helped so much. It is now known as the National Nuclear Safety Administration, headed by a great general whom you know, General Gordon. If you asked him, Can these laboratories work under these kinds of conditions? he would tell you: Please don't do that. He would say: Please don't do that. That is the wrong thing to do.

Frankly, all I am asking is that the Senate take heed of what I am saying. I am not asking for anything more. I am not even asking the distinguished chairman for anything today. I only hope he is listening and next year, early on, when the Senator from New Mexico tries to change this provision consistent with the Baker-Hamilton report—and almost everybody who has looked at our National Laboratories since the Wen Ho Lee case would agree, too—I hope the distinguished chairman and the chairman's staff will consider, early in the year of the next Congress, something that will fix this provision; 5,000 additional polygraph employees is not the way to go with the laboratories in the position they are in now.

There is no evidence that polygraphs of the type they are talking about have anything to do with security, veracity, or anything else. I know the people who work there. It is somewhat of an insult to consider the average employee, some of whom have been there 30 years, has to be subject to a polygraph because security has gone awry in the laboratories.

I really wish I had had a chance to present this issue. I think it is exactly the kind of thing we should not be doing. I am going to do everything I can, starting next year with the first legislation that is around, to change this. In the meantime, I am glad the Secretary does not have to go next month and start immediately imposing these polygraphs. He has a little bit of time. I hope he squeezes the time so next year we can fix it. That is all I have on this subject.

I say to the distinguished chairman, thank you for yielding me time.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, on my time I thank my colleague for bringing this to our attention. I commend him for the fervor with which he has taken the interest of these very vital laboratories, some of which are in his State, and spent inordinate amounts of time

in his Senate career trying to strengthen them and look after the employees. I know how difficult it was for him to work through the complicated case which was recently disposed of.

I worked with the Senator in the creation of this new entity in the Department of Energy. I am about to get some new documents. Once I get them, I want to show them to you and we may find a little time to amplify this record. But I am advised, subject to the documents coming, we did take into consideration the concerns the Senator has expressed, and we do have a letter from the individual primarily responsible for security saying they could work with this proposal, this language.

Until I get that letter, I will withhold. But I may ask unanimous consent to have documents printed in the RECORD, should I get them in my possession, after showing them to my good friend and colleague, the Senator from New Mexico.

Mr. LOTT. I know the Senator from Georgia is prepared to speak. Will he allow me to intervene for a moment? I do not want to take away from time that may be reserved, so I yield myself such time from my leader time as is necessary.

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

Mr. LOTT. Mr. President, I will be brief. I want to commend Senator WARNER for the effort he and his staff have put into this bill. I am hoping we can wrap up the debate and get to the votes that are going to be required on the point of order and final passage before too late in the evening.

This has been a long time coming. It has been a laborious process. Senator WARNER stuck with it. Obviously, he had help from his colleague on the other side of the Capitol, the gentleman from South Carolina, Congressman SPENCE. He worked with Senator LEVIN, the ranking member. But this is a monumental achievement.

There are some people who have the idea we do not need the Defense authorization bill if we have already done the Department of Defense appropriations bill and military construction appropriations bill, but we need this bill because it authorizes important programs; it authorizes important changes in the law; it authorizes the money that we need. I want to touch on a few of those very briefly.

The funding level for new budget authority for the Department of Defense in this bill is $309.9 billion, which is $4.6 billion above the President's budget request. It is an increase over what was requested for procurement, for research, development, test and evaluation, and operations and maintenance. It also has a 3.7-percent pay raise for our military personnel effective January 1, 2001.

Last year, when we had a pay raise for our military men and women, the word I got from the rank-and-file troops, and also from the Joint Chiefs, including specifically the Chairman of the Joint Chiefs, was that it absolutely transformed the attitude of our military men and women who were leaving and were not ''reuping,'' as the saying goes in the military, because they really wondered if we appreciated them and knew they were there. At least by improving their pay, by dealing with their retirement benefits, and now in this bill, another pay raise, and dealing with this question of health care, it is going to have a good effect on morale. Obviously, we want the morale to be good. We want quality of life in the barracks. We want the ships and tanks and everything we need. But if we do not begin with decent living arrangements for our military men and women, then all is lost.

This bill comes at a critical time. Just today we see what the risks are—the U.S.S. *Cole*, built in my hometown of Pascagoula—I believe I was there when it was commissioned—300 sailors on the ship, and now we see 3 dozen or more of them are killed or injured and others are missing. Yet this is one of the most sophisticated ships in the world. But it shows once again, if we have kamikazes who are willing to put it all on the line, to get killed, to do damage, they can do damage to our equipment and to our men and women. This is no time to nitpick this bill and turn away from it.

There are those who say we should not be starting these new programs or make them permanent. But for our military men and women, active duty and retirees, and for their families, we need to address this health care question. For our military people to be told, at 65, you are off, you are off this program, go there and get on Medicare or find some other arrangement, is wrong. When we talked to our military personnel and our retirees and we said: what is really the thing that you want the most in helping you deal with your health care needs, they cited the pharmaceutical problem, the need for pharmacy benefits, either mail order or, in this bill, through retail.

This is a major achievement. I have already had military retirees and veterans call my office literally in tears to say thanks for what we are doing here. Maybe it was not done exactly the prettiest way, or in the way it should have been done early on, but this is a major achievement. I do not want to be the one to explain to some veteran, because of a procedural issue or a point of order, that we don't address this need of our military men and women and their families and our retirees. I am not going to explain that. I am going to vote for this bill, and I am going to do it proudly.

Then there is another provision that objections have been raised about, and that is the Department of Energy employees who were injured due to exposure to radiation and other problems at our DOE facilities and nuclear facilities. Again, there may need to be more work on it. Maybe it should have been handled in a different way. But who wants to tell these people who have been injured by our Government operation, ''There is no program for you.'' Not me. I do not think we should walk away from this at this point.

This is a reasonable compromise. Both the retirement and the DOE program that was added as we went along, and expanded, while it may present certain difficulties for some of our people, in the end it is the right thing to do. Also, it is attached to a bill that we need desperately—a good bill, a bill that has been a long time coming.

I thank all those involved. There are so many parts of it I could refer to that are important, but I didn't want us to get to final passage without me saying we should do this bill—we should defeat the point of order, and we should pass this bill. It is the right thing for the defense of our country, for our veterans, and the right thing for people who have been injured and haven't been properly compensated. We can fine tune the program as we learn more about the extent of the damages and how much they are injured and the proper way to deal with it, but for now I urge my colleagues, vote for this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I commend our distinguished majority leader. This bill had a long and tortuous course through the Senate, but he stood by our side, not only me, as chairman, but the members of the committee from both sides of the aisle, and the Democratic leader likewise.

I see the presence of the distinguished Senator from Nevada. On those days when we were on again and off the next, you stood by. Last year, you were the first one to cosponsor the bill on the pay raise, the first one this year to cosponsor the bill on the medical benefits. While you are no longer a member of our committee, having once been one, you have stood with us throughout this whole process. I thank you.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. WARNER. I inquire how much time our distinguished colleague and very valuable member of the committee, without whose wit and function I doubt we could function, requires.

Mr. CLELAND. I thank the Senator. Two minutes.

Mr. CLELAND. Mr. President, I come before the Senate to remind Members that the news today reminds us why we need a Defense authorization bill; why we need pay increases for our military men and women abroad; why we need our Armed Forces to be strong; why we need to take care of our military retirees, especially in terms of their health care needs; why we need a defense of this country at all.

Our young men and women are in 121 nations around the globe, and they stand on watch in defense of this country. In doing so, they voluntarily, every one of them, place themselves in

harm's way. We saw the cost today of that terrible price that is exacted from time to time on our service men and women. All of us have in our hearts and in our thoughts and in our prayers the families of those service men and women on board the U.S.S. *Cole* as they struggle with taking care of their dead, their wounded, and their missing.

This year's Department of Defense authorization conference report represents months of hard work and compromise on behalf of our Nation's military, as has been discussed. I thank Chairman WARNER and ranking member CARL LEVIN for their leadership throughout this entire process this year and for their support particularly of my initiatives to enhance the GI bill. Stephen Ambrose, the historian, particularly of the greatest generation of World War II, said the GI bill is probably the finest piece of legislation ever devised by the Federal Government.

I thank Senator HUTCHINSON, chairman of the Personnel Subcommittee, with whom I have worked closely this year on issues pertaining to the quality of life of our service men and women.

This conference report has been a long time coming, as has been discussed. We began the authorization process earlier this year. Here we are in the closing days of this session of the Congress and finally debating the conference report for the DOD authorization bill.

The extended time we have taken on this year's bill has been worthwhile, though. It represents our continued effort in the Senate to build upon a firm foundation by providing a substantial increase in funding for the U.S. military, and Lord knows we need it.

Last year was the first step in addressing some of the pressing needs of those who defend our Nation by providing pay increases—and by the way, with last year's pay increase and this year's 3.7-percent pay increase, we will have provided just in the last 2 years the biggest pay increase in a generation.

This bill not only provides pay increases but reform of the military retirement pay system, targeted bonuses, critical investments in spare parts, and continued support for the next generation of weapons systems.

We have taken an even bigger step this year throughout this process. We have talked with our men and women in uniform. This year I have been to Kosovo. I personally have been to Japan and the Korean peninsula. I talked with our men and women in uniform serving around the world. I consulted with the leadership of the services. We have taken yet another step to fulfill the promises to support those who put on the uniform and carry our flag every day.

Our people, as we now know, and are so painfully reminded today, face dangers every day in what seems the most routine of tasks. Our hearts do go out to the sailors and families of those serving, especially on the U.S.S. *Cole*, tonight in the Middle East. Those sacrifices are just a recent reminder of what our men and women face every day.

This year we continue the support of the modernization of our Armed Forces by funding the next generation of weapons systems, such as Joint Strike Fighter providing critical funding for the F–22 aircraft. We have authorized additions to some of our most trusted aircraft systems by increasing the funding for C–130s made in my home State of Georgia and funding additional JSTARS aircraft, without which we could not conduct modern warfare.

Also included in this bill is increased funding to support the Army's plan to transform itself into a leaner, more mobile fighting force. We have authorized funding of $222 million for our spare parts accounts and over $407 million for equipment maintenance accounts to address such critical readiness issues.

This year, as with last year, we have increased funding in support for the most critical weapon in our arsenal—our military men and women. It is their hard work and selfless service that make America's military the strongest force in the world.

This year, we provided that 3.7-percent pay increase to all military personnel. We have eliminated TRICARE copayments for our military families and extended TRICARE Remote to active duty family members assigned to remote locations who do not have access to military treatment facilities.

We have authorized almost $9 billion for military construction and provided improvements to family housing, which is much needed. We have included full implementation of a thrift savings plan for service members.

We have also authorized those military families eligible for food stamps to qualify for an extra $500 a month. Most importantly, this year, we have taken an enormous step by providing health care access for our military retirees. Since my election to the Senate, I have heard from military retirees in Georgia and across the Nation regarding health care benefits. When they were asked to serve their country, they did not turn their backs on our country. Time and again, we have heard their call for keeping this country's promises to them.

This year, we are living up to that promise. In this conference report, we have authorized the Warner-Hutchinson provisions granting TRICARE for seniors as a lifetime benefit for our retirees over the age of 65. For the first time, we are granting health care insurance for military retirees over 65. Though in the beginning this was a 2-year pilot program to be fully implemented and fully funded in the outyears, we worked to make this benefit permanent.

Additionally, I worked with my colleagues to provide a prescription drug benefit, prescription drugs being the biggest out-of-pocket expense for military retirees, for our Medicare-eligible retirees. This is the first prescription drug benefit to be offered by the Federal Government.

Our military retirees have earned these benefits, and I am proud to support both of these vital provisions.

One quality of life issue I have been working on during the past 2 years has been educational benefits. I was pleased that two provisions of my educational initiative are included in the conference report: authorizing the services to pay 100 percent of tuition assistance for going to school while in the military and allowing VEAP participants to buy into the Montgomery GI bill. However, we have to do more. I will continue to work to address the quality-of-life issues, especially educational benefits. I still believe we must make the GI bill more family friendly. We must work to offer a transferability option to our military families, as recommended by the congressionally mandated Principi Commission.

I note this conference report is subject to a budget point of order. There are important concerns about the increases in mandatory spending that are included in the legislation. However, this spending which is mainly for health care benefits is needed and justified. Therefore, I will not support the budget point of order and will support final adoption of this conference report.

In the next congressional session, we have to continue to work hard to establish meaningful benefits for service members who serve our great Nation by taking additional steps along the road to maintaining the finest military in the world. We must honor the soldiers, sailors, airmen, and marines who serve this country. They deserve it.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from Virginia.

Mr. WARNER. Mr. President, I again thank our distinguished colleague from Georgia. His knowledge of the military and his real love and deep respect for them to this day is an invaluable contribution to our committee. I thank him for his hard work and his extensive travel to military bases and installations in the United States, as well as abroad.

Mr. LEVIN. If I could just ask my friend from Virginia to yield, let me join in his thanks to our good friend from Georgia for the really not only invaluable but unique contribution based on his experience, as well as his judgment, on so many issues that come before us.

It is hard to imagine the committee without the Senator. I just want to add my thanks.

Mr. WARNER. Mr. President, we should add to that—Senator LEVIN and I—how hard the Senator fought with respect to amendments on the GI bill for portability of the benefits, enabling

the service person to have a quantity of those benefits—whatever fraction might be agreed on in law—to be passed on to a spouse or a child. I supported that and fought that battle with you, I say to the Senator. We did not win. We lost in conference. But, I say to the Senator, we will start that next year.

Now I would like to refer to the UC agreement which is governing this debate. I will read from it: That following the debate just outlined—that is basically what we have had to date—Senator BOB KERREY be recognized to make a point of order, and that the motion to waive the Budget Act be limited to 2 hours, equally divided in the usual form.

It also states: I further ask unanimous consent that following the use or yielding back of time on the motion to waive, the Senate proceed to vote on the motion and, if waived, a vote occur immediately on adoption of the conference report, without any intervening action, motion, or debate.

The one remaining thing is, I intend to fairly—and I am sure my colleague from Michigan does as well—deal with Senator PHIL GRAMM, who unavoidably had to leave the floor. But let us proceed now under this order with the recognition of our colleague, Senator KERREY.

Mr. LEVIN. Mr. President, I do not know if that is a unanimous consent request or not.

Mr. WARNER. No, I didn't put it in the form of a UC.

Mr. LEVIN. If my good friend from Nebraska would yield for one moment for me to comment on that, the situation we are in is the following: We were to use all of the time on the conference report prior to turning to the point of order. We were to either use it or yield it back. We have not done that yet. Yet the Senator from Virginia is suggesting we turn to the point of order.

Mr. WARNER. Mr. President, the Senator raises a correct point. But I want to protect Senator GRAMM of Texas.

Mr. LEVIN. If I could just finish my thought, I fully agree with the determination to protect the Senator from Texas. On the other hand, I do not know where that leaves us in terms of this unanimous consent agreement. And if I could complete my thought, everyone reasonably wants to have some idea as to when the votes will begin, and to a large extent that is going to depend upon Senator GRAMM's decision of how much time he wants to use of his time.

I want to, as a factual matter, see if my good friend from Virginia has the same understanding. Both of us have time remaining, I believe, on our time.

The 2 hours under the control of the chairman, how much of that time, if I may ask the Chair, is remaining?

The PRESIDING OFFICER. Fourteen minutes is remaining under the control of the Senator from Virginia.

Mr. LEVIN. How much time do I have remaining?

The PRESIDING OFFICER. Fifty-nine minutes.

Mr. LEVIN. Is that time now still remaining under the approach we are taking, if we turn to——

Mr. WARNER. Mr. President, it would be, because I have not yielded back time on the UC. I was just trying to keep this thing moving in an informal way, protecting our colleague from Texas. I would be willing to yield back my 14 minutes. I presume the Senator would be willing to yield back his 59. Because the two of us have time under the debate of the motion of the Senator from Nebraska. So I think we are adequately protected. That would move this forward and shorten the time between now and the vote.

Mr. LEVIN. Mr. President, I would concur in that approach that we yield back the remainder of our time on the conference report. I understand Senator WELLSTONE has yielded back the remainder of his time. That would leave 1 hour under the control of Senator GRAMM. We would then modify the unanimous consent agreement so that hour, in effect, would be placed into this second tier of debates.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Reserving the right to object, I want to clarify, I am not certain at what juncture Senator GRAMM would be recognized. Again, he is unavoidably away from the floor. But we could proceed, presumably under Senator KERREY's motion and my motion that I would make, and really have the vote on that, and then Senator GRAMM could be recognized if he can't be recognized beforehand.

So I am prepared to yield back 14 minutes. As I understand it, the Senator from Michigan yields back 59 minutes. Let's have action on that.

The PRESIDING OFFICER. Would the Senator from Virginia restate his unanimous consent request?

Mr. WARNER. The unanimous consent request is that I yield back my 14 minutes remaining under the existing unanimous consent agreement, and the Senator from Michigan yields back 59 minutes, with the understanding that the UC agreement which provides 1 hour under the control of Senator GRAMM remain intact.

Mr. LEVIN. I have no objection to that. I think that is a good course.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Nebraska.

Mr. KERREY. Mr. President, I make a point of order the pending Defense authorization conference report violates section 302(f) of the Congressional Budget Act of 1974.

Mr. WARNER. Mr. President, I move to waive the relevant provisions of the Budget Act with respect to the conference report to accompany H.R. 4205, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, the 106th Congress appears to be heading towards an ending which will be regarded by many as an orgy of spending. Over the past 12 years when I was approached by citizens who sought additional spending I would invariably reference the spending caps contained in the Budget Act as a way to encourage restraint. But this year, the total spending contained in thirteen FY2001 appropriations bills will be $100 billion over the original spending caps. By drastically increasing the spending baseline, we are adding more than $1 trillion in additional spending over the next ten years. This additional spending is in excess of one dollar of every ten dollars in total U.S. Gross Domestic Product which we propose to collect in taxes and spend. This will be done with nary a debate about the wisdom of our actions.

In addition, there are active discussions under way about spending more to ''fix'' the changes we made in the 1997 Balanced Budget Act, to cut taxes, and to create a prescription drug benefit for seniors. Before we go any further, we need to step back and take a look at the choices we are making about the budget surplus.

The Defense authorization conference report is our first opportunity to do so. Contained in this bill is an authorization that drastically expands the health care entitlement of military retirees over the age of 65—a provision that costs more than was allocated to the Armed Services Committee under current law. The cost of this provision violates our budget rules because it mandates $60 billion in new mandatory spending beyond what is authorized in our budget resolution. Because this provision violates the Budget Act, at least 60 Senators must vote to ignore the budget resolution. While fully I expect 60 Senators will vote to do just that, I hope the debate this afternoon provides us with a better perspective on what we are about to do with the people's money.

The provision we are debating about increases health care spending on 1.2 million military retirees and will cost, according to CBO, $60 billion over the next 10 years. But this number is deceiving. By 2010, the annual cost will be nearly $10 billion. I think we have a duty to ask ourselves what problem are we attempting to solve at an eventual annual cost of $10 billion? The provision in the conference report would allow military retirees to remain in TriCare when they turn 65 and would allow these retirees to continue to receive health care provided by the Department of Defense. Currently, when military retirees turn 65, they must transition from a more generous health insurance program called TRICARE to

a less generous program called Medicare where co-payments and deductibles are higher. By changing the law, we will in essence be providing a subsidy for military retiree health insurance coverage that contains no deductibles or co-payments and a generous prescription drug benefit. Imagine the cost if we did the same for all Medicare beneficiaries.

I oppose the provision both for policy and budgetary reasons. First, the rhetoric in support of this spending exaggerates the promise that was made to the men and women who volunteered and served in our Armed Forces. Worse, it undermines and reduces the value of the motivation of millions who volunteered with no expectation or desire of being repaid with taxpayer-financed benefits. Our motivation was that it was our duty, and that the service would be good for the nation and for us. In my case, I got a bargain and I do not like the feeling I get when I hear former comrades-in-arms claim they are entitled to some benefit on account of their service.

A second objection to this provision is that it is in essence an admission that Medicare is an inadequate program whose coverage is unacceptably poor. Military retirees are not the only former employees in America who must transition from health care provided in the work place to Medicare. You could probably find millions of current Medicare beneficiaries who would stand in line to have their co-payments and deductibles paid as this provision will do for military retirees. If we grant this benefit to military retirees, how soon do you think it will be before non-military retirees will be asking Congress to do the same for them?

My third objection is based upon considering the source of the money we will use to pay this subsidy. The source of the money will, of course, be individual and corporate income taxes. Please don't tell me the government is paying for this. That is a euphemism used by politicians and military retirees alike to hide the truth: we will be collecting individual income taxes from millions of working families who cannot afford to buy health insurance in order to subsidize the purchase of Medigap coverage for millions who could afford to pay their premiums.

Unfortunately—as is often the case—beneficiaries of this income transfer are better organized and better informed than those who will be paying the bills. As a consequence, there will likely be 60 votes to waive the budget point of order. I doubt there would be 60 votes if the transfer of funds was in the opposite direction: from those who have health insurance to those who do not.

My final objection is that the extension of this benefit conflicts with the need we have to invest in our current forces: their salaries, their training, their equipment, and their benefits. Every dollar we commit to increased spending on the mandatory side of our budget—which currently represents two-thirds of total spending—comes at the expense of appropriated spending, defense and non-defense alike.

It is very possible that this business of breaking the budget caps may become a habit. If that's the case, then the conflict between mandatory and discretionary spending may become moot. That's the good news. The bad news is, if this happens we will have spent our way back into fiscal deficits.

Under the budget law that governs our spending, we should be spending no more than $540 billion on defense and non-defense appropriations. The budget resolution enacted by Congress earlier this year allowed for $600 billion in spending. The appropriations bills we are trying to finish will contain at least $40 billion more.

Most Members of Congress are aware—even if most Americans are not—that we cannot do this under the law. To appropriate $640 billion, 60 Senators will have to vote to waive our own budget act to lift the spending caps or to waive the imposition of $100 billion sequester of all defense and non-defense appropriated accounts.

My fear is that we will likely take this action as a consequence of our desire to get out of town quickly. We will have minimal debate and will hope that the American people do not notice what we have done until after the election. However, if we were to have an actual debate on this issue, I believe there would be at least two positive outcomes beyond informing the American people of what we are doing. First, domestic spending levels dictated by our budget act are too low. Second, in less than ten years, the pressure of mandatory spending, even presuming lower interest costs, will become enormous.

Mr. President, I do not expect to win this vote given the margin of victory when it was considered in the Senate earlier this year. Therefore, I will not take more of my colleague's time with further arguments against this provision. Instead, I want to present a case for increasing defense and non-defense spending, but against the willy-nilly process which will lead to the greatest expansion of domestic spending since Lyndon Johnson was President. After I make this case, I will briefly describe the looming problem of mandatory spending.

The good news on spending is that a synergistic combination of federal fiscal discipline and economic growth has shrunk domestic spending as a percentage of total U.S. income to its lowest levels since the middle 1970s. Ten years ago, total Federal spending consumed 22 percent of U.S. GDP. This year, federal spending will be 18 percent of our GDP. According to CBO, if current law is unchanged, total spending will fall to 16 percent in ten years, the lowest percentage of our income since the Eisenhower administration.

In current dollars, each 10 percent of GDP represents nearly $1 trillion. It is a tremendous amount of money that causes the people of most other nations on this earth to shake their heads and wonder at our good fortune. Leaving $4 trillion in the economy over the next 10 years for private sector purchases and investments adds a lot of constructive steam to our economy. This fact gets too little attention when we are debating how to sustain our current economic recovery.

Mr. President, this is why we need to stop and to consider what we are doing before we quietly agree to spend $1 trillion beyond the original discretionary spending caps. We would be better-served if we made this decision to increase the caps with a coherent and holistic debate about how to invest the surplus. A spending strategy that would increase the productivity of our work force by increasing the percentage of college graduates, and by increasing the number of high school graduates who have the necessary technical training to succeed in the American economy. A thoughtful debate on our spending strategy would no doubt also lead to higher spending levels on early childhood education and adult education. A thoughtful debate on our spending strategy would no doubt recognize the need to invest in our non-human infrastructure of roads, research, sewer and water. And a thoughtful debate on our spending strategy would no doubt contain safeguards to make certain that we do not throw good money after bad.

Instead, we are going to commit ourselves to dramatic increases in discretionary and mandatory spending without any unifying motivation beyond the desire to satisfy short term political considerations. To be clear, Mr. President, I do not believe most of these considerations are bad or unseemly. Most can be justified. But we need a larger purpose than just trying to get out of town.

On the mandatory side of the spending equation we have allowed the heady talk of surpluses as far as the eye can see to prevent us from seeing the wave of baby boomers that will begin to become eligible for taxpayer subsidized health and retirement benefits in less than 9 years. In less time than our most senior colleagues have served in the Senate, the ratio of American workers being taxed to pay the benefits for those who are eligible will shrink from 3 workers per retiree to 2 workers per retiree. If we continue to vote for more and more spending—as a percentage of our income—on Americans over the age of 65 and less and less on Americans under the age of 18 we will create two terrible problems: workers who do not have the skills to earn the money needed to support their families and a collective working population whose total income is smaller than needed to avoid higher payroll taxes.

And yet that is exactly what we are doing with this provision in the Defense authorization conference. We obligate another $60 billion of tax revenue to reduce the burden of buying Medigap insurance. Just this year, a majority of the Senate has voted for a prescription drug benefit, an end to the Social Security earnings test, a decrease in the income tax of Social Security income, and this military retiree provision. Together, these mandatory spending items will cost the American taxpayer more than $500 billion over the next ten years.

These spending levels may in fact be justified and affordable. However, they could also end up squeezing our domestic spending further as a percent of GDP. Because entitlement spending programs are locked into law, because those who favor these benefits are well organized and easily provoked come election time, they tend to be protected from spending cuts forever.

I ask my colleagues to consider how many votes there would be for a proposal to waive the budget act in order to spend $60 billion more on our children to improve the quality of their health, their education, their lives. How many votes would there be for such a proposition? Less than 60, I assure you.

Mr. President, I regret the proposed expansion of tax payer subsidization of military retirees' health benefits will not take place in the context of a more thorough debate of current and future Federal spending. In my view, it would be far less likely that this entitlement expansion would occur if we understood how it will add to the problems created by rapidly growing mandatory spending that begins again just as the full cost of this new benefit kicks in. And it would be far more likely that if we did vote for such an expansion we and the American people would understand the future consequences of our actions.

Mr. President, let me say, I regret this may be my last speech on the Senate floor and that it be a speech against extending additional benefits to my fellow veterans or, stated another way, which I think needs to be thought about as we do this, asking other taxpayers to pay some things that I currently pay for myself by asking them to subsidize me even more for the service.

I am military retired, let me fully disclose to my colleagues. I will benefit from this provision regardless of what my income is, regardless of what my need is. I say to you, I am personally offended by some of the rhetoric around this. I did not volunteer for the U.S. Navy in order to get anything. And you take away the most important value that I have from my service: I served; I volunteered. You did not have to buy that. You did not have to give me a health care benefit.

If you want to give me a health care benefit, give it to me, but please do not say you owe it to me. You may decide it is necessary, but I got more from my service than my country got from me. I am the one who benefited from my service. And I am much less likely to benefit if all of a sudden I become a mercenary. You would owe me money because what this bill does is it says that when our veterans reach age 65, Medicare is not good enough; Medicare will not be good enough for the 1.3 million veterans over the age of 65 who are military retirees; it is not good enough.

We are going to buy their Medigap insurance. Oh, no, Medigap isn't good enough. It has to have a prescription benefit in it. That is what this does. It asks one group of taxpayers to pay the Medigap insurance for another group of Americans who say Medicare is not good enough.

Look, I know it is a hot issue. I have received lots of phone calls already from people who say: Gee, KERREY is down here trying to stop this.

I do not expect to get more than 40 votes. I hope there aren't 60 votes to waive the Budget Act. I say to my colleagues, nothing would send a better signal from this Congress right now than for us to say that we will not waive the Budget Act—that we will not waive the Budget Act.

We are not getting much leadership down at the other end of Pennsylvania Avenue. And there is a spending orgy going on. We are going to have another vote to waive the Budget Act on appropriations. The cap, prior to the budget resolution, was $540 billion. The budget resolution raises it to $600 billion. We all sort of privately know it is going to be $640 billion or $645 billion. That is $100 billion over the previous cap. That is $1 trillion over 10 years. There is a meeting going on amongst Senate Democrats on the Finance Committee, talking to Secretary Summers about a tax cut package. There are lots of discussions going on about putting more money back in, as a consequence of the BBA of 1997, for health care providers.

I do not know what it all adds up to, but I will tell you, I have never been in a situation where I took a phone call from somebody who said: Senator, this only costs $60 billion over 10 years—it only costs $60 billion over 10 years. That is what I am getting from people right now.

So I think we would send a very important signal, right now, saying that we will not waive the Budget Act, we will not waive the Budget Act that has created the fiscal discipline that enabled us to get to where we are today. I think it would send a very important signal. I understand that you would have to take this thing back to conference tell the House Members we are coming back next week anyway. Isn't it worth $60 billion to spend a little more time to get this thing right?

Let me get into the substance of this. I think it is important for us to send a signal that we will not waive the Budget Act to spend only $60 billion over the next 10 years.

Let me make the case against the provision. First of all, I reiterate, you don't owe me any additional benefits. This Nation doesn't owe me anything. I will make that case, and I will make it repeatedly because I have heard an awful lot of rhetoric here that implies that I am a mercenary.

I am a better person because of my service. I learned from my service. I believe I am a part of a nation as a consequence of my service. I wasn't just in the Navy; I was in the U.S. Navy. It has enriched me. It has benefited me. You didn't have to pay me to get me to do it. I did it as a consequence of believing that it was my duty. I thought I was going to be the one who came out ahead, and I have.

Please, in the rhetoric you are using to describe why this is necessary, don't tell me it was a promise. I am one of the beneficiaries of this language, and I wasn't promised any benefit when I signed up. If you want to give it to me, fine, but please don't tell me that you owe it to me.

Secondly, it is important for us to do some sort of evaluation of need. The last time I checked, I didn't see an awful lot of military retirees out there foraging in the alley for food. We need to do some sort of evaluation of need. Remember, we are taking $60 billion over the next 10 years from one group of Americans, and we are going to pay for the Medigap insurance, including a prescription drug benefit, for another group of Americans.

I don't know how many Americans we are going to tax who are out there right now saying, I don't have enough income to pay for my health insurance, but there are a number who are. They are sitting out there, hard-working families, paying their bills, who are an important part of our country as well, who are an important part of our society.

We are not saying to them, you are entitled to Medigap insurance. We are not saying to them, you are entitled to a prescription drug benefit. What you are entitled to is to pay somebody else's bills. Remember, the Government doesn't pay for anything. All we do is collect the money and pay the bills for somebody else. We are obligating $60 billion over 10. In the tenth year, this thing is knocking on the door of being $10 billion a year at the very moment—which is my third point—at the very moment when we have this unprecedented baby boom generation that begins to retire.

I know this surplus goes as far as the eye can see. I understand that it has gotten more difficult to say no to people as a consequence of that; the fiscal discipline is lucid. But we are not going to change this demographic boom that is heading our way. It is not going to be altered. There aren't enough H–1B visas we can issue to immigrate our way out of this problem. We aren't going to have three people working who we tax to pay the retirement and health care benefits of those who aren't working. We are only going to have two. We are going to have two workers

per retiree. You don't get to pick Warren Buffet and Bill Gates to tax. You tax an average.

As a consequence of taxing that average, we are going to have a very difficult time paying the bills. Everybody who has examined this says that is the case. It is true that right now, under the previous CBO evaluation, we have stabilized the cost of mandatory programs, but not for long. We are going to be right back off to the races again starting in 2009. Our Federal Government, unless we exhibit some restraint, is going to become an ATM machine. We are going to be collecting money from one group of taxpayers and shipping it on to another group of taxpayers.

The reason it is a problem can be seen in the way our authorizers had to deal with this. They didn't want this money to come out of Defense appropriations. They didn't want it to come out of readiness accounts. They didn't want it to come out of our ability to be able to recruit, to train, and equip our forces. No. They want to protect that. So they push it all over into mandatory.

Well, you can only push it so far. I am sure the chairman of the Budget Committee will say at some point you have a limited amount of money you can extract from the U.S. economy. If you have a limited amount of money and you have mandatory programs going, it is going to eventually put pressure on appropriated accounts. The paradox, in my view—not shared by all—is that we probably are underinvesting right now in things that will increase productivity and will increase the strength of our economy. It is a paradox because we are going to be taxing the very people in whom we are underinvesting because we don't have a sufficient amount of resources in the appropriated accounts.

As I said, on the basis of policy, I think on the basis of fiscal discipline, on several other bases I could talk about, this sounds good. Again, I understand the pressure. Nobody organizes better than Americans over the age of 65 in order to get something they think they are entitled to. In a relatively short period of time, I have generated well over 75 phone calls, including one misguided human being who said he was going to do everything in his power to make sure that my Medal of Honor was taken away from me. Well, more power to him; have at it. It is not likely. I am not offended by that. It is just an indication of the intensity of people's feelings, to which they are entitled. They don't tell us where we are going to get the money. The Government is going to pay for it; that is as far as they will go. Let the Government pay for it.

The Government—I say again, for emphasis—doesn't pay for anything. It collects. It taxes one group of people in order to pay the benefits for another. That is what we are doing. You have a very difficult time, either on the basis of promise or on the basis of need, making the case that this group of Americans needs to have us pay their Medigap insurance, including a prescription drug benefit.

I hope my colleagues, at this moment when we seem to have lost our fiscal discipline, will come to the floor and say: I might have, under normal circumstances, liked to be able to help these military retirees, but we have to stand up and say, no, we are going down a road where, when the smoke clears, we are going to find ourselves looking pretty foolish for having spent all the money or committed all the money that we have done.

I hope my colleagues, even those who might say they like this benefit, will not vote to waive the Budget Act. The Budget Act has given us the discipline that enabled us to get this far. To sort of willy-nilly come down here and say, fine, my phone is ringing off the hook, I will not be able to stand up to that, I have to say, yes. The Budget Act allowed us to turn to our citizens and say, we have to be disciplined. It gave me, for 12 years, a method by which I could say, look, I support what you are doing, but we don't have the money. We have to say no sometimes to things we want to spend money on.

I hope my colleagues will come to the floor and muster the will to vote no on waiving this Budget Act.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I know there are moments in the life of a Senator that they will never forget. This is one I will not forget. I don't have a better friend in the Senate than my good friend from Nebraska. I don't know of any Senator—well, perhaps Senator INOUYE, of course—who has more rightfully earned the respect of this body and, more specifically, the men and women of the Armed Forces for his courageous acts in the field of battle in Vietnam. I was privileged to be in the Navy Secretariat with our recently departed, beloved former Senator Chafee, who was then Secretary when the Medal of Honor was awarded my good friend.

I have to say to my friend that, yes, in law, it is not clear about their entitlement, but in every other respect—sometimes the law is silent—these people were, time and time again, told they would have for life their health care.

I want to draw a distinction which was not clear in the Senator's otherwise very able presentation. He talked about his service, indeed my service, which was very insignificant compared to his, but we both served in the Navy at different times. I think I have some faint recollection of this, but it was long ago; I won't rest my laurels on that.

You went in initially not with the idea of becoming a careerist, and there may have been a point in your career when you did think about staying for 20 years.

The people who are entitled under this legislation are the ones who devoted their careers—a minimum of 20 years and often more years of service—to the military. It is not those like myself who served for briefer periods in World War II and brief periods in Korea. This legislation doesn't cover them. It would not cover you, regardless of your injuries which entitled you to other medical care that you received that was service connected. My point is, the person who goes in for one hitch as an enlisted man, one tour as an officer, they are not the beneficiaries under this. It is that class of individuals who, together with their families, have dedicated a career, who have moved, who responded to the call to go overseas many times, in most instances. That is what this legislation is for. I would like to have the Senator comment on that.

Mr. KERREY. I am pleased to, Mr. President. First of all, I am a retired Naval officer for medical reasons. The Senator is quite right; there is a difference between the reason I signed up, how I did it as a reserve officer, and somebody who signs up for 20 years. No question, that is true. I don't mean to imply there isn't a difference; there is a significant difference. When I hear people describing what this benefit does, that we are only talking about people who are in 20 years, the rhetoric is far afield on this.

I feel like I can't go home and talk to friends and neighbors and say I am getting one more thing from my Government here. I am just telling you that I don't feel as if this country owes me anything. I want my colleagues, especially those who didn't have any military service, to know that. I have gotten more out of it than my Nation got. You say, well, somebody who has been in 20 years should be promised health care. There are employees we promised health care to. I say this to the Senator from Virginia: Medicare is health care. What do you say to somebody who has been in the workforce who says, ''My employer promised me health care, and I get to be 65 and I have to have Medicare.'' Do we say we are going to pick that up as well? That will be the next thing knocking on our door.

Mr. WARNER. It should be knocking on our door.

Mr. KERREY. Are we going to pay the Medigap insurance for every single Medicare beneficiary?

Mr. WARNER. It is the obligation of the Congress to fix Medicare and, indeed, I know of initiative——

Mr. KERREY. I don't disagree, but to fix Medicare by saying there will not be copayments or deductibles, I don't think there is anybody on the floor who would argue that eliminating copayments and deductibles is the way to save money in health care. Quite the opposite. The argument on the other side of the aisle—joined by me in 1997—is we should go in the opposite direction. This eliminates copayments and deductibles.

Mr. WARNER. It was intentionally devised that way. When I made reference to the nonmilitary people in this country who are not, of course, eligible because of absence of a career in military service, Congress should be addressing that issue. I know of initiatives time and again to try to do that. Regrettably, it will probably not be done in the waning days of this Congress, but we have an obligation to these people. Do you realize if we had not made this program permanent, we would be casting on these individuals—most of whom are over 65 to 70, and some are medically retired—they would be forced to make a decision to drop their private insurance, which they had to go out and buy? They have to make other decisions because they would not be certain that Congress at some future date would make it permanent. So that is why we had to go down this road.

I will yield in a moment. First, I want to show my good friend something that I found. I went out and did some research on this because I have spent endless hours trying to figure out the facts. I have found this recruiting poster for the U.S. Army. Can the Senator read it from there?

Mr. KERREY. I can imagine.

Mr. WARNER. ''Superb health care. Health care is provided to you and your family members while you are in the Army, and for the rest of your life if you serve a minimum of 20 years of active Federal service.'' This is an actual official recruiting document. I daresay there are many others like it from World War II to this date. If you are a young man or a young woman enlisting today and this is printed by the U.S. Army, you believe it.

Mr. KERREY. Mr. President, will the Senator yield?

Mr. WARNER. Yes.

Mr. KERREY. It will take 30 seconds to respond. On that basis, my Government owes me a lot of travel. They promised me I was going to see the world. All I saw was Vietnam, right? So I go to OCS for, they told me 16 weeks; it was 18 weeks. Guess what they said. ''We lied to you. Big deal.'' We have a lot of promises we have to keep if we are going to fulfill every promise made at every recruiting office in the United States. Come on, this is about deciding how much we can afford. There is a limit. I know the chairman understands there is a limit. There is a point beyond which one can't go. Are we going to do long-term care? Are we going to promise to pay for that? There are lots of things we can pay for and say we have an obligation.

The question before us is, Are we going to waive the Budget Act? This Defense conference authorization requires $60 billion worth of spending beyond the budget resolution. That is the question, not do you like what this is. You may like this particular provision. But I am telling you, with just a couple of days left in this Congress, we are on a spending orgy. I am having people saying to me: Don't worry about waiving the budget resolution on appropriations; don't worry about waiving the budget resolution on Defense authorization; don't worry, we have to get out of town. Well, we are going to get out of town having done an awful lot of damage if we take that attitude.

Mr. DOMENICI. Does the Senator from Nebraska have any time to yield me?

Mr. WARNER. Mr. President, first, if I might reply, I respect the Senator from Nebraska. I associate myself with his remarks that the military did more for him than he gave to the military. That is certainly true in my case. I don't think it is true in his. I think he served with the greatest distinction, and this country is everlastingly in the Senator's personal debt. Certainly, for this humble soul, the military did more for me than I did for it. I have said that on the floor a dozen times.

There is living proof of promises made. I have shown you the difficulty facing the aged people over 65 and into their seventies who have to make a decision depending on the vote about to be taken in this Senate. They were made to commit one way or another by their Nation. I think they are deserving, having given their careers, families, spouses, whatever. I urge that Members of the Senate join me in waiving this Budget Act.

I yield the floor.

Mr. DOMENICI. Will the Senator from Nebraska yield briefly?

Mr. KERREY. I yield.

Mr. DOMENICI. First, I will be as quick as I can because I understand Senator GRAMM wants to comment at more length than I. Let me say to the Senator from Nebraska, when you came to the Senate, I had already been here a while. I didn't know anything about you. I didn't know you were a Medal of Honor recipient of the United States. I know you don't like to hear this, but I want to tell you that what you are doing tonight shows that you have something about you that is intuitively or instinctively courageous because what you are down here doing is not so easy for many Senators because, obviously, there is going to be a lot of guff for what you have proposed tonight, asking that we not waive the Budget Act.

I wish to also say to everyone that neither of us—including Senator GRAMM—are saying we should not do what we are doing tonight for our veterans. What we are saying is, with 2 days left in the session, neither the House nor the Senate having any detailed hearings, nor the Medicare people having detailed hearings on this, we come out of a conference with an agreement and propose a little item that over a decade will cost $60 billion.

That may be something veterans are entitled to, but I believe we are all thinking that there is no end to American prosperity and to American surpluses. I think we have come to the conclusion that they will be here forever and they are in quantities beyond anything we can imagine—and whatever goes in the waning moments goes. I think I can support this; I just don't believe we ought to do it now, with 2 days left, without sufficient hearings on the effect on the rest of Government. I might say, without trying to figure out who we are going to give prescription drugs to under Medicare, who are also people who are hurting very much and who think Medicare should have covered them better—there are millions of those people.

I believe the Budget Act singularly permitted the Congress to get its deficit under control. There are benefits from that. Every single American, every single veteran, and everyone in this country participates in a prosperity movement, with low interest rates and things people thought they would never acquire because when we used to stand up and say, ''Don't waive the Budget Act,'' nobody waived it. In fact, I didn't check tonight to see how many years had gone by when neither Senator DOMENICI, nor Senator GRAMM, nor Senator KERREY, nor whomever would say that violates the Budget Act to see if you could get 61 votes. That is why the decade of the 1990s became the decade of discipline.

Do you know the Government of the United States, on average, for the decade of the 1990s grew 3.3 percent, the most formidable in terms of small growth in the last 50 years? There is no reason other than that as to why this deficit has come down the way it has and prosperity has grown the way it has.

I believe next year is a year to look at the big picture, to fit this into all of the other things we have to do. But I don't believe we ought to waive a Budget Act which has protected our people, protected our veterans, and protected the cost of military equipment because of inflation coming down.

Those are all great big benefits that we don't quite understand, but they are very important.

Again, tonight by insisting that we comply with the Budget Act, you are showing me a degree of courage that makes me understand who you are.

I yield the floor.

Mr. LEVIN. Will the Senator yield for 1 minute for a question of the chairman of the Budget Committee?

Mr. GRAMM. Yes.

Mr. LEVIN. While the good chairman is here, I ask a factual question: What is the estimate as to how much the appropriations bill that we are about to vote on in the next few days will go over the discretionary ceiling in the budget resolution?

Mr. DOMENICI. I don't know.

Mr. LEVIN. We predict it is $40 billion for 1 year.

Mr. DOMENICI. No. I don't. If you say that is the case, I disagree.

Mr. LEVIN. I say it is not the case. We have heard the figure. Is it clear

that there will be a point of order that will lie against one of these appropriations bills coming up?

Mr. DOMENICI. Surely.

Mr. LEVIN. For exceeding the caps of the budget resolution.

Mr. DOMENICI. That is correct.

Mr. LEVIN. Mr. President, at some point there will be a vote on a waiver of the Budget Act for that purpose—I don't want to estimate the number of billions because I am not privy to it—but for a significant amount of money. I want to put that in this context. This is not going to be the last time this year that there is going to be a vote on whether to waive the Budget Act because the ceiling is exceeded.

I fully agree with Senator DOMENICI. I couldn't agree more in terms of what his comment was about Senator KERREY's instincts. As always, he seems to me honest and open. That is what this point of order is going to force. Even though I will vote for waiving the Budget Act—I am going to vote that way on this point of order—I must say that I think it is very important that this point of order be made. It is so important that if Senator KERREY had not made it, I was going to make it, because I think the Senate has got to understand what we are doing. I think we are doing the right thing. But we are not going to be doing it quietly in a closed way, which is hidden. We are going to be doing it openly or we are not going to do it at all. Maybe there will not be enough votes to do it at all.

But the important point that Senator KERREY and others are making, it seems to me, No. 1, is in their judgment we should not do it. That is the matter of disagreement. But where I think there is agreement is when we do it and when we consider it, we should not be burying it in some bill that nobody knows about. That is why this point of order is valuable, in my judgment.

I thank the Senator for his comments.

One other point: That the size of this item is a 10-year item. The question I asked the Senator from New Mexico, chairman of the Budget Committee, was approximately how much will the appropriations bills for just 1 year go above the budget ceiling and discretionary spending. It is that figure which perhaps by the end of the evening I can try to get an estimate of from the staff of the Appropriations Committee. But it will be a significant amount. We are going to have to vote on it. I hope we vote on that explicitly. I hope we vote on that in that final appropriations bill just as openly as we are going to vote on this. I hope it is not just going to be buried in the final appropriations bill and fly through here without a conscious decision on whether or not to waive the Budget Act. Otherwise, there is no fiscal discipline at all. If it is not done openly, there will be even less fiscal discipline.

I want my comments to go against my time, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I am stunned that we are talking about fiscal discipline and asking whether a bill is over the budget when we have a bill before us where we set out funds in the budget knowing that this was a problem that needed to be dealt with. We set out $400 million in the budget to try to begin to deal with this problem. The bill before us creates a brand new program never debated anywhere and which no Member of this Senate can really explain how it will work. It has never been tested anywhere. It will cost $59.9 billion.

Let me quote from Senator WARNER's letter and his initial cost estimate, which is now out of date because additional benefits were added to this bill. But let me quote from his letter of September 27. ''The cost of this proposal is scored by the Congressional Budget Office at $42.4 billion in mandatory spending over 10 years.'' That has now risen to $59.9 billion. ''In addition, the Treasury would accept a $200 billion liability that would be amortized over 70 years.''

Not only is this bill a budget buster—it will win the blue ribbon in Congress this year. There will be no bill in this Congress that will approach this bill in terms of fiscal irresponsibility and lack of financial discipline. And all of this was done not in a committee, not in a public debate, but by a group of conferees who got together in closed sessions. The House entered that conference with a program that cost $945 million. The Senate went into the conference with a program that cost $466 million. They came out of conference with a program that cost $60 billion, and committed us to a 70-year debt of $200 billion.

I believe there is no parallel in the history of appropriations and authorizations in America to the bill before us in terms of a bill which has never been debated and a program that has never been discussed.

Let me make a couple of points.

First of all, it is obvious that all of us here tonight should praise our dear colleague, Senator KERREY, who is retiring. You can get a lot of praise around here by dying or retiring. Given the choice between the two, he has chosen the right one.

Let me say that many people have congratulated Senator KERREY for his physical courage. I don't know much about that type of courage. So far as I know, nobody has ever shot at me. Nor do I have any reason to believe I would have been shot at. I don't know much about that kind of courage.

But there is a different kind of courage that I know a little bit about. It is a courage that has to do with standing up to peer group pressure. There is something very human about the fact that somewhere around the first or second grade we start caring terribly about what people around us think. It is something we never escape from until they lower us in the grave. One would think grown men and women, Members of the Senate, the greatest deliberative body in the history of the world, would be immune to it. But as my colleagues know, we are not immune to it. We want to be loved. We want to be accepted by our colleagues. You don't get love by opposing this giant expenditure of money. You don't get appreciated by your colleagues by standing up to it. Senator KERREY is getting a lot of praise tonight. My guess is when the votes are counted, we may have three votes to sustain this point of order. But I don't know. I wasn't there when Senator KERREY won the Congressional Medal of Honor, but I was there when he stood up in this Congress and pointed out to America and to this Congress that the largest federal entitlement programs tax young working people who are just starting out, and give that money to seniors, many of whom have built up retirement savings over a lifetime.

And it's being done because older people vote and younger people don't vote. We are digging a hole in Medicare and Social Security that can destroy America and that will destroy our prosperity if we don't do something about it.

The Senator from Nebraska has been a leader in that and I want to say I appreciate it. I believe America does, but America is not embodied in the way it can speak and, since it hasn't been elected, it couldn't speak on the floor of the Senate anyway. On behalf of working people in my State and my country, I thank you, BOB KERREY. I'm sorry you are retiring. I want to thank you for what you have said and what you have stood up for.

Now, let me try to put all this in perspective. First of all, I agree with Senator WARNER's poster. I hope my colleagues will forgive me because I want to give a little bit of history to establish my bona fides on this issue, if I can.

First, my dad was a career soldier. He joined the Army on his 15th birthday in his brother's clothes. He was in the Army for 28 years, 7 months, and 27 days. He believed when he joined the Army that part of what the Government had committed to him was that if he served for 20 or more years, they were going to take care of him and his family and their health care needs. I am proud to say—and I say it with certainty because I know; I was born in the same hospital my dad died in, and it was a military hospital at Ft. Benning, GA—the Government never, ever took that benefit away from my dad.

We are here today for two reasons. We are here in part because the policies of our Government changed. They changed in a remarkable way, and it is an interesting thing how benefits are lost. They changed because Medicare was going broke. So our government

made everybody join Medicare, including men and women in the Armed Services. This problem came about because people who retired from the service qualified for two medical programs: One, by paying Medicare taxes; and two, by serving 20 or more years. The military health care benefit was a right not to Medigap insurance or any of the things we are talking about today, it was a right to go to a military hospital on a space-available basis and get military medicine.

What happened—which was terribly wrong, in my opinion—is that, in the midst of a period of very tight budgets, the military gave retirees their military health benefit until they turned 65 when they became qualified for Medicare. As they got close to their 65th birthday—I know this because I have a brother who is a career soldier. I don't know whether he likes military medicine because they know his name—''Colonel.'' He goes to a regular hospital and they call him ''Mister'' although, obviously, they don't know who he is. They don't know anything about him. So I don't know whether it is that or whether he just is comfortable with having been a career soldier and having served in the Army for some 27 years—the point is, as he gets closer to 65, under the current system he will get a sheet when he goes in, and members of the staff know this, he will get a referral sheet. And they will say, ''Colonel, you are going to turn 65 in August. So these are the medical areas that we are aware of that are relevant to you, and these are private practitioners in Dallas, Texas, that you can go to under Medicare.''

Here is a person who got military medicine on active duty for 27 years, and then he retired and continued to get it up to the day he was 65, but because he earned two benefits, they shoved him out the door when he turned 65.

My disagreement with Senator WARNER is not about that recruiting poster. I believe that poster is true. And I believe the benefit is owed. Where we split company is on what we are doing here tonight.

Let me explain. Just to complete the history, because I felt that I had some personal knowledge about this problem, I was the leader in Congress in putting together a test program called Medicare Subvention. The idea was simple. A lot of simple ideas don't work. It is not clear how well this one is working. In some ways, I think it is working well although costs are up because utilization is up. But the basic idea was simple. Let's pick ten facilities in America that have big retirement populations near them and let people stay in military medicine and let Medicare pay what they would pay had they gone to the private sector. We are in the midst of a test of that program right now.

Earlier this year, while Medicare Subvention was still being tested, this bill came up, and while we were debating military retiree health care, a proposal was made to spend $92 billion. Senator DOMENICI will remember that. That proposal failed. And it should have. I voted against it.

During that debate, Senator WARNER offered a 2-year program to build on the test that we had underway. Senator WARNER's program cost $466 million. I supported it. In fact, I think all the rest of us supported it. I am not sure Senator KERREY did, but I think Senator DOMENICI supported it.

The Senate had put in the budget enough money that to try Senator WARNER's program out for 2 years. Why was it important to do it in 2 years? I will talk about the money, but let me talk about the policy. What is wrong with committing to $60 billion worth of new programs that have never been debated, never been tested, and committing to a $200 billion liability over the next 70 years? What is wrong is, as anybody who has ever served in public office knows, once this program is in place, a vested political interest will build up around it in the medical sector, in the retirement sector, and in the communities where it is provided. What happens is even if this program doesn't work, even if it is terribly inefficient, even if people are unhappy with it, the chances of ever getting rid of it or fundamentally changing it are very low.

We have in Medicare, as Senator KERREY, better than anyone else knows having served on the Medicare Commission, we have a 1965 medical care system. In Medicare, we have an old Edsel. Yet we can't change it. We tried to change it on the Medicare Commission as the Senator remembers. But the vested interest in it, even though it is inefficient, even though it doesn't serve the public well, even though it costs tremendous amounts of money, once it is in place, it is hard to change.

Here is the point. The first problem with this huge program is that was never debated, never discussed, and was written by a handful of people that, quite frankly, are very intelligent people, very knowledgeable people about defense. As far as I am aware, it was never discussed in the Finance Committee, which has jurisdiction over Medicare. It was never debated in any public forum. It has never been tested anywhere. The point is, tonight on the verge of adjournment, we are getting ready to commit $60 billion in spending on a program that may or may not work, may or may not satisfy people, and which is going to be virtually irreversible.

The second point I want to make is the House went into conference with a program that extended the Medicare Subvention demonstration, made it permanent within 6 years, and costs $945 million. So the Senate went to conference with a temporary program of $466 million to build on a concept, that basically, we had started in the test; and the other House of Congress went with a program that made a judgment to move toward full implementation of the test, and it cost $945 million. But what happened?

What happened—and Senator KERREY was making the point, I thought very effectively—they got to conference and suddenly somebody said, ''The sky's the limit. We have a huge surplus. This is an election year.'' So what happened is one House, with a program for $466 million, and the other House, with a program for $945 million, got together and suddenly we have a $60 billion entitlement program. Actually the new program is $39 billion, but the committee just gratuitously took existing health care programs and said let's just put $21 billion on automatic pilot in a permanent entitlement program so we do not have to account for spending it.

That is what happened. Why did it happen? Because the surplus is burning a hole in our pocket. This surplus is the greatest danger we face in terms of our economic stability—not just now, but 10 or 12 years from now when the baby boomers start to retire. It is not just happening here. I am not just being mean to our dear friends on the Armed Services Committee, a committee I had the privilege to serve on for 6 years. It is happening everywhere.

We have a railroad retirement proposal that lowers the retirement age. We are raising the retirement age in Social Security. Yet, we would lower it in railroad retirement. We have a proposal to give Amtrak $10 billion.

We have proposals—we are giving back Medicare savings that we have previously adopted at a rate where, in 10 years, we will have given back more than we ever had in savings, yet Medicare is going broke every day. What is happening to us? What is happening to us is this surplus is affecting our judgment and we are spending it as fast as we can spend it.

Let me sum up. I want to make a point about the economy, one I had not thought of until I was talking to Alan Greenspan today, and I want to bring it up because I think it is relevant.

What is my position? My position is we do have an obligation to military retirees and we have to find a way to fix the health care system for military retirees. But I think we need to do it so we know what we are doing, so we know what it costs, so we know it is going to be efficient, and we have to do it after there has been a clear, effective, public debate and where we have actually tested the program so we know what we are doing.

The problem here is this bill is immensely popular, as my colleagues know if any of you have paid any attention to your telephone calls today, but it is popular because we are spending massive amounts of money.

My point is I do not disagree with Senator WARNER. We owe these benefits, and we are going to have to provide a way for our military retirees to have quality medical care, which we promised. But the idea of doing it by busting the budget by $59.9 billion on a

program nobody ever debated, nobody ever tested, nobody has ever seen work, I think is clearly the wrong way to do it.

We have a point of order that is going to be raised by Senator KERREY. What is the point of order about?

Mr. DOMENICI. He has already raised it.

Mr. GRAMM. Well, he has raised it. What it is about is, in our budget we agreed we were going to spend $400 million to begin to try to fix this problem. The committee with jurisdiction to fix it was not willing to abide by that budget, and they came up with a program that did not cost $400 million, they came up with a program that cost $59.9 billion and committed us to a $200 billion debt to be amortized over 70 years.

So Senator KERREY has raised a point of order saying: This may be wonderful, this might actually be the right thing to do someday, but this violates what we voted to do and the constraints we imposed on ourselves.

I do not suffer any delusion. My guess is we are going to get 3 or 4 or 5—maybe 10 votes here. We are going to waive this point of order, and we are going to spend this $60 billion. We are going to spend it on a program which was never debated, never tested, never analyzed in any systematic way. My fear is that we are going to have a very difficult time fixing it. I am afraid 10 years from now we may be here debating how we can fix it, but with the vested interests that have built up, it will be very difficult to do.

So I believe this point of order should be sustained. I am going to vote to sustain it.

Why should we care about this spending? I was talking to Chairman Greenspan today about the economy and about the stock market. We were talking about spending. I basically had raised the issue with him, was he worried about this runaway spending? He made a point to me that, in April and May, something clearly started happening because long-term interest rates started going up in America. Some people say that is caused by Fed policy. No, the policy of the Fed, as our colleagues know, affects short-term interest rates. But the economy affects long-term interest rates.

Let me tell you what was happening in May. What was happening in May is it started to become clear we were not going to abide by our budget. It started to become clear we were losing control of spending. These long-term rates went up and the economy started to cool, and that is being reflected in the stock market today, in my opinion.

I am not saying we are going into a recession. But I am saying the interest rates went up on the long-term because we are losing control of spending. We are losing fiscal discipline. They went up until the economy slowed down enough that they started to back off.

I think we ought to be concerned about spending this surplus. I think we need to make rational decisions about it. It may very well be, after a debate, we write a budget and we spend $60 billion on this problem. I do not think I would do it this way. I think we need efficiency, I think we need copayments, I think we need incentives for cost consciousness. I don't think I would support doing it this way, but I might support a program that costs this much, more or less.

But doing it this way, where two or three people put together this proposal, is fundamentally wrong and is dangerous. This is a noble cause, and a cause that I support—military retirees were promised a benefit. They weren't promised these kinds of benefits, but they were promised access to military medicine. I want them to have it.

As bases have closed and as people now do not live near military bases, we have to come up with another program. But I think it ought to be a rational program. I think it ought to be one we look at over time. So I am going to vote to sustain this point of order.

I think this bill is simply an outward and visible sign of what is happening in our Congress. I wish America could be awakened to it. We are on a spending binge that has no precedent in my period of service in Congress. You have to go all the way back to Lyndon Johnson to find spending at the level we are now talking about in the Congress. At first it was just discretionary spending. Now we are into entitlements. As we all know, these things start out small. This one didn't start small, but a lot of them do. But they get bigger and bigger and bigger and bigger.

I appreciate my colleagues' listening. I think this is an issue such that you have to explain to people what you are trying to do. I think it is a very easy issue to say, boy, I am trying to deliver on the commitment in that recruiting poster. I believe in the commitment in the recruiting poster, but you don't deliver on it with a huge program that has never been tested, that was put together by people who do not specialize in this area of government, and where there has never been a debate. I think this is a mistake, and I think we are going to end up regretting it.

I think we will someday come back and fix it, but we will not fix it, in my opinion, until we have spent a lot of money and until we have produced a system that—unless we are extraordinarily lucky—is not going to provide the kind of efficient care we need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. KERREY. Mr. President, I say to the chairman and ranking member, I am not going to make any additional arguments on the specifics. I want to make some closing comments. I am prepared to yield back time and go to the vote. I don't know where they are, but I will start talking so they understand that is where I am.

The Senator from Texas made an effort to establish his bona fides and did a very good job referencing his father, who was a career military officer.

In my closing, I need to do a little subtracting in my bona fides. I have received the Medal of Honor, as was mentioned several times. The Senator from Texas said he was not there that night and does not know what happened. When I saw the citation, I didn't know if I was there that night. I didn't receive the Medal of Honor because of my heroism. I received it because of many men out there, heroic beyond me, who did not have a witness or had a witness who did not like them or could not write or something got lost in the food chain, as some of these sometimes do. I am a recipient for others, and I do not say that in any sense of false modesty at all. I say it sincerely and genuinely.

I understand Reserve officers, which I am, and career officers are substantially different. I praise the chairman and the ranking member of the Armed Services Committee and all the members of the Armed Services Committee, some of whom already spoke, for their efforts to make certain we take care of the men and women who volunteer and say: I will make a life career. I do not want anything I said previously to subtract from the enormous respect and admiration I have for them. Indeed, many times I have been moved to tears to see the risks the men and women who wear the uniform of the Army, Air Force, Navy, Marine Corps, and Coast Guard take for all of us, and we have a painful example of it today in sailors who are trying to keep an embargo in place on Iraq.

We started that embargo many years ago, and we take it for granted. All of a sudden, we have 5 dead, 10 missing, and another 30 or so who are injured executing a mission. My guess is many of those people in question are lifers, as we call them, people who have made a life commitment.

I appreciate very much the chairman making an effort. It may be he is right, that he has a provision here that ought to be done. I tried to argue as to why I think it goes beyond. He is the chairman of this committee. Senator LEVIN spent a lot of time on it. I supported them almost every time in the past when they tried to get benefits in line with what we need in order to recruit and retain. I do not want anything I said previous to this to be interpreted by anybody either on this floor or out in America that I have any disrespect at all for the commitment that men and women make when they say: I will make a life career.

Again, I will use the observation of the Senator from Texas that you can support this provision and still say at some point you have to say no. We all understand that. We are asked to spend the taxpayers' money on many things, and you need a method by which at some point you say no. You can't say yes to everything. There are a lot of things I would like to spend money on, but there is a limit, and you have to figure out what that limit is.

For years we had a Budget Act. For years we had budget caps. The Senator from New Mexico is right. It used to be, not that long ago, when you came down to the floor and there was a motion to waive the Budget Act, that was a tough vote. It was tough to waive the Budget Act. All of a sudden, it is not anymore. It used to be a mechanism that enabled us to have the fiscal discipline.

I am proud of many things in which I had the opportunity to participate. One of them is the opportunity to help get rid of the fiscal deficit over the last 12 years. The only way that was possible was for us to have a mechanism by which we could look at a friend, look somebody in the eye who deserves to have more spending, and say: No, I just can't do it.

At this moment, we are poised to spend far beyond what we intended when this year started. I hope colleagues will vote against the motion to waive the Budget Act and send this bill back to conference and say to the House Members: We cannot get it in because we have to say no, and we have to reassert the fiscal discipline that got us to where we are today.

Mr. President, I am prepared to yield back my time.

Mr. WARNER. I think we are all prepared to yield back time.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Texas.

Mr. GRAMM. I yield back my time as well.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, the conference report on the National Defense Authorization Act for fiscal year 2001 contains direct spending that far exceeds the Armed Services Committee's allocation of mandatory spending under the fiscal year 2001 budget resolution.

According to the Congressional Budget Office, this conference report would increase mandatory spending by over $19 billion over the next 5 years, and by $61 billion over the next 10 years.

Most of this increased spending is for the new ''Medigap'' entitlement for Medicare-eligible military retirees. This new benefit would add $18.7 billion in new direct spending over the next 5 years, and $59.9 billion in new direct spending over the next 10 years. This year's congressional budget resolution established a $400 million reserve fund for mandatory spending on military health care benefits over the next 5 years; the mandatory spending on health care in this conference report would exceed that allowance by $18.3 billion.

The net cost to the federal budget is somewhat less, because current, discretionary spending must be subtracted out. While the net cost to the federal budget—that is, the amount of the projected future surpluses that these health care benefits would consume—is somewhat smaller, it is still a very substantial amount of money. The health care provisions in this conference report, when both the mandatory and discretionary components are added together and the costs that are moved from one category to another are netted out, would require $14 billion of new spending over the next 5 years and $40 billion of new spending over the next 10 years. That is a lot of money.

This new spending was not contemplated in this year's congressional budget resolution. When Congress enacted the budget resolution earlier this year, we provided only $400 million for new military health care benefits over the next 5 years. So this conference report contains over $13.6 billion over the amount of direct spending on health care that was approved in the budget resolution.

I support the new medical benefits provided by this conference report. I support them because I believe that it is incumbent upon the Congress to answer the call of Secretary Cohen and the Joint Chiefs of Staff to address shortcomings in the health care that we provide for our military personnel, military retirees, and their families. The Chairman of the Joint Chiefs of Staff, General Henry Shelton, told the Armed Services Committee earlier this year.

> For years our recruiters have promised health care for life for career members and their families. As we all know, that is not what they receive. . . . Keeping our promise of ensuring quality health care for military retirees is not only the right thing to do, it also is a pragmatic decision because it sends a strong signal signal to all those considering a career in uniform.

General Shelton went on to point out that we have actual recruiting posters that specifically state that military members and their families would receive health care for life. That, he said, is ''basically what we committed to at the time they were recruited to the armed forces.''

Last year, we enacted pay and retirement reform provisions to send a strong message that we recognize the demands that we place on our men and women in uniform, the circumstances in which they must live and work, and the fact that we often pay them less, and expect them to do far more, than employes in the private sector. The health care provisions in this year's bill should send an equally strong message, and will hopefully have an equally strong positive impact on military recruitment and retention.

I believe that providing these health care benefits is the right thing to do, and that we should use the waiver open to us to provide them. At the same time, however, Senator KERREY has done the right thing in raising a point of order relative to these provisions under the Budget Act. We have the responsibility, if we are going to spend tens of billions of dollars on a new benefit, to do so openly and in accordance with our budget rules. Those rules allow us to exceed the spending limits we set for ourselves should we deem it wise and prudent to do so.

We do so by voting to waive the Budget Act. That is our way of standing up openly and acknowledging what we are doing, acknowledging that we are about to use some of our surplus for a benefit that was not included in the fiscal plan the Congress adopted in April. We owe it to ourselves and our constituents to be willing to stand up and say either we think this is a good idea worth doing and we should waive the Budget Act, or to say we shouldn't be doing this and voting not to waive it.

There is one other significant new entitlement in this conference report and that is the compensation program for contract and federal employees of the Department of Energy who became ill due to their exposure to radiation, beryllium, or other hazardous materials while working to build our nuclear weapons. While much less expensive than the health care benefit, this compensation program also entails direct spending of $1.1 billion over 5 years, and $1.6 billion over 10 years, that was not provided for in the Budget Resolution. As with the health coverage for our military retirees, I think this is the right thing to do, but we have to be willing to waive the Budget Act to do it.

Either this bill is wrong, or the congressional budget resolution was wrong in the limitations that it placed on Federal spending. In my view, the problem is not with this bill, but with the budget resolution itself, which was never realistic in the amount of money that it provided for this and other purposes. I believe that the American people would want us to provide improved access to health care and a comprehensive pharmacy benefit for military retirees—and that they would want us to take similar action on behalf of other retirees.

Others may disagree, but we cannot have it both ways. We cannot say that we support the strict spending limits in the congressional budget resolution and that we also support the new entitlement programs in this conference report, which would violate those spending limits. The two are inconsistent, and we must make a choice. That is what this vote is about.

I commend Senator KERREY for raising a point of order under the Budget Act. For the reasons that I have stated, I will vote to waive the point of order and allow this conference report—and the new benefits that it includes—to become law.

I again quote from the testimony of the Chairman of the Joint Chiefs of Staff when he told us earlier this year:

> For years our recruiters promised health care for life for career members and their families. As we all know, that is not what they receive. . . . Keeping our promise of ensuring quality health care for military retirees is not only the right thing to do, it also is a pragmatic decision because it sends a strong signal to all those considering a career in uniform.

Last year, we increased the retirement benefit to where it previously had

been 10 years before when we said it would be 50 percent of your base pay when you retire, rather than the 40 percent which it had been reduced to 15 years ago. We did not make that subject to people's earnings. There is no earnings test. That was an entitlement. It was a retirement benefit. It was a recruiting aid. It was a retention aid. So is this.

Most important, it is keeping a commitment which has been made to the people who joined the service. I know very well Senator KERREY did not join for that purpose. Indeed, many do not join for that purpose. But the expert recruiters and the Chairman of the Joint Chiefs tell us this is a very important recruiting and retention tool, No. 1. No. 2, it keeps a commitment which has been made, and when the Government makes that commitment, we should keep it. Whether or not the private company keeps it or not, we may not have any control over it. Senator KERREY raised the question of what happens if a private company breaks a commitment. That is very different from when we, the people, make a commitment to our men and women in the military.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, the Senator is right. Let's move forward and vote.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, all Senators recognize that we are drawing to a conclusion this session of Congress. We have had an excellent debate. I urge Senators to support my motion to waive. Were this to fail and the Budget Act is not waived, the entire Defense authorization conference report will fail. Conferees will have to be appointed for a new conference. The Senate will appoint conferees and send the bill back to the House. The House will appoint conferees and a new conference will have to be convened. A new conference report will then have to be passed by both the House and the Senate. We will have opportunities next year to readdress this problem.

I close by saying, with all due respect to my dear friend from Nebraska, this is the living proof which says for the rest of your life, if you serve a minimum of 20 years active Federal service, you earn your retirement. That is a commitment that has been made by this Nation since World War II, Korea, Vietnam, and continues to be made today. Now it is the obligation of the Senate to confirm the credibility of this country and to give to these people what they have earned rightly.

I yield back my time. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have been ordered.

The question is on agreeing to the motion to waive the Budget Act. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Minnesota (Mr. GRAMS), the Senator from North Carolina (Mr. HELMS), and the Senator from Arizona (Mr. MCCAIN) are necessarily absent.

Mr. REID. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''aye.''

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

The yeas and nays resulted—yeas 84, nays 9, as follows:

[Rollcall Vote No. 274 Leg.]

YEAS—84

Abraham	Durbin	Mikulski
Akaka	Edwards	Miller
Allard	Enzi	Moynihan
Ashcroft	Fitzgerald	Murkowski
Baucus	Frist	Murray
Bayh	Gorton	Reed
Bennett	Grassley	Reid
Biden	Hagel	Robb
Bingaman	Harkin	Roberts
Bond	Hatch	Rockefeller
Boxer	Hollings	Roth
Breaux	Hutchinson	Santorum
Brownback	Hutchison	Sarbanes
Bunning	Inhofe	Schumer
Burns	Inouye	Sessions
Byrd	Jeffords	Shelby
Campbell	Johnson	Smith (NH)
Chafee, L.	Kerry	Smith (OR)
Cleland	Kohl	Snowe
Cochran	Kyl	Specter
Collins	Landrieu	Stevens
Conrad	Lautenberg	Thomas
Craig	Leahy	Thompson
Crapo	Levin	Thurmond
Daschle	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Lugar	Wellstone
Dorgan	McConnell	Wyden

NAYS—9

Bryan	Graham	Kerrey
Domenici	Gramm	Mack
Feingold	Gregg	Nickles

NOT VOTING—7

Feinstein	Kennedy	Torricelli
Grams	Lieberman	
Helms	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 84, the nays are 9. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

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

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

The motion to table was agreed to.

NAVY HRSC'S

Mr. SANTORUM. Mr. President, I wish to enter into a colloquy with Senator OLYMPIA SNOWE of Maine and Senator JOHN WARNER of Virginia, two of my colleagues on the Senate Committee on Armed Services, to clarify a provision concerning a U.S. Navy Benefits Center as referenced in Senate Report 106–292 which accompanies S. 2549.

As my colleagues are aware, the Department of the Navy's Human Resources Service Centers, HRSCs, located in eight geographical locations worldwide, serve as the regional Human Resources Management, HRM, processing centers for activities and Human Resources Offices in its service area. The HRSCs also provide various centralized HRM programs and services.

S. 2549, the Fiscal Year 2001 National Defense Authorization Act, authorizes $3.0 million for a contractor-supported national employee benefits call center located in Cutler, Maine. According to Senate Report 106–292, this center is to provide a full range of benefit and entitlement information and assistance to civilian employees of the Department of the Navy. The report notes that the call center would replace eight separate Human Resources Service Centers now in operation throughout the country.

Based on conversations with the Department of the Navy, it is my understanding that these HRSCs are not to be replaced by the new center to be established in Cutler, Maine. Instead, the new Navy Benefits Center will complement the services performed by the eight HRSCs.

Mr. WARNER. The Senate understands these HRSCs are not to be replaced by the new benefits center to be established in Cutler, Maine. Instead, the new Navy Benefits Center will complement the services performed by the eight HRSCs. The conferences believe that the new U.S. Navy Benefits Center will add a new capability which supplements the resources inherent in the existing HRSCs. That is, the new center will not replace the eight existing Navy HRSCs but will enhance efforts to provide information to civilian employees of the Navy.

I also want to bring to the attention of my colleagues that there is an error in the Conference Report tables. Three million dollars for this initiative should have been authorized to match the appropriations provided in the fiscal year 2001 DoD Appropriations Conference Report. I have been in contact with the Chief of Naval Operations this afternoon. I have his assurance that the Navy will execute this program as we intended.

Ms. SNOWE. Mr. President, I want to thank the distinguished Chairman of the Armed Services Committee, Senator WARNER, for his support of this initiative. I agree with him and my colleague, Senator SANTORUM, and they are correct in their understanding of the intent of this authorization and the benefits center itself.

Cutler has a history of admirable and noteworthy support of the U.S. Navy. For nearly 40 years, the United States Navy's Computer and Telecommunications Station resided in Cutler and set standards for excellence in performing its vital national security mission. The civilian men and women of Cutler who contributed so much to this success personify Maine's celebrated work ethic.

Now, the residents of Cutler eagerly await the establishment of the new

benefits center and will once again showcase their loyalty, work ethic and stalwart support for the United States Navy.

SPECIFIED CANCER

Mr. DEWINE. Mr. President, I would like to take a moment to clarify the definition of ''specified cancer'' as defined by this provision with my colleague from Ohio. When we drafted this definition, we intended to cover cancers that were likely to be caused by exposure to radiation, isn't that correct?

Mr. VOINOVICH. Yes, we did intend to cover radiogenic cancers. The definition of specified cancer includes those cancers covered by the Radiation Exposure Compensation Act and Bone cancer. According to the medical text ''Cancer Epidemiology and Prevention'' by Doctors Schottenfeld and Fraumeni, cancers of the bone include cancers of the cartilage, including radiosensitive cancers that originate in cartilage such as chondrosarcoma.

Mr. DEWINE. I would also like to add that both the Senate Health, Education, Labor and Pensions Committee and the Government Affairs Committee have heard testimony from the Department of Energy on worker exposure to ionizing radiation at the Portsmouth uranium enrichment plant in Portsmouth, Ohio, and we became aware that chondrosarcoma has afflicted some in the workforce. The chapter on bone cancer in the Schottenfeld and Fraumeni medical text should provide helpful guidance as the Administration implements this proposal. I ask for unanimous consent to include a portion of that text for the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CANCER EPIDEMIOLOGY AND PREVENTION

(Edited by David Schottenfeld, M.D., and Joseph F. Fraumeni, Jr., M.D.)

BONE CANCER

(By Robert W. Miller, John D. Boice, Jr., and Rochelle E. Curtis)

Cancers that arise from bone or cartilage account for about 0.5% of all malignant neoplasms in the human. As with other neoplasms, much more research has been devoted to diagnosis and therapy than to causation. This chapter reviews the epidemiologic observations on bone cancer that have provided clues to its origins.

DEMOGRAPHIC CHARACTERISTICS

Descriptive studies in the past have been handicapped by the use of a single code number in the International Classification of Diseases, which groups all cell types of bone cancer. The three main subtypes are osteosarcoma, which arises most often from the growing ends of long bones; chondrosarcoma, which develops in cartilage; and Ewing's sarcoma, which according to recent evidence may arise from primitive nervous tissue (Cavazzana et al, 1987; Ewing's Tumour Workshop, 1990; Horowitz et al, 1993), most commonly in the shafts of the axial skeleton.

The cell types should be studied separately, because they have marked demographic differences that are of etiologic significance. Histologic diagnoses are thus required, as from population-based cancer registries. Of particular value in this regard are data from the Surveillance, Epidemiology and End-Results (SEER) Program of the National Cancer Institute (Percy et al, 1995), which has covered about 10% of the U.S. population since 1973. Ninety-five percent of bone cancers were histologically confirmed. The geographic areas covered and distribution by cell type are shown in Table 44–1.

Of the 1961 cases among whites and 163 among blacks registered in the SEER Program from 1973 through 1985, osteosarcoma was reported in 36%, chondrosarcoma in 26%, and Ewing's sarcoma in 16%. Age-adjusted rates by histologic type are presented in Figure 44–1 (charts are not reproducible in the RECORD.)

Age, Sex, and Race-Specific Incidence

Osteosarcoma has a bimodal age distribution, with peaks in adolescence and late in life (Fig. 44–2). It is rare early in life, but the rate increases rapidly in late childhood. In 1950–1959, before improved therapy increased survival, mortality and incidence rates were similar. There were enough deaths in the United States during this ten-year interval to allow study of the distribution by single year of age (Fig. 44–3). At age 13 the rate for males rose higher than that for females, and remained elevated for a longer time, suggesting that bone cancer is related to the adolescent growth spurt. (Price, 1958; Fraumeni, 1967; Glass and Fraumeni, 1970).

Chondrosarcoma is rare in childhood and rises with advancing age, for unknown reasons (Young et al, 1990). The age distribution of Ewing's sarcoma resembles that of osetosarcoma early in life, but rarely develops over 35 years of age (Fig. 44–2). Apparently, malignant change of the primitive tissue from which it arises does not occur later in life.

There is a male predominance of each major form of bone cancer among whites and blacks (Fig. 44–1). The two races have similar incidence rates for childhood osteosarcoma, but blacks have almost no cases of Ewing's sarcoma, either in the United States (Figs. 44–1 and 44–1) or Africa (Parkin et al, 1988). Rates of Ewing's sarcoma are also low among Asians, but less so than in blacks. A possible explanation for these racial differences is that a gene for osteosarcoma is equally mutable among the various races, but that for Ewing's sarcoma resists mutation in blacks and Asians.

Table 44–1 shows an absence of chordoma, when about 10 cases were expected if blacks had 12% of the total, as they did for osteosarcoma. Among blacks there is also a rarity of giant cell and blood-vessel tumors. These racial differences have not previously been recognized, and need further investigation.

TABLE 44–1.—NUMBER OF PATIENTS WITH PRIMARY BONE CANCER AMONG WHITES AND BLACKS ACCORDING TO HISTOLOGIC TYPE, SEER CANCER REGISTRIES [a], 1973–85

Histology	Number of Cases						
	Whites			Blacks			
	M	F	Total	M	F	Total	Percent [3]
Osteosarcoma	379	287	666	51	42	93	12.3
Chondrosarcoma	295	248	543	18	14	32	5.6
Ewing's sarcoma	218	121	339	2	3	5	1.5
Chordoma	55	31	86	0	0	0	.....
Fibrous histiocytoma [b]	35	21	56	1	4	5	8.2
Fibrosarcoma	27	26	53	2	5	7	11.7
Sarcoma, NOS	26	19	45	3	1	4	8.2
Giant cell tumor	22	22	44	0	1	1	2.2
Blood vessel tumors	15	19	34	0	1	1	2.9
Odontogenic tumors [b]	12	14	26	4	1	5	16.1
Other types	11	16	27	2	2	4	12.9
Malignant neoplasm, NOS	24	18	42	1	5	6	12.5
Total	1,119	842	1,961	84	79	163	100.0
Percent histologically confirmed	.....	.....	95	.....	95	.....	.....

[a] SEER areas include the states of Connecticut, Hawaii, Iowa, New Mexico, Utah and the metropolitan areas of Detroit, Atlanta (1975–1985), Seattle (1974–1985), and San Francisco-Oakland.
[b] Includes morphology categories in use since only 1977.
[c] For a given subtype, % that were Black; e.g., osteosarcoma = 93/(666+93) 100 =12.3%.

Table 44–2 summarizes SEER data concerning the distribution of the seven main bone cancers among whites with respect to age, sex, and anatomic site. It shows that osteosarcoma most often arises from long bones of the lower limbs, whereas chondrosarcoma and Ewing's sarcoma most often arise from flat bones. Chordoma, presumbly arising from remnants of the embryologic notochord, is a tumor of the flat bones of the trunk and head, and of the lower limbs. The lower limbs are the principal sites for fibrosarcoma, giant cell tumors, and malignant fibrous histiocytoma, which has recently gained attention as a clinical entity, especially as a complication of Paget's disease.

Geographic Variation

Little geographic variation is seen worldwide in the incidence of bone cancer, all forms combined (Muir et al., 1987). Incidence rates that differ by more than 2-fold are rare in the few populations of sufficient size to ensure stable estimates. No clues to etiology are apparent from international comparisons of age-adjusted rates. With few exceptions, rates are higher among males than females, with ranges of 0.8 to 1.6 and 0.6 to 1.2 per 100,000, respectively.

Time Trends in Mortality and Incidence

Mortality rates for bone cancer, all forms combined, in the United States (Fig. 44–5) and other countries have declined steadily from the 1950s to the mid-1980s, largely attributable to improved diagnosis and treatment (Pickle et al, 1987; Miller and McKay, 1984; Decarli et al, 1987; La Vecchia and

Decarli, 1988; Ericsson et al, 1978). Using SEER incidence data, Hoover et al (1991) found that between 1973–1980 and 1981–1987 there was an unexplained increase in the annual incidence rates of osteosarcoma in males under 20 years of age, from 3.6 to 5.5 cases per million people. Among females the corresponding annual rates were 3.8 and 3.7 cases per million.

Figures 44–6 and 44–7 show survival rates for the three main cell types for males and females, respectively (SEER data, 1980–1989, all races combined). Survival was by far the best for chondrosarcoma, and, for all 3 cell types, was substantially better in females than in males.

ENVIRONMENTAL FACTORS

Radiation

Ionizing radiation is one of the few environmental agents known to induce certain bone cancers, particularly osteosarcoma, chondrosarcoma, and fibrosarcoma. In 1935, Maryland linked bone cancer to occupational exposure to radium. In subsequent studies (see Table 44–3) an excess risk of bone cancer was found following brief exposure to high-dose radiation therapy (Robinson et al, 1988) and following continuous exposure to internally deposited radionuclides injected to treat bone disease or to provide a contrast medium in diagnostic radiography (Mays, 1988). Investigations of radiogenic bone cancer have enabled researchers to develop an elegant theory of the induction of osteosarcoma (Marshall and Groer, 1977); models in which genetic-environmental interactions can be evaluated (Knudson, 1985); and guidelines for protecting against the effects of internally deposited radionuclides, especially plutonium (Healy, 1975).

SECRECY AND WORKER HEALTH

Mr. HARKIN. Mr. President, I would ask the distinguished Chairman and Ranking Member to engage in a brief colloquy on section 1078 of the Department of Defense Authorization Conference Report regarding secrecy and worker health. This originally passed the Senate as an amendment I sponsored that was agreed to by all parties. The amendment referred to workers at former nuclear weapons facilities. The provision in the conference report was rewritten, and now defines these workers to be ''employees and former employees of the Department of Defense'' at defense nuclear weapons facilities. However, at least one such facility, the Iowa Army Ammunition Plant, is owned by the Defense Department but operated by a contractor. Thus virtually all employees at the facility were and are employees of the contractor and not directly of the Department of Defense. Is it the understanding of my colleagues that this provision is intended to refer to all employees at such facilities, including those employed directly by the Department of Defense and indirectly through contractors?

Mr. LEVIN. Yes, you are correct. As indicated in the report language, the conferees are concerned about all employees affected by the defense Department policies, and we intended this provision to cover all affected employees at the Iowa facility and similar facilities. We will join with you to make sure the Defense Department implements this provision according to these intentions.

Mr. WARNER. I agree with Senator HARKIN and the distinguished ranking member, and I too am committed to ensuring the Defense Department implements this provision to protect all workers including those of contractors.

Mrs. BOXER. Mr. President, I have strong reservations about the fiscal year 2001 Defense Authorization Conference Report that is before the Senate today. The concerns I have are the same that led me to vote against the Defense Authorization bill when it was before the Senate earlier this year.

This conference report would increase Defense spending by more than $20 billion over last year's authorized level. It is $4.6 billion over the President's request. I am particularly troubled that most of this $4.6 billion increase is for weapons systems that were not requested by the Department of Defense.

While I support many provisions of this bill, including a 3.7 percent pay raise for military personnel and additional pay for troops on food stamps, I strongly believe that military spending is increasing at a rate beyond what is necessary to meet our security needs.

Today, however, our military has been attacked—presumably by those who believe that acts of terrorism might somehow deter the United States from defending our interests of promoting peace and security throughout the world.

At this time, it is important to vote for this bill to send a signal to the rest of the world that America stands united in the face of such threats and supports the men and women who so bravely serve this Nation.

Mr. BINGAMAN. Mr. President, I am pleased that the Conference Report for the National Defense Authorization Act for Fiscal Year 2001 includes a program that I championed in the Senate during its consideration of this bill, along with Senator THOMPSON and others. This program addresses occupational illnesses scientifically found to be associated with the DOE weapons complex, that have occurred and are now occurring because of activities during the Cold War.

This new program was a joint effort of a bipartisan group of Senators and House Members. I would like to knowledge the hard work by my staff and by the staff for Senator FRED THOMPSON, Senator GEORGE VOINOVICH, Senator MIKE DEWINE, Senator MITCH MCCONNELL, and Senator TED KENNEDY. We worked with the Administration, with worker groups, with manufacturers, and with staff from the House of Representatives.

The workers in the DOE nuclear weapons complex, both at the production plants and the laboratories, helped us win the Cold War. But that effort left a tragic environmental and human legacy. We are spending billions of dollars each year on the environmental part—cleaning up the physical infrastructure that was contaminated. But we also need to focus on the human legacy.

This program is an attempt to put right a situation that should not have occurred. But it proposes to do so in a way that is based on sound science.

The amendment focuses federal help on three classes of injured workers.

The first group is workers who were involved with beryllium. Beryllium is a non-radioactive metal that provokes, in some people, a highly allergic lung reaction. The lungs become scarred, and no longer function.

The second group is workers who dug the tunnels for underground nuclear tests and are today suffering from chronic silicosis due to their occupational exposures to silica, which were not adequately controlled by DOE.

The third group of workers are those who had dangerous doses of radiation on the job.

Along with the workers who are covered by the compensation program being created by this legislation, we are reaching back to the uranium miners and millers who were compensated under the Radiation Exposure Compensation Act, or RECA, and providing them with a similar benefit of a total of $150,000 and ongoing medical care. I think that this is only a matter of simple justice, and I strongly supported its inclusion in the current legislation. Early in this Congress, I introduced legislation that would have provided $200,000 in compensation for the uranium miners and millers—the same financial payment that was initially proposed for the DOE workers in this legislation. I am glad that the final result is a better deal for the persons being compensated under RECA, as well as the persons being compensated under this new program.

For the workers who were employed at numerous current and former DOE facilities, we have included a general definition of DOE and other type of facilities in the legislation, in lieu of including a list that might be incomplete. For purposes of helping in the implementation of this legislation, I would like to ask unanimous consent that a non-exclusive list of the DOE-related facilities intended to be covered under this amendment be printed in the RECORD following my statement.

(See Exhibit 1.)

For beryllium workers, there are tests today that can detect the first signs of trouble, called beryllium sensitivity, and also the actual impairment, called chronic beryllium disease. If you have beryllium sensitivity, you are at a higher risk for developing chronic beryllium disease. You need annual check-ups with tests that are expensive. If you develop chronic beryllium disease, you might be disabled or die.

This amendment sets up a federal worker's compensation program to provide medical benefits to workers who acquired beryllium sensitivity as a result of their work for DOE. It provides both medical benefits and a lump-sum payment of $150,000 for workers who suffer disability or death from chronic beryllium disease.

For radiation, the situation is more complex. Radiation is proven to cause cancer in high doses. But when you look at a cancer tumor, you can't tell for sure whether it was caused by an alpha particle of radiation from the workplace, a molecule of a carcinogen in something you ate, or even a stray cosmic ray from outer space. But scientists can make a good estimate of the types of radiation doses that make it more likely than not that your cancer was caused by a workplace exposure.

The original legislative proposal passed by the Senate put the Department of Health and Human Services, HHS, in charge of making the causal connection between specific workplace exposures to radiation and cancer. Within the HHS, it was envisioned that the National Institute for Occupational Safety and Health, or NIOSH, take the lead for the tasks assigned by this legislation. This assignment followed a decision made in DOE during the Bush Administration, and ratified by the National Defense Authorization Act for Fiscal Year 1993, to give NIOSH the lead in identifying levels of exposure at DOE sites that present employees with significant health risks. While in the final legislative text, the President was assigned these responsibilities, I think it is clearly the intent of the Senate proponents that he delegate these authorities as laid out in the original Senate amendment.

HHS was also given a Congressional mandate, in the Orphan Drug Act, to develop and publish radioepidemiological tables that estimate ''the likelihood that persons who have or have had any of the radiation related cancers and who have received specific doses prior to the onset of such disease developed cancer as a result of those doses.'' I would like to ask unanimous consent that a more detailed discussion of how the Senate proponents envision these guidelines being used be included as an exhibit at the end of my remarks.

(See Exhibit 2.)

Under guidelines that would be developed and used under this legislation, if your radiation dose was high enough to make it at least as likely as not that your cancer was DOE-work-related, you would be eligible for compensation for lost wages and medical benefits.

The HHS-based method will work for the many of the workers at DOE sites. But it won't work for a significant minority who were exposed to radiation, but for whom it would be infeasible to reconstruct their dose.

There are several reasons why reconstructing a dose might be this infeasibility might exist. First, relevant records of dose may be lacking, or might not exist altogether. Second, there might be a way to reconstruct the dose, but it would be prohibitively expensive to do so. Finally, it might take so long to reconstruct a dose for a group of workers that they will all be dead before we have an answer that can be used to determine their eligibility.

One of the workers who testified at my Los Alamos hearing might be an example of a worker who could fall into the cracks of a system that operated solely on dose histories. He was a supervisor at what was called the ''hot dump'' at Los Alamos. All sorts of radioactive materials were taken there to be disposed of. It is hard to reconstruct who handled what. And digging up the dump to see what was there would not only be very expensive, it would expose new workers to radiation risks that could be large.

There are a few groups of workers that we know, today, belong in this category. They are specifically mentioned in the definition of Special Exposure Cohort. For other workers to be placed in this special category, the decision that it was infeasible to reconstruct their dose would have to be made both by the President (or his designee) and by an independent external advisory committee of radiation, health, and workplace safety experts. We allow groups of workers to petition to be considered by the advisory committee for inclusion in this group. Once a group of workers was placed in the category, it would be eligible for compensation for a fixed list of radiation-related cancers.

The program in this amendment provides for a lump-sum payment, combined with ongoing medical coverage under language identical to that used to provide medical coverage under the Federal Employee's Compensation Act, or FECA, in section 8103 of title 5, United States Code. Since Congress has consciously mirrored FECA for one important part of this new program, I hope that the Administration, in implementing our legislation, looks to FECA as a precedent for establishing other parameters for this program.

The legislation before us also invites the Administration to submit further legislative proposals to help implement this new program. In my view, it was not a good policy call for Congress to enact this program without more direction on the details of how it should operate, as was the case in the original legislative proposal passed by the Senate. I believe that the flexibility that the Congress has provided to the Executive Branch should be used to the fullest extent by the President to put the necessary implementing framework in place by Executive Order. If there are changes needed to the law that we have passed, they should be sent up by the President forthwith. But I do not have much confidence that Congress will be able to enact additional legislation on this program before the deadline date of July 31, 2001.

We have a duty to take care of sick workers from the nuclear weapons complex today. It is a doable task, and a good use of our national wealth at a time of budget surpluses. I congratulate my colleagues on having achieved a successful result from our initial bipartisan amendment.

EXHIBIT 1.—EXAMPLES OF DOE AND ATOMIC WEAPONS EMPLOYER FACILITIES THAT WOULD BE INCLUDED UNDER THE DEFINITIONS IN THIS AMENDMENT

(Not an Exclusive List of Facilities)

Atomic Weapons Employer Facility: The following facilities that provided uranium conversion or manufacturing services would be among those included under the definition in section 3503(a)(4):

Allied Signal Uranium Hexafluoride Facility, Metropolis, Illinois.

Linde Air Products facilities, Tonowanda, New York.

Mallinckrodt Chemical Company facilities, St. Louis, Missouri.

Nuclear Fuels Services facilities, Erwin, Tennessee.

Reactive Metals facilities, Ashtabula, Ohio.

Department of Energy Facility: The following facilities (including any predecessor or successor facilities to such facilities) would be among those included under the definition in section 3503(a)(15):.

Amchitka Island Test Site, Amchitka, Alaska.

Argonne National Laboratory, Idaho and Illinois.

Brookhaven National Laboratory, Upton, New York.

Chupadera Mesa, White Sands Missile Range, New Mexico.

Fermi Nuclear Laboratory, Batavia, Illinois.

Fernald Feed Materials Production Center, Fernald, Ohio.

Hanford Works, Richland, Washington.

Idaho National Engineering Laboratory, Idaho Falls, Idaho.

Iowa Army Ammunition Plant, Burlington, Iowa.

Kansas City Plant, Kansas City, Missouri.

Latty Avenue Properties, Hazelwood, Missouri.

Lawrence Berkeley National Laboratory, Berkeley, California.

Lawrence Livermore National Laboratory, Livermore, California.

Los Alamos National Laboratory, Los Alamos, New Mexico, including related sites such as Acid/Pueblo Canyons and Bayo Canyon.

Marshall Islands Nuclear Test Sites, but only for period after December 31, 1958.

Maywood Site, Maywood, New Jersey.

Middlesex Sampling Plant, Middlesex, New Jersey.

Mound Facility, Miamisburg, Ohio.

Niagara Falls Storage Site, Lewiston, New York.

Nevada Test Site, Mercury, Nevada.

Oak Ridge Facility, Tennessee, including the K–25 Plant, the Y–12 Plant, and the X–10 Plant.

Paducah Plant, Paducah, Kentucky.

Pantex Plant, Amarillo, Texas.

Pinellas Plant, St. Petersburg, Florida.

Portsmouth Plant, Piketon, Ohio.

Rocky Flats Plant, Golden, Colorado.

Sandia National Laboratories, New Mexico.

Santa Susanna Facilities, Santa Susanna, California.

Savannah River Site, South Carolina.

Waste Isolation Pilot Project, Carlsbad, New Mexico.

Weldon Spring Plant, Weldon Spring, Missouri.

EXHIBIT 2.—DETERMINING ''CAUSATION'' FOR RADIATION AND CANCER

Different cancers have different relative sensitivities to radiation.

In 1988, the White Office of Science and Technology Policy endorsed the use by the Veterans Administration of the concept of ''probability of causation'' (PC) in adjudicating claims of injury due to exposure to

ionizing radiation. Given that a radiogenic cancer cannot be differentiated from a ''spontaneously'' occurring one or one caused by other dietary, environmental and/or lifestyle factors, the PC—that is, the ''likelihood'' that a diagnosed cancer has been ''caused'' by a given radiation exposure or dose—has to be determined indirectly.

To this end, the National Institutes of Health (NIH) was tasked to develop radioepidemiology tables. These tables, which are currently being updated by the NIH, include data on 35 cancers compared to the 13 cancers in the original tables from 1985. These tables account for the fact that different cancers have different relative sensitivities to ionizing radiation.

The determination of a PC takes into account the radiation dose and dose rate, the types of radiation exposure (external, internal), age at exposure, sex, duration of exposure, and (for lung cancer only) smoking history. Because a calculated PC is subject to a variety of statistical and methodological uncertainties, a ''confidence interval'' around the PC is also determined.

Thus, a PC is calculated as a single, ''point estimate'' along with a 99% confidence interval which bounds the uncertainty associated with that estimate. If you have 99% certainty that the upper bound of a PC is greater than or equal to 0.5 (i.e., a 50% likelihood of causality), then the cancer is considered at least as likely as not to have been caused by the radiation dose used to calculate the PC.

For example, for a given worker with a particular cancer and radiation exposure history, the PC may by 0.38 with 99% confidence interval of 0.21 to 0.55. This means that it is 38% likely that this worker's cancer was caused by this radiation dose, and we can say with 99% confidence that this estimate is between 21% and 55%. Since the upper bound, 55% is greater than 50%, this person's cancer would be considered to be at least as likely as not to have been caused by exposure to radiation, and the person would be eligible for benefits under the proposed program.

Mr. HUTCHINSON. Mr. President, as chairman of the Personnel Subcommittee I worked hard this year, along with Senator MAX CLELAND, our ranking member, to develop a defense authorization bill that is responsive to the manpower readiness needs of the military services; supports numerous quality of life improvements for our service men and women, their families and the retiree community; and addresses in a comprehensive manner, the health care needs of military retirees.

The subcommittee focused on the challenges of recruiting and retention during each of our hearings this year, including the health care hearing. The important legislation contained in this bill will have a positive impact on both recruiting and retention as those who might serve and those who are serving see our commitment to provide the health care benefits promised to those who serve a full military career. I am proud of this bill and I believe the initiatives it contains will result in improved recruiting and retention within the military services.

The most vigorously pursued and most prized provisions in our bill will extend TRICARE, the military health care system, to all military retirees without regard to their age. We have eliminated the statutory language that kicked military retirees out of the military medical system when they became eligible for Medicare—just at the time of their lives when these retirees need medical help the most and can afford it the least.

We were fortunate during conference to be able to include a permanent funding mechanism for the retiree health care benefit. This funding mechanism will ensure that the important health care benefit will be financed in perpetuity rather than being subject to annual budget exigencies. I am delighted that we have stepped up to fulfill the commitment to those who served our nation over a full career.

Of course, health care is not the only issue on which the Personnel Subcommittee focused this year. In the area of military personnel policy, there are a number of recommendations intended to support recruiting, retention and personnel management of the services.

Among the most noteworthy, is a provision that would, effective July 1, 2002, require high schools to provide military recruiters the same access to a high school campus, student lists and directory information as is provided to colleges, universities and private sector employers, unless the governing body—school board—decides by majority vote to deny military recruiters access to the high school.

When I asked military recruiters what I could do to assist them in meeting the challenges they face recruiting the best young men and women in America, they asked me to help them get access to high schools on the same basis as the colleges and universities.

Other initiatives to support recruiting are: a pilot program in which the Army could use motor sports to promote recruiting; implement a program of recruiting in conjunction with vocational schools and community colleges; and a pilot program using contract personnel to supplement active recruiters.

This conference report authorizes the expansion of Junior ROTC programs. We have added $13.5 million to expand the JROTC programs. When combined with the funds in the budget request, this add will maximize the services' ability to expand JROTC during fiscal year 20001. I am proud to be able to support these important programs that teach responsibility, leadership, ethics and assist in military recruiting.

In military compensation, our major recommendations include a 3.7 percent pay raise for military personnel and a revision of the Basic Allowance for Housing to permit the Secretary of Defense to pay 100 percent of the average local housing costs and to ensure that housing allowance rates are not reduced while permitting increases as local housing costs dictate.

The bill directs the Secretary of Defense to implement the Thrift Savings Plan for active and reserve forces not later than 180 days after enactment. The Thrift Savings Plan will be a very positive recruiting and retention tool assisting the military services in attracting high-qualified personnel and encouraging them to remain until retirement.

We included a provision that will dramatically reduce the number of military personnel eligible to receive food stamps. Under this provision, military personnel determined by the Secretary of Defense to be eligible for food stamps would receive an additional special pay sufficient to raise their income level to where they would no longer need food stamps. This special pay will reduce the number of military personnel eligible to receive food stamps from the current DOD estimate of about 5,000 to less than 2,000. No United States military personnel should be forced to use food stamps to feed his or her family. When you combine the food stamp assistance in this bill with the increased pay raises we have directed over the next 5 years, we should practically eliminate the need for any service member to seek assistance from food stamps.

We also modified the basic pay tables for non-commissioned officers effective July 1, 20001 to give these deserving leaders a well deserved pay raise. When we adjusted the basic pay tables for all military personnel last year, we discovered that the non-commissioned officers—the key element in our military units—did not receive an equitable pay raise with the officers. We were able to correct that situation this year.

Other health care provisions include: the elimination of co-payments for those active duty family members enrolled in TRICARE Prime; an initiative that would provide recipients of the Medal of Honor, and their families, life-time military health care; and a provision that would direct the Secretary of Defense to implement a patient care reporting and management system to reduce medical errors.

Mr. President, I am proud of this bill. It will provide the resources and authority the military services need to maximize their readiness and to improve the quality of life for active and retired military personnel and their families.

Before I conclude, I would like to take this opportunity to thank the hardworking staff members of the Personnel Subcommittee: Charlie Abell, Patti Lewis, and Michele Traficante. I am proud of the work they have done this year, and every man and women who wears our nation's uniform, and every military retiree, is better off today because of their efforts. I thank you.

I will vote for the bill and I urge my colleagues to support the bill as well.

Mr. FEINGOLD. Mr. President, I will once again oppose the Department of Defense authorization bill, as I have done each year I have been a Member of this body.

As I stated earlier this year when the Senate passed the fiscal year 2001 Department of Defense appropriations bill, my opposition to this conference

report should not be interpreted as a lack of support for our men and women in uniform. Rather, what I cannot support is the cold war mentality that continues to permeate the United States defense establishment.

I strongly support our Armed Forces and the excellent work they are doing to combat the new threats of the 21st century and beyond. However, I am concerned that we are not giving our forces the tools they need to combat these emerging threats. Instead, this conference report, like the corresponding defense appropriations bill that has already been enacted, clings to the strategies and weapons that we used to fight—and win—the cold war.

The cold war is over. It is past time that we undertake a comprehensive review of the threats currently facing the United States and formulate a strategy on how best to combat them before we continue to commit billions of dollars to programs that were created to fight an enemy that no longer exists.

As we reexamine our defense priorities, we should assess the changing roles and missions of both our active duty and our reserve components. The National Guard and Reserve are integral parts of overseas missions, with recent and ongoing missions in places including Iraq and the Balkans. According to statements by Department of Defense officials, Guardsmen and Reservists will continue to play an increasingly important role in our national defense strategy as they are called upon to shoulder more of the burden of military operations both at home and abroad. The National Guard and Reserves deserve the full support they need to carry out their duties.

One crucial part of that support is providing adequate compensation to these dedicated men and women. I am pleased that this conference report includes a modified version of an amendment I offered during Senate consideration of this bill which authorizes special duty assignment pay for members of the National Guard and Reserve not on active duty. This provision will provide a measure of pay equity to National Guard and Reserve personnel by making them eligible for special duty assignment pay for special duties performed during drill periods.

The men and women who serve in the Guard and Reserves are cornerstones of our national defense and domestic infrastructure, and they deserve to be adequately and equitably compensated for their dedicated service to this country. This provision is a step in that direction. I thank the chairman and the ranking member of the Committee on Armed Services for their cooperation and support on this important issue.

On another matter, I am also delighted that this bill permanently extends the authority of the General Services Administration, GSA, to convey surplus property to local governments for law enforcement purposes. This provision builds on an amendment I offered when this measure was before the Senate, and I am pleased that the conferees have retained the language and expanded its scope. This section will help a number of communities across the country seeking to use surplus property to protect their citizens and provide safe, secure facilities for their police departments. Without this amendment, the authority to convey surplus property for law enforcement purposes would have expired this year. Communities that want to use the GSA process, and have counted upon doing so, to negotiate the use of property for law enforcement purposes at a reduced cost would have been shut out.

In fact, I have just such a situation in my own home State. The city of Kewaunee, WI wants to acquire the city's Army Reserve Center, which is a former Federal armory building. The city intends to use the property as a municipal building in which they would house their police force and other municipal offices.

Congress has specified a number of public purpose uses for which property can be transferred to local governments at a reduced cost. The Federal Property and Administrative Services Act, FPASA, allows property to be transferred to public agencies and institutions at discounts of up to 100 percent of fair market value for a number of purposes: public health or educational uses, public parks or recreational areas, historic monuments, homeless assistance, correctional institutions, port facilities, public airports, wildlife conservation, and self-help housing. This type of transfer is called a public interest conveyance.

I strongly believe that law enforcement is an important public purpose for which surplus property should be used. Moreover, in fairness to local communities with tight budgets, Congress today is acting to permanently preserve this option for communities that are counting on being able to use this authority.

Mr. President, I again thank the bill's managers, the Senior Senator from Virginia [Mr. WARNER] and the Senior Senator from Michigan [Mr. LEVIN], as well as the Senator from Tennessee [Mr. THOMPSON], for assisting me in ensuring this provision becomes law.

In closing, I reiterate my concern about the excessive spending contained in this conference report, including millions in taxpayers' dollars for planes, ships, and other equipment that the President did not request.

We should reexamine our defense priorities, and we should do it as soon as possible.

I thank the Chair.

Mr. THOMPSON. Mr. President, I want to express my support for the Defense Authorization conference report and to thank the Chairman of the Armed Services Committee, Senator WARNER, and the Ranking Member, Senator LEVIN, for their assistance in ensuring that the conference report includes a provision to provide compensation to Department of Energy nuclear weapons workers whose health was harmed in the course of their service to our country.

Back in June, when the Senate first considered this measure, I offered an amendment along with Senator BINGAMAN, Senator VOINOVICH, Senator KENNEDY, Senator DEWINE and others to establish an occupational illness compensation program for these DOE workers who helped us win the Cold War. We offered the amendment after my Committee and others heard testimony and reviewed evidence that showed that, for decades, the federal government—and specifically the Department of Energy—failed to adequately protect its workers or to properly inform them of hazards associated with the important work they were performing.

In some cases, we simply did not know then what we know now about the links between some of the materials used to make weapons and certain illnesses. But in some cases, the government did know—and yet it covered up and kept people in the dark and failed to adequately protect them. We cannot go back and right that wrong. I wish we could. But we can face up to the mistakes that were made and begin to try to remedy them. That is what the Senate is about to do today.

This conference report will establish a compensation program for Department of Energy and contractor employees who were exposed to beryllium, silica, or radiation in the course of their employment, and who are now suffering from illnesses that can be linked to those exposures. The program will employ eligibility criteria based on expert judgement and sound science.

Under the compromise that was reached with the House, the President will be required to send to Congress by March 15th of next year a specific proposal detailing the level of compensation and benefits he believes should be paid. Congress will then have until July 31st to enact specific compensation levels. However, if Congress does not act by July 31st, a default benefit level of $150,000 plus medical benefits will take effect. Therefore, covered employees are guaranteed to receive at least that amount unless Congress enacts legislation stating otherwise by next July.

I believe this is a good compromise, Mr. President. It is not everything that the Senate sponsors wanted, but it is a start. It will get a program in place, allow the Administration to begin to identify those who are eligible, and guarantee a minimum benefit level without further action by Congress. Those are important victories for these Cold War veterans to whom we owe a debt of gratitude. Today we acknowledge that debt of gratitude, as well as a responsibility to remedy mistakes we made.

So again I want to thank Chairman WARNER for his support of this important provision. It would not have been

included without his efforts. I also want to thank Senators BINGAMAN, VOINOVICH, KENNEDY, DEWINE, MCCONNELL, and BUNNING for working with me on this issue, and I urge my colleagues to support the conference report.

Ms. SNOWE. Mr. President, I rise today to strongly support the fiscal year 2001 National Defense Authorization Conference Report which we are considering today. As a member of the Senate Armed Services Committee and the chair of the Seapower Subcommittee, I enthusiastically endorse this legislation, and further would like to particularly note its name as the Floyd D. Spence National Defense Authorization Act for fiscal year 2001 in recognition of the chairman of the House Armed Services Committee's long and distinguished service.

I also want to acknowledge the senior Senator from Virginia, Senator JOHN WARNER, the chairman of the Armed Services Committee for the superb leadership he has provided in support of the committee in the context of the entire authorization bill, and our ranking member, Senator CARL LEVIN, for all his work on this conference report and for his contribution to the committee and its deliberations.

The Seapower Subcommittee addressed significant issues this year and we did so with the bipartisan support of the members of our subcommittee. I want to thank Senator KENNEDY, the ranking member of the Seapower subcommittee, and the other subcommittee members, Senators JOHN MCCAIN, BOB SMITH, JEFF SESSIONS, CHUCK ROBB, and JACK REED, for their contributions and their bipartisan support of not only this legislation but also of the work by the subcommittee throughout this year.

This conference report takes great strides toward modernizing our armed services, meeting their operational and maintenance funding requirements, and improving the quality of service for our dedicated and valuable men and women of the military.

Because we recognize that the service members are our most valuable asset, this bill makes a solid investment in substantive healthcare provisions which will improve the coverage and quality of healthcare for our active duty military members, retirees, and their family members.

Significantly, this legislation initiates a permanent program to provide ''healthcare for life'' to our military retirees age 65 and older by supplementing Medicare with TRICARE, the military's healthcare program. It also includes a provision, originally the Kennedy-Snowe amendment, which complements the ''healthcare for life'' legislation by expanding prescription drug coverage for all our retirees—to provide a comprehensive healthcare benefits program that our military retirees so richly deserve.

This conference report also reflects the Seapower Subcommittee's hard look at Navy and Marine Corps operations and the equipment our men and women require to carry out those operations. And, Mr. President, what we have found in testimony from our operational commander is that our Navy and Marine Corps continues to be the nation's 9–1–1 force. Our sailors and marines are forward deployed, carrying out the national military strategy, and they continue to function at a high level of operations.

In fact, between 1980 and 1989, the Navy/Marine Corps team alone responded to 58 contingency missions. However, between 1990 and 1999 that number had increased to 192 contingency missions—a remarkable threefold increase in operations! What makes this figure even more astounding is that this increase in missions occurred while the number of ships was reduced from 500 in 1980 to the current fleet of 316 ships.

The subcommittee recognizes the critical and unique role that the Navy and Marine Corps team filled in pursuing the national military strategy, and worked to create a bill that would support these diverse missions. To that end, I am pleased that this conference report authorizes an increase of $749 million to the Seapower Subcommittee procurement programs—on top of the President's budget request of $21.6 billion.

Furthermore, this conference agreement includes all of the original Seapower Subcommittee legislative provisions I referenced during my June discussion of these issues on the floor of the Senate, as well as several positive additions which will enhance both our national security and the readiness of our naval forces.

I want to highlight several capabilities and programs that we addressed after receiving testimony from the service chiefs and operational commanders and after visiting and talking with our service men and women.

The Seapower conference report aggressively addresses the future of our nation's Navy and the importance of recapitalization of our fleet by authorizing the construction of eight new ships. This includes $4 billion for a *Nimitz* class aircraft carrier; $2.7 billion for three DDG–51 *Arleigh Burke* class destroyers—the most advanced surface combatant in the world; $1.5 billion for two LPD–17 *San Antonio* class amphibious ships which will begin to reduce lifecycle costs in our amphibious fleet; $339 million for one ADC(X) auxiliary supply ship; and $1.2 billion for one *Virginia* class attack submarine

It also authorizes the President's request of $357 million for the advance procurement of seven DDG–51 *Arleigh Burke* class destroyers, $508 million for SSN–774 *Virginia* class attack submarines, and $22 million for one CVN(X) nuclear powered aircraft carrier.

The subcommittee recognized this need to modernize the fleet and, as a result, invested in future ship research and development as the seed corn of the future Navy by approving the budget request of $38 million for CVN–77—the last aircraft carrier of the *Nimitz* class; $274 million for CVN(X); $207 million for the SSN–774 *Virginia* class attack submarines; and $535 million for the revolutionary DD–21 land attack destroyer.

This conference report also approves the President's request for $1.1 billion for the procurement of sixteen MV–22 Osprey Marine Corps tilt-rotor aircraft, $2.2 billion to procure twelve C–17 aircraft, and $176.4 million for contained research, development, test, and evaluation of the C–17 strategic airlift program.

I am pleased that $560 million of the total procurement authorization increase is for new ship construction and will assist the Navy in achieving potential savings of over $1 billion. This increase includes $460 million for advanced procurement of the LHD–8 amphibious assault ship and an increase of $100 million for advance procurement of DDC–51 *Arleigh Burke* class destroyers.

For the Navy and Marine Corps aviation communities the conference report authorizes an increase of $52.4 million to re-manufacture two additional SH–60 helicopters and a $41.8 million increase to procure two additional CH–60 Navy helicopters, an increase of $22 million for additional P–3 Anti-Surface Warfare Improvement Program Kits, and an increase of $17 million for modifications and night operations upgrades to the Marine Corps UH–1 and AH–1 helicopters.

The conference agreement authorizes a $179.5 million increase to the President's budget request of $4.5 billion for the research, development, test, and evaluation of Navy, Marine Corps, and Air Force programs under the jurisdiction of the Seapower Subcommittee to include a $12.5 million increase for an additional Advanced Amphibious Assault Vehicle prototype, a $20 million increase to develop advanced shipboard simulators for Marines embarked on amphibious ships, a $15 million increase for a multi-purpose acoustic processor for anti-submarine warfare, a $10 million increase for development of command and decision software to be used throughout the surface Navy to improve communication among commanders, and an $8.4 million increase for the development of a defense system to protect our surface ships from torpedoes.

Mr. President, I want to emphasize that these increases were authorized by the Seapower Subcommittee to begin to provide much needed relief to the operational commanders who testified that they were being ''stretched too thin.'' This added funding supports critical programs that will provide commanders with the equipment and the modernized systems they require to successfully and safely accomplish their mission.

I say to my colleagues, this entire defense bill takes a positive step toward

modernizing our armed services, meeting their operational and maintenance funding requirements, and improving the quality of service for our committed men and women of the military. I urge my colleagues to vote in favor of passage of the final version of the FY 2001 National Defense Authorization Act.

Mr. REID. Mr. President, I rise in support of the conference report for H.R. 4205, the National Defense Authorization Act for Fiscal Year 2001.

The conference report contains a provision on an issue that I have been working on—the concurrent receipt of military retired pay and VA disability compensation.

A law enacted in 1891 requires a disabled career military veteran to waive the amount of his retired pay equal to his VA disability compensation. Military retirees are the only group of federal retirees who must waive retirement pay in order to receive VA disability compensation. If a veteran refuses to give up his retired pay, he will lose his VA disability benefits. Our government is effectively requiring career military retirees to fund their own disability benefits. This inequitable offset affects over 437,000 military retirees.

Section 666 of the Senate version of this legislation would have eliminated the current offset entirely. The provision was very similar of H.R. 303, which has 321 cosponsors in the House. The provision was supported by numerous veterans' service organizations, including the Military Coalition, the National Military/Veterans Alliance, the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, the Paralyzed Veterans of America, and the Uniformed Services Disabled Retirees.

Some members were concerned that the provision was too expensive, and consequently, many felt that we could not include a provision to completely eliminate the current offset in the conference report. In my opinion, no amount of money can equal the sacrifice our military men and women have made in service to their country. This is a small price to pay to show our appreciation to those who have sacrificed so much for our great nation.

While I am extremely disappointed that we did not take advantage of this opportunity to correct this long-standing inequity, I am pleased that the conference report does contain language that will take us one step closer to correcting this injustice once and for all.

The Fiscal Year 2000 National Defense Authorization Act included a provision, to authorize a monthly allowance to military retirees with severe service-connected disabilities rated by the Department of Veterans Affairs at 70 percent or greater. The provision authorized payments of $300 per month to retirees with 100 percent disability, $200 per month to retirees with 90 percent disability and $100 per month to retirees with 70 and 80 percent disability. To be eligible, retirees had to have at least 20 years of service and have their VA disability rating within four years of their retirement. Only individuals retired for longevity qualified for the monthly benefit.

The conference report for H.R. 4205 expands the eligibility for these special payments to those individuals retired for disability by their service. These individuals are also known as ''Chapter 61'' retirees. The payments will begin in fiscal year 2002.

I want to thank Senator WARNER and Senator LEVIN for their assistance in including this provision in the conference report. I would also like to acknowledge Congressman BILIRAKIS, who assisted as an outside conferee on the conference report which made it possible for us to debate concurrent receipt in this session of the 106th Congress. Congressman BILIRAKIS has been a vocal advocate for concurrent receipt in the House for over fifteen years.

The original law is 109 years old and discriminates against service members who decide to make the military their careers. Military retirees with service-connected disabilities should be able to receive compensation for their injuries above their military retired pay. The elimination of this offset is long overdue, and I will continue to pursue this issue in the 107th Congress.

I urge my colleagues to support the conference report for H.R. 4205.

Mr. SMITH of New Hampshire. Mr. President, I am proud to serve on the Senate Armed Services Committee that developed the Senate version of the National Defense Authorization bill for fiscal year 2001. I am equally proud to have served as a Conferee to resolve differences between our bill and the one that passed the House of Representatives.

This bill is important to our men and women who serve this Nation every day. As the explosion today in Yemen demonstrates, America's great military men and women put their lives on the line for us every day. That sacrifice demands our attention and our support.

This bill is another step to help us pull the U.S. military out of the nosedive created by this Administration. The number of deployments the Clinton/Gore administration committed us to has forced the military to use its limited funds for operations vice maintaining our forces. Readiness is at an all-time low. We are cannibalizing parts of our forces to keep the other parts running. That is wrong. Our men and women in uniform deserve better. This bill is a step in the right direction, but we still need more. I will fight for more again next year.

My colleagues on the Armed Services Committee have lauded the benefits of this bill, so I will not repeat them all here. However, several points I feel are very important to note for the American people.

This bill authorizes $309.9 billion in military spending, $4.6 billion above the President's budget request. It authorizes $63.2 billion for procurement, $2.6 billion above the President's budget request. It authorizes $38.9 billion for research and development, $1.1 billion above the President's budget request.

This bill provides a decent pay raise—3.7 percent. It approves permanent comprehensive health care benefits for military retirees and benefits for military families. It also provides pharmacy benefits. When our military men and women put their lives on the line for our freedom, we owe them this commitment.

This bill is a start, but we must do better. We need to expand our missile defense capabilities to fully leverage land, sea, air, and space options. Our ship-building rate is below that needed to sustain our aging naval force in the long term. We also need to be investing in space power programs. For 8 years, this Administration has ignored programs like the Kinetic Energy Anti-Satellite system and the military space plane.

I also want to mention two important items which I fought vigorously for in this Bill that my colleagues have not mentioned.

First, this bill attempts to right a grievous wrong that was committed over 50 years ago when Captain Charles Butler McVay III was tried and convicted—unjustly I believe—for the sinking of his ship, the U.S.S. *Indianapolis*, shortly before the end of the Second World War. This remains the greatest sea disaster in the history of the U.S. Navy. 880 of the 1,197 men aboard perished. Many of those who survived the actual sinking were left without lifeboats, food, or water and faced shark attacks for 4 days and 5 nights.

This legislation recognizes Captain McVay's lack of culpability for the tragic loss of the ship, urges a correction of his military record to reflect his exoneration, and prompts the Navy to award a Navy Unit Commendation to the U.S.S. *Indianapolis* and her final crew.

Captain McVay was not given intelligence reports about Japanese submarine activity in the ship's path; he was not granted an escort to help protect his ship; and he had taken prudent steps to protect the vessel. Not all of this information was made available to the court-martial board. Several hundred U.S. ships were lost in combat to enemy action during World War II, yet only Captain McVay was subjected to a court-martial.

This language does not erase the conviction of Captain McVay from his record. We in Congress do not have the authority to do that. It must remain on his record as a stain upon the conscience of the Navy until this or some future President sees fit to order that it be expunged. This resolution does, however, represent acknowledgment from one branch of the Federal Government he served so capably that Captain

McVay's conviction was morally wrong and that he should no longer be viewed by the American people as responsible for the horrible tragedy which haunted him to the end of his life.

Second, this bill closes a loop hole in our national security regarding the granting of security clearances. Everyday, we entrust our national secrets to individuals to develop weapon systems, intelligence capabilities, war plans, and the like to defend this nation in war and peace. The American people demand these individuals be of the highest integrity. Yet, it came to my attention that we have not been maintaining that standard. Persons with criminal track records have been granted security clearances. We have even granted clearances to murderers.

The addition I fought for in this bill is simple. It would prevent the Department of Defense from granting security clearances to those who have been convicted in a court of a crime punishable by imprisonment for a term exceeding one year.

As I have said, this bill will strengthen our military. It is a step in the right direction, but we are not finished. I urge my colleagues to approve the conference report.

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

• Mr. LIEBERMAN. Mr. President, I rise to discuss provisions (Section 934) in the fiscal year 2001 National Defense Authorization Act (H.R. 5408) aimed at supporting efforts within the Department of Defense to develop a set of operational concepts, sometimes referred to as 'Network Centric Warfare', that seek to exploit the power of information and U.S. superiority in information technologies to maintain dominance and improve interoperability on the battlefield. I am reiterating points here that I made in a longer and more detailed statement this past summer on June 20 on this legislation. The concept of Network Centric Warfare calls for a military that links sensors, communications systems and weapons systems in an interconnected grid that allows for a seamless information flow to warfighters, policy makers, and support personnel. I am very pleased to see that our House and Senate Conferees have made a strong statement as to the importance of this emerging theory of warfare. They have joined a chorus of voices, including experts from the Naval War College, Office of the Defense, and the Joint Chiefs of Staff to push for an acceleration of DoD efforts to analyze, understand, and implement the concepts of Network Centric Warfare. In fact, Joint Vision 2020 set the goal for the Department of Defense to pursue information superiority in order that joint forces may possess superior knowledge and attain decision superiority during operations across the spectrum of conflict.

After extensive discussions with a variety of Agency and Service officials, I believe that although there are many innovative efforts underway throughout the Department to develop network centric technologies and systems, as well as to develop mechanisms to integrate information systems, sensors, weapon systems and decision makers, these efforts are too often underfunded, low-priority, and not coordinated across Services. In many cases, they will unfortunately continue the legacy of interoperability problems that we all know exist today. To paraphrase one senior Air Force officer, we are not making the necessary fundamental changes—we are still nibbling at the edges.

The legislation in Section 934 of H.R. 5408 explores many of the facets of this novel Joint vision of a networked force and operations. Section 934 (b) clearly states the policy of the United States with respect to Network Centric Warfare. The legislation makes it the goal of Department of Defense to fully coordinate various efforts being pursued by the Joint Staff, the Defense Agencies, and the military departments as they develop the concepts of Network Centric Warfare. The legislation then also calls for DoD to provide two reports to Congress detailing efforts in moving towards Network Centric forces and operations. The conference language reflects the fact that both the Senate and the House had compatible provisions on Network Centric Warfare in their respective bills. The final conference language essentially reflects the more detailed Senate version; it consolidates the wording while retaining the intent and each key element of the Senate bill's proposals. Therefore the points I made in a more extended statement this past summer remain applicable to the final provision, and what follows is merely a reiteration and elaboration from that statement. At this point I also particularly want to note my appreciation for the strong support, cooperation, and contributions on this provision from my friends and Committee colleagues, Senators ROBERTS and BINGAMAN.

Section 934(b) calls for a report focusing on the broad development and implementation of Network Centric Warfare concepts in the Department of Defense. The Secretary of Defense and the Chairman of the Joint Chiefs of Staff are asked to report on their current and planned efforts to coordinate all Dod activities in Network Centric Warfare to show how they are moving toward a truly Joint, networked force. The report calls for the development of a set of metrics as discussed in Section 934(c)(J) to be used to monitor our progress towards a Joint, networked force and the attainment of fully integrated Joint command and control capabilities, both in technology and organizational structure. These metrics should allow Congress and DoD to evaluate technology development and acquisition programs that are related to Network Centric concepts and enable policy makers to set priorities and to make difficult resource allocation decisions.

The legislation also requires the Department to report on how it is moving toward Joint Requirements and Acquisition policies and increasing Joint authority in this area to ensure that future forces will be truly seamless, interoperable, and network-centric, as described in Section 934(c)(G). These Joint activities are critically necessary to achieving networked systems and operations. Unless we move away from a system designed to protect individual Service interests and procurement programs, we will always be faced with solving interoperability problems between systems. For example, strengthening the Joint oversight of the requirements for and acquisition of all systems directly involved in Joint Task Forces interoperability would provide a sounder method for acquiring these systems. We need to move away from a cold war based, platform-centric acquisition system that is slow, cumbersome, and Service-centric. As part of this review, DoD should examine the speed at which it can acquire new technologies and whether the personnel making key decisions on information systems procurement are technically training or at least supported by the finest technical talent available. The report should, as part of this review, evaluate how to ensure that Service acquisition systems are responsive to the establishment of Joint interoperability standards in networking, computing, and communications, as well as best commercial practices.

As described in Section 934(c)(I), the report must also address the need for coordination of Service and Agency Science and Technology (S&T) investments in the development of future Joint Network Central Warfare capabilities. In moving towards a more Joint, networked force we must continue to ensure that we provide our nation's warfighters with the best technologies. The review should evaluate where we must increase our investments in areas such as sensors, networking protocols, human-machine interfaces, training, and other technologies, especially in the face of constrained S&T budgets. The Secretary of Defense should explain how S&T investments supporting network centric operations will be coordinated across the Agencies and Services to eliminate redundancy and how and where investments will be made to better address critical warfighting technology needs. This is more important than ever as we develop our next generation of weapon systems—better coordination and establishment of common standards in the technology development stages can only help to alleviate future interoperability problems.

Any investments in S&T for a network centric force must also address the role of the operator in a network centric system. The report must pay attention to the training of our combat and support personnel so that they can make the best use of information technologies, as well as investing more in

research on learning and cognitive processes so that our training systems and human-machine interfaces are optimized. The recommendations on investments in the report should also accommodate the incredible pace of change in information technologies that is currently driven by the commercial sector. Dodd must analyze the commercially driven revolutions in information technology and modify the investment strategy to best leverage those developments through cooperative R&D and utilization of dual-use technologies.

Section 934(d) describes the second report, which requires an examination of the use of the Joint Experimentation Program in developing Network Centric Warfare concepts. Network Centric Warfare is inherently Joint, and the Commander in Chief of Joint Forces Command is in the best position to develop new operational concepts and test the new technologies that support it. The report calls for a proposal on how the Joint Experimentation Program and the results of its activities are to be used to develop these new operational concepts, especially with regards to the design of optimal force structures for Joint operations.

The Joint Experimentation process should also be used to develop Joint Requirements, Doctrine, and Acquisition programs to support network centric operations. It should serve to identify impediments to the development of a joint information network, including the linking of Service intranets, as well as redesigning combat support functions to leverage new network centric operation concepts. The review should evaluate each of these issues. This of course does not detract from the critical role that existing Service experimentation programs will play in developing new technologies and doctrine to make our fighting forces more efficient and interoperable, which should be a part of this analysis.

This legislation will help focus the Pentagon and Congress' attention on the need to move our military into a more information savvy and networked force. We ask that these reports set forth the needed organizational, policy, and legislative changes necessary to achieve this transformation for decision makers in the military, Administration, and in Congress. The realities of the information technology revolution will force our future military operations to be network centric. We must act now to ensure that we stay ahead of the curve in technology and, more importantly, in thinking. I look forward to receiving plans and proposals to help get us there efficiently and effectively.●

Mr. JOHNSON. Mr. President, I am pleased that the Senate will vote today on the fiscal year 2001 Department of Defense Authorization Conference Report. This defense bill contains historic improvements in health care coverage for the approximately 12,600 military retirees, their families, and survivors currently living in South Dakota. In addition, the defense bill contains much-needed quality of life'' improvements for men and women in active duty and several improvements to the TRICARE health care system for active duty personnel and their families.

On the first day of this legislative session, I introduced the Keep Our Promises to America's Military Retirees Act to restore the broken promise of lifetime health care for military retirees and their dependents. Men and women were promised lifetime health care for themselves and their families upon completion of 20 years in the military. However, military retirees are currently kicked out of TRICARE once they become eligible for Medicare. The current situation breaks a promise our country has made with its veterans and military retirees. The lack of adequate health care coverage for military retirees also impacts retention of qualified military personnel and sends a negative signal to young men and women considering a career in the military.

My bipartisan legislation received the endorsement from military retiree and veterans organizations as well as from a grassroots organization of thousands of military retirees across the country. My legislation called for military retirees to have the option of staying in their TRICARE military health care program or electing to participate in the Federal Employees Health Benefit Program, FEHBP. The Keep Our Promises to America's Military Retirees Act would also allow military retirees who entered the military prior to June 7, 1956 (the date military health care for retirees was enacted into law) to enroll in FEHBP with the United States paying 100 percent of the costs.

I offered my legislation as an amendment during Senate consideration of the fiscal year 2001 Defense Authorization bill. Although the amendment failed on a procedural motion, I was pleased that Senate Armed Services Committee Chairman JOHN WARNER agreed to include one part of my bill—the expansion of TRICARE to Medicare-eligible military retirees—in both the Senate defense bill and the final conference report that will be sent to the President.

The conference report also extends full DoD pharmacy benefits for Medicare-eligible military retirees. Military retirees will now be able to use DoD retail and mail-order pharmacy programs. A 20 percent copayment is required for retail, and a $8 copay is required for a 90-day supply of mail-ordered drugs. As you recall, this pharmacy provision was included in the Senate defense bill after I was successful in creating a special military retiree health care reserve fund'' in the fiscal year 2001 budget resolution.

The fiscal year 2001 Defense Authorization Conference Report includes a number of other health care and ''quality of life'' improvements for men and women in active duty and their families. I am pleased this bill eliminates TRICARE Prime copayments for active-duty family members as well as increasing reimbursement rates for TRICARE providers. In my numerous meetings in the state on TRICARE, low reimbursement rates have been of particular concern because the low rates make recruitment of TRICARE health care providers in rural areas difficult. With my support, the bill also includes efforts to improve TRICARE through good business practices, increased technology, and reduced administrative waste.

The conference report includes a much-deserved 3.7 percent pay raise for active duty and reserve personnel. I am pleased the bill also begins the process of eliminating the mandatory out-of-pocket housing costs incurred by servicemembers. Recruitment and retention efforts will be enhanced with incentives to join ROTC and increased enlistment bonuses, as well as a provision that allows VEAP conversion to the Montgomery GI Bill for servicemembers currently on active duty who had previously contributed to VEAP.

While I am pleased that a number of health care issues have been addressed in this year's defense authorization bill, there is more work that needs to be done. I will continue to work with cosponsors of my Keep Our Promises legislation to provide military retirees with the option of using FEHBP and to address the broken promise of free lifetime health care to those military personnel who entered the military prior to June 7, 1956. I am also disappointed that the bill failed to adequately address a rule that prohibits disabled vets from receiving their retired pay and disability compensation concurrently. I am a cosponsor of legislation that would correct this injustice, and I will continue to work with my colleagues to ensure its eventual passage. Finally, I will continue to fight for increased veterans education benefits through a strengthened Montgomery GI Bill and passage of my Veterans Education Opportunities Act.

The health care improvements and ''quality of life'' improvements included in this year's defense authorization bill are a testament to the hard work and grassroots organization of thousands of military retirees across the country. One particular military retiree, Fred Athans from Rapid City, recently completed his term as national president of The Retired Enlisted Association. Fred and countless others from South Dakota and around the country were essential in the passage of this legislation.

● Mr. KENNEDY. Mr. President, first, I would like to say that the attack on the U.S.S. *Cole* is a tragedy for the nation. My thoughts are with the families and loved ones of the sailors who lost their lives, and I pray for the full recovery of those who were injured. I also urge an immediate investigation of

this brutal terrorist act against our country in order to identify the terrorists and their backers and bring them to justice as soon as possible.

I support the conference report to the Fiscal Year 2001 Defense Authorization Bill. It represents major progress in our commitment to defending our country and caring for the dedicated men and women who serve so well in our armed forces.

I commend my colleagues on the Armed Services Committee for their skillful work in producing this consensus and bipartisan conference report. We have made worthwhile progress on many important issues affecting our armed forces.

The nation owes a special debt to the men and women of the armed forces for their unwavering commitment to our country and their excellent performance in the challenges they faced in this past year. They stand in harm's way. They have helped end the aggression in Kosovo, enforced the peace in Iraq, and helped provide the foundation for a free and independent nation in East Timor.

The contributions of our armed forces in those conflicts captured headlines, but it is important to recognize that our service members are preparing for and responding to a variety of contingencies. From defending the United States and our allies to participating in peacekeeping missions, to conducting counter-drug operations, to providing humanitarian assistance, the members of our armed forces today are prepared to carry out a wide range of duties in an efficient and professional manner.

This conference report includes a number of important provisions that demonstrate the commitment by Congress to improving the quality of life of those serving our country today as well as those who have completed their service in the past. For those currently serving, the conference report includes a 3.7 percent pay raise, a full half-percent above the rate of inflation.

Our commitment is not only to the soldiers, sailors, airmen and Marines who defend our country but also to their families. The conference report authorizes the construction of new housing for 2,900 families. For families who live off-base, we have taken steps to meet our goal of reducing out-of-pocket housing expenses to zero within five years.

The conference report helps to make the armed forces a more attractive career by implementing a program to allow active and reserve service members to enroll in the Thrift Savings Program, encouraging them to plan and save for their retirement.

One of the most important accomplishments in this legislation is a prescription drug benefit for military retirees, their spouses and widows. It is a long overdue step toward making good on the Nation's promise to provide career personnel with lifetime health benefits. And we intend to continue the on-going effort to provide all retirees with affordable, comprehensive prescription drug coverage through Medicare.

When we first considered the DOD authorization bill earlier this year, Senator SNOWE and I drafted a proposal to create a comprehensive drug benefit. We worked closely with Chairman WARNER and others to make coverage of prescription drugs a priority in this legislation. I am pleased that our legislation prevailed and was expanded in the conference. It is now clear to all that Congress has heard and heeded the needs of our military retirees, and addressed their number one priority—the cost of prescription drugs.

As a result of our efforts, nearly 1.4 million Medicare-eligible military retirees and their spouses and widows—including more than 21,500 in Massachusetts—will have access to affordable prescription drugs, effective upon enactment.

Under this legislation, military retirees will receive a retail and mail-order pharmacy benefit. Almost one-third of them—450,000—already have this benefit under the base closing agreement. The bill provides a 90-day supply of prescription drugs by mail for an $8 co-payment, or a 30-day supply of prescription drugs from a retail pharmacy for a 20 percent co-payment. There are no deductibles, and no additional premiums. Military retirees and their spouses and widows will receive the prescription drugs that their doctors prescribe. It is a generous benefit for those who have given so generously to the country during their working years.

The legislation also assures comprehensive Medicare supplemental coverage through TRICARE. Together, these new benefits assure health security in retirement for those who have served in the armed forces.

These benefits send a strong message to all men and women in uniform that we care about their service. It lets military retirees know that Congress listens, cares, and will act on their behalf.

Despite success here today for military retirees, we must not forget the millions of other senior citizens who need help with prescription drugs, too.

It's long past time for Congress to mend the broken promise of Medicare. Medicare is a compact between the government and America's senior and disabled citizens. It says work hard and pay in during your working years, and you will receive health coverage in your retirement years. But every day that promise is broken, because Medicare does not cover prescription drugs. It is time for Congress to make good on that promise, too.

When Medicare was enacted in 1965, only three percent of private insurance policies offered prescription drug coverage. Today, virtually all private health insurance policies provide prescription drug coverage.

Up to 20 million elderly and disabled Medicare beneficiaries—one-half of the total—have no prescription drug coverage throughout the year. Almost 14 million have never had drug coverage.

Those who have coverage find that too often it is unreliable, inadequate or unaffordable. In fact, the only senior citizens who have stable, secure, affordable drug coverage today are the very poor, who are on Medicaid. The idea that only the impoverished elderly should qualify for needed hospital and doctor care was rejected when Medicare was enacted.

Governor Bush and Congressional Republicans say they want to subsidize prescription drugs for the poor. But senior citizens deserve Medicare, not welfare.

Too many seniors today must choose between food on the table and the medicine they need to stay healthy or to treat their illnesses.

Too many seniors take half the pills their doctor prescribes—or don't even fill needed prescriptions—because they cannot afford the high cost of prescription drugs.

Too many seniors are ending up hospitalized—at immense cost to Medicare—because they aren't receiving the drugs they need at all, or cannot afford to take them correctly.

Pharmaceutical products are increasingly the source of miracle cures for a host of dread diseases. In 1998 alone, private industry spent more than $21 billion in research on new medicines and to bring them to the public. Congress is well on its way to doubling the budget for the National Institutes of Health. The miracle drugs developed by these public and private sectors investments save lives—and they save dollars too, by preventing unnecessary hospitalization and expensive surgery. But millions of Medicare beneficiaries are left out and left behind from the benefits of 21st century medicine because they cannot afford the price of admission.

Elderly Americans need and deserve prescription drug coverage under Medicare. Any senior citizen will tell you that—and so will their children and grandchildren. It is time to make the needs of all seniors a priority as well.

As a party, Republicans have always disliked Medicare. It was one of the first votes I cast when I came to the Senate, and it's still one of the best votes I've ever cast.

Senator Bob Dole, however, once boasted that he voted against Medicare's enactment, and never liked it. According to historian Robert Dallek, Ronald Reagan saw Medicare as the advance wave of socialism that would ''invade every area of freedom in this country.'' House Majority Leader DICK ARMEY has said that it's a program he would ''have no part of in a free world.'' Newt Gingrich wanted Medicare to ''wither on the vine'' in the GOP effort he led to privatize Medicare and reduce its funding in order to pay for tax breaks for the rich.

In contrast, under the leadership of the Clinton-Gore Administration,

Medicare's financial outlook is the healthiest it has ever been. According to the most recent Trustee's Report, the Medicare Trust Fund will remain solvent for the next quarter century.

Democrats want a universal, voluntary prescription drug benefit under Medicare. All beneficiaries would be eligible for affordable coverage within one year of enactment. In contrast, George Bush passes the buck to the states and private insurance companies. His flawed two-part program would force seniors to wait too long and do too little for too few.

Phase One of the Bush plan would be a state block grant program similar to one of the proposals by Senator ROTH. Eligibility is limited to senior citizens whose incomes are below $14,600—which leaves 70 percent of all Medicare beneficiaries with no coverage. Senior citizens want Medicare, not welfare. They have spent their working years building our country, and they should not have to beg for prescription drugs in their golden years.

It would take years to implement the Bush block grant program. Last February, the National Governors Association unanimously rejected this approach in a resolution that said, ''If Congress decides to expand prescription drug coverage to seniors, it should not shift that responsibility . . . to the states.'' States should not be asked to pick up the slack for Congress' failure to fill Medicare's biggest gap.

Phase Two of the Bush plan picks up where Newt Gingrich left off. Under the guise of Medicare ''reform,'' the Bush proposal relies on private insurance companies to provide Medicare benefits. Prescription drug coverage under phase two would not start until 2004. It is contingent on passage by Congress of broad Medicare changes that would create a ''premium support'' program, which would eliminate the government's obligation to contribute 75 percent of the premium for individuals enrolling in Medicare. A similar plan was estimated to raise premiums for the elderly in traditional Medicare by up to 47 percent in the first year. Bush claims that the elderly could keep their current Medicare, but many would be forced to join HMOs, because conventional Medicare would quickly become unaffordable. The Bush plan will turn many senior citizens over to the tender mercy of the private insurance industry, and force them to give up their doctors and join HMOs to have access to an affordable drug benefit.

In addition, under Governor Bush's plan, the government would subsidize only 25 percent of an undetermined premium that could vary drastically from state to state. Never in the history of Medicare have senior citizens been asked to pay such a high proportion of the cost of any benefit. According to CBO estimates for a similar plan, the Bush proposal costs so much and provides so little that it is unlikely to help even half of the senior citizens who are currently without drug coverage.

The ongoing revolution in health care makes prescription drug coverage more essential now than ever. Coverage of prescription drugs under Medicare is as essential today as was coverage of hospital and doctor care in 1965, when Medicare was enacted. Senior citizens need that help—and they need it now.

So I say to my colleagues—while we are making good on broken promises, it's long past time to cover prescription drugs under Medicare for all elderly Americans. If we can cover military retirees, we can cover other senior citizens too.

Another major achievement in this bill is the inclusion of the Energy Employees Occupational Illness Compensation Act, a gratifying breakthrough for basic fairness. These workers deserve this compensation, and it is decades overdue.

As we now know, the nuclear buildup in the Cold War years exposed many hard-working, patriotic employees in the nation's defense plants to dangerous radioactive and chemical materials at far greater levels than employers were willing to admit. Many of these workers now suffer from debilitating and fatal illnesses directly related to that exposure. For too long, the government shamefully ignored the plight of these workers and failed to accept responsibility for it.

I commend Secretary of Energy Richardson for his leadership in bringing this issue to light and dealing so effectively with this tragic chapter in our recent history. I also commend Senators THOMPSON, BINGAMAN, VOINOVICH, MCCONNELL, DEWINE, and BUNNING for their leadership and persistence in achieving this bipartisan compromise.

This workers' compensation program is based on sound science and traditional principles of workers' compensation. It is designed to make the claimants whole by paying medical benefits and compensating them for lost income due to death or disability that resulted from work for the federal government or one of its contractors. I supported giving workers the option of choosing to receive their actual lost wages, instead of a lump sum payment, and I am disappointed that the House Republicans refused to include this provision in the final bill. Despite this oversight, this new program is a substantial victory for these energy workers. They made great sacrifices for our country during the Cold War, and they have already waited too long for this relief.

Another important provision in the conference agreement is a new GAO study of the effectiveness of existing disability programs in the military health system in meeting the needs of disabled dependents. Too often, active military personnel are forced to turn to Medicaid as the only way they can get good health care for their disabled child—even though there are programs authorized under the military health system to assist disabled dependents. In some cases, choosing Medicaid makes it impossible for active duty parents to accept a military promotion—because they would earn too much money for their child to qualify for Medicaid. It is time to overhaul these programs and make them more effective, so that no military personnel have to impoverish themselves and their family in order to obtain needed health care for their disabled children.

I am pleased that this legislation also includes a provision that at long last lifts the unfair stain placed on Admiral Husband E. Kimmel and General Walter C. Short in the wake of the Japanese attack on Pearl Harbor on December 7, 1941. Admiral Kimmel and General Short were the Navy and Army commanders at the time of that attack. Despite loyal and distinguished service, they were unfairly scapegoated for the nation's lack of preparation for that attack and the catastrophe that took place.

They were the only two officers eligible for advancement under the 1947 Officer Personnel Act who did not receive advancement when they retired. The provision in this bill asks the President to advance them posthumously, so that now, at this late date, these two men will finally be treated fairly like their peers. This provision moves us another step forward on the path of justice and equality, and I am delighted by its inclusion.

Although the conference report makes progress on many issues, I am very disappointed that this legislation fails to take strong and needed action on the important issue of hate crimes.

Earlier this year, with the support of a broad group of law enforcement organizations, civil rights groups, and community and religious organizations, strong, bipartisan majorities in both the Senate and the House voted to include a needed anti-hate crimes provision in the defense authorization bill. By stripping the hate crimes provision from the bill in the conference, the Republican leadership has callously ignored these votes and the clear will of Congress. On hate crimes, the Republican leadership has failed the leadership test and turned its back on the need to protect all our citizens from bigotry and prejudice.

Hate crimes are a national disgrace—an attack on everything this country stands for. They send a poisonous message that some Americans are second class citizens who deserve to be victimized solely because of their race, their ethnic background, their religion, their sexual orientation, their gender or their disability. For too long, the federal government has been forced to stand on the sidelines in the fight against these senseless acts of hate and violence. If America is to live up to its founding ideals of liberty and justice for all, combating hate crimes must be a national priority.

If the national outcry is loud enough, we still have a chance to act on this issue in the remaining days of this Congress.

We also have a responsibility to address the problem of unexploded ordinance on active and formerly live-fire training facilities. On the Massachusetts Military Reservation, UXO poses a contamination threat to the soil and groundwater in the area. It is time to take action on this problem now, before it causes tragic and irreparable harm to the environment and the people who live in the area.

The conference report authorizes $8 million to develop and test new technologies to detect UXO and map the presence of their contaminants. While this is a good step, it cannot be the last step. The Department of Defense should take on the task of removing UXO from current and former training facilities. This step would ensure the continued operation of live-fire ranges and make former ranges safe for their communities and future reuse.

In addition, we must deal with the new generation of threats faced by our service members and the American public at large. As we enter the 21st century, our country is faced with new challenges from the proliferation of weapons of mass destruction, the risk of terrorist attacks both at home and abroad, and cyber-warfare. This legislation takes steps to protect us from each of these dangers.

The conference report authorizes the creation of five additional Civil Support Teams, comprised of National Guard personnel specially trained to detect and respond to the suspected use of chemical, biological, radiological, or other weapons of mass destruction against cities and people.

Strong support is given to threat reduction programs to continue work with the nations of the former Soviet Union to reduce the dangers of proliferation. These steps include an additional $25 million above the President's request to eliminate strategic nuclear weapons in Russia.

The number of cyber-attacks against the Department of Defense increased dramatically last year, totaling 22,000 raids on DOD computer systems. With computers being an essential part of the command, control, communications and intelligence functions of our armed services, it is easy to see how disruptive these attacks, if successful, could be. The conference report recognizes the seriousness of this threat and creates an Institute for Defense Computer Security and Information Protection to ensure our military can protect itself from this type of threat.

The Seapower Subcommittee, under the leadership of our distinguished chair, Senator SNOWE, heard testimony over the past year on concerns about the Navy's force structure, shipbuilding rate, and the readiness of our fleet. The conference report supports the Secretary of the Navy's decision to increase research and development on DD–21 to begin the next generation of our destroyer fleet, and asks the Navy to report on the feasibility of receiving delivery of this advanced ship by 2009. But many of us are concerned about the delays that the program has already faced, as well as the effects of the delays on the fire-support requirements of the Marine Corps and on our country's shipbuilding industrial base.

The conference report authorizes the extension of the DDG–51 multi-year procurement through fiscal year 2005. The extension of this procurement will ease the strain placed on many of our shipyards, and could raise the Navy's overall shipbuilding rate to an acceptable level of nine ships for each of those years. This provision is good for the taxpayer as well, as it can save the American public almost $600 million compared to building these ships at a slower rate.

In closing, this legislation makes progress on many of the serious challenges facing our armed services, and makes important commitments to those in uniform and those who have retired from the services. I urge my colleagues to join me in voting to approve the conference report.●

Mr. DEWINE. Mr. President, I would like to take a moment to thank my colleagues who have worked very hard over the last several months on a proposal to compensate eligible workers in nuclear energy facilities who have been exposed to hazardous materials. Without the extraordinary effort of so many members and their staffs, including Senators THOMPSON, MCCONNELL, VOINOVICH, BINGAMAN, and KENNEDY, we would not have been able to create this compensation program. I especially appreciate the patience of Chairman WARNER and Ranking Member LEVIN for working with us on the initiative and including it in the Defense Authorization bill.

For more than 50 years, Ohio has been home to numerous facilities that performed work for the Department of Energy's nuclear programs. During the Cold War, hundreds of Ohioans, as well as thousands of Americans, were exposed to hazardous and radioactive materials as a result of their employment. Often, workers were unknowingly exposed to these materials, and if workers became ill, they had no relief. Our federal government directed, and even paid for, contractors and subcontractors to fight worker compensation cases. A worker had to prove his or her case on evidence that the government would not make available.

A little over a year ago, things began to change. Stories started appearing in the press about what workers were exposed to and how the government ignored evidence. Several Senate Committees, such as Government Affairs; Energy and Natural Resources; and Health, Education, Labor, and Pensions, have held hearings the issue of harmful exposure and proposed remedies. I believe that we have a good understanding of the problem now, as well as a solution.

However, Mr. President, we all fully understand that no level of benefits can compensate these workers for what they have endured. But we are trying to reimburse them for their financial loss. The agreement in the Defense Authorization bill provides eligible victims with a lump sum payment of $150,000, plus health care coverage.

This agreement also defines those workers who are eligible based on the latest scientific evidence on beryllium disease, beryllium sensitivity, and radiogenic cancers. Mr. President, we have created stringent guidelines to determine eligibility. However, there are instances when the administering agency will not be able to recreate an employee's radiation dose exposure. We have reversed the burden of proof for exposure to employees at the Gaseous Diffusion Plants in Ohio, Kentucky, and Tennessee, because their radiation exposure doses cannot be assessed.

More than likely, there will be other instances of extremely poor record keeping, where it will be nearly impossible to determine employees' radiation exposure levels. Therefore, the administering agency may propose additions to the definition of ''special cohort'' under this agreement. Once a new cohort is proposed, Congress will have one hundred eighty days to act to reverse the decision to add the cohort. If Congress fails to act within that time, the cohort will be accepted and eligible for benefits.

Eligible employees will have seven years from either the enactment of this bill or from the date on which the employee learned that his or her illness was related to work in which to apply and collect the benefits provided by this program. Like a traditional worker compensation program, compensation under this program will be an exclusive remedy to an employee for claims against the United States, its contractors, and subcontractors—but not against beryllium vendors.

The benefits under this program are completely voluntary. Eligible individuals with beryllium disease must decide whether to litigate a claim or receive the benefits provided under this plan. Individuals who currently have pending lawsuits against beryllium vendors are eligible for benefits under this plan. Those individuals have two-and-one-half years from today to decide whether to dismiss their lawsuit and accept the benefits under this plan or to continue with litigation. During that two-and-one-half year window in which litigants must decide whether or not to drop their litigation, plaintiffs may begin an eligibility review with the agency administering this program, so the plaintiff knows whether he or she is eligible for compensation under this program. Nothing in this agreement prohibits plaintiffs or the administering agency from determining whether a plaintiff is eligible under this new program, allowing them to make an informed decision whether or not to pursue litigation.

Mr. President, this is a reasonable proposal. It will help people, like Sam Ray, who worked at the Portsmouth

Gaseous Diffusion Plant in Ohio as an operator and instrument mechanic. It was there that Sam was exposed to technetium, plutonium, neptunium, and heavy metals. He has consequently developed chondrosarcoma—a rare type of bone cancer. As the medical text, Cancer Epidemiology and Prevention, by Doctors Schottenfeld and Fraumeni, points out, cancers of the bone include cancers of the cartilage, including radiosensitive cancers that originate in cartilage, such as chondrosarcoma.

Mr. President, let me conclude by thanking my colleagues once again for supporting this program. I also want to thank the many, many workers who came to Washington, DC, or to Columbus to testify on why a compensation measure is needed. They worked tirelessly with my office and other offices to get us to where we are today. They deserve a great deal of the credit for the program contained in this bill.

I thank the Chair and yield the Floor.

Mr. MCCAIN. Mr. President, I rise today in support of H.R. 4205, the National Defense Authorization Act for Fiscal Year 2001. The bill that passed today includes several amendments that significantly improve the lives of active duty and Reserve servicemembers, military retirees, veterans, and their families.

I am pleased that the conference agreement includes some key legislative provisions that I had introduced in the Senate during the course of the normal legislative process. Some of these provisions included in the conference report will: remove servicemembers from food stamps; increase pay for mid-grade Petty Officers and Non-Commissioned Officers; assist disabled veterans in claims processing; expand pay benefits to some disabled military retirees; authorize a low cost life insurance plan for spouses and their children; enhance benefits and retirement pay for Reservists and National Guardsmen; authorize back pay for certain World War II Navy and Marine Corps Prisoners of War; and provide for significant acquisition reform by eliminating domestic source restrictions on the procurement of shipyard cranes.

One of the areas of greatest concern to me, however, regarding military retirees and their families is the broken promise of lifetime medical care, especially for those over age 65. Last year, the Joint Chiefs proclaimed that this would be the year for major health care reform for our military forces, especially our medicare-eligible military retirees who were promised lifetime military medical care. Despite the assurances of the Joint Chiefs, the President proposed a fiscal year 2001 defense budget without any major medical care reforms, and all but ignored those military retirees who are older and in greatest need of health care.

The Republican Congress, however, responded to military retirees' needs and provided several major military health care reforms as well as a plan in this year's bill to provide all Medicare-eligible military retirees, family members, and survivors with lifetime military health care coverage, including full pharmacy benefits in military, retail, and mail order pharmacies. This conference report will establish ''TRICARE-for-life'' as a permanent entitlement that will be funded through a ''Military Retirees Health Care Trust Fund,'' a legislative provision adopted from S.2013, a military health care reform bill that I introduced earlier this year. This new, critical lifetime benefit will mean huge savings for military retirees by eliminating the need for them to buy expensive Medicare supplemental policies.

Separately, with severe recruitment and retention problems still looming, we must also better compensate our mid-grade enlisted servicemembers who are critical to leading the junior enlisted force. We have significantly underpaid enlisted servicemembers since the beginning of the All Volunteer Force. The value of the mid-grade NCO pay, compared to that of the most junior enlisted, has dropped 50 percent since the All Volunteer Force was put in place by Congress in 1973. The provision for the mid-grade enlisted ranks, up to $700 per year, plus the food stamp pay provision of up to an additional $500 per month for servicemembers, provides a significant increase in pay for enlisted servicemembers.

In addition, the National Guard and Reserves have become a larger percentage of the Total Force and are essential partners in a wide range of military operations. Due to the higher deployment rates of the active duty forces, the Reserve Components are being called upon more frequently and for longer periods of time than ever before. We must stop treating them like a second class force. It is tremendously important that we enact meaningful improvements for both our active duty and Reserve service-members, their families, and their survivors. They risk their lives to protect our freedom and preserve democracy. We should compensate them adequately, improve the benefits to their families and survivors, and enhance the quality of life for the Reserves and National Guard in a manner similar to the active forces.

This bill goes far in correcting some of the inconsistencies, with regard to Reserve Component policies, that previously only benefited the active duty components. Additionally, in order to ensure that reservists receive full credit for the time and effort they commit to attending drills, performing annual training, and completing correspondence courses, the conference report increased from 70 to 90 the maximum number of days per year that reservists may accrue as credit towards retirement benefits.

Each year the number of disabled veterans appealing their health care cases continues to increase. Furthermore, it takes an average of 275 days to get some sort of reply from the Department of Veterans Affairs' regarding claims filing. Disabled veterans are forced to leave the service because of their disabilities. It is Congress's duty to ensure that the disability claims process is less complex, less burdensome, and much more efficient. I am pleased that the final conference agreement includes legislation necessary to fully restore the Department of Veterans Affairs' duty to ensure efficient and timely veterans claims processing and remove onerous court-imposed procedures.

I commend the conference leaders for including some minimal improvements to the egregious regulations that strip retirement pay from military retirees who are also disabled, and cost them any realistic opportunity for post-service earnings. We should do more to restore retirement pay for those military retirees who are disabled. With respect to concurrent receipt, clearly, retirees who have incurred significant disabilities over the course of a military career deserve better than how they are treated currently.

Many such servicemembers are compelled to forfeit their full-retired pay under current rules. I have stated before on the Senate floor, and I am compelled to reiterate now, retirement pay and disability pay are two 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—with no recognition at all for their extended, clearly more demanding careers of service to our country. This is patently unfair and even more must be done to correct this problem.

I would also like to point out that this year's defense authorization bill contained over $2 billion in unrequested add-ons to the defense budget that will rob our military of vital funding on priority issues. While this year's total is less than in previous years, and is far less than the $7 billion in the defense appropriations bill, it is still $2 billion too much. We need to, and can do, better. I ask that the detailed list of pork on this bill be included in the Congressional RECORD following my remarks.

I have to wonder, Mr. President, about the wisdom of permitting the Navy to potentially violate public law with respect to the status of the last two battleships, the only current means of providing high-volume gunfire support for land forces ashore, while simultaneously continuing to provide millions of dollars from the defense budget for the recovery and preservation of Civil War vessels.

Over the past six years, Congress has increased the President's defense budgets by nearly $60 billion in order to address the military services' most important unfunded priorities. Still, it is sufficient to say that the military needs less money spent on pork and more money spent wisely to redress the serious problems caused by a decade of declining defense budgets. Those of us who have been criticized for sounding alarm bells about military readiness now have the empty satisfaction of seeing that there is more to maintaining a strong defense than a politician's history of falsely promising to do so.

We also must reform the bureaucracy of the Pentagon. With the exception of minor changes, our defense establishment looks just as it did 50 years ago. We must continue to incorporate practices from the private sector—like restructuring, reforming, and streamlining to eliminate duplication and capitalize on cost savings.

More effort must be made to reduce the continuing growth of headquarter staffs and to decentralize the Pentagon's labyrinth of bureaucratic fiefdoms. Although nearly every military analyst shares these views, the conference agreement took great measures to increase the size of headquarter staffs, thereby eliminating any incentive for the Pentagon to change its way of doing business with its bloated staffs and its outdated practices.

In addition, more must be done to eliminate unnecessary and duplicative military contracts and military installations. Every U.S. military leader has testified regarding the critical need for further BRAC rounds. We can redirect at least $3 billion per year by eliminating excess defense infrastructure. There is another $2 billion per year that we can put to better purposes by privatizing or consolidating support and maintenance functions, and an additional $5 billion can be saved per year by eliminating ''Buy America'' restrictions that only undermine U.S. competitiveness overseas. Despite these compelling facts, the conference agreement did not address any of these critical issues. On the contrary, it includes several provisions that move demonstratively in the opposite direction.

Sections designed to preserve Army depots and funnel work in their direction irrespective of cost are examples of the old philosophy of protecting home-town jobs at the expense of greater efficiencies. And calling plants and depots ''Centers of Excellence'' does not, Mr. President, constitute an appropriate approach to depot maintenance and manufacturing activities. Consequently, neither the Center of Industrial and Technical Excellence nor the Center of Excellence in Service Contracting provide adequate cloaks for the kind of protectionist and parochial budgeting endemic to the legislating process. Similarly, whether the Centers of Academic Excellence in Information Assurance Education is worthy of the $15 million earmarked in the budget is open to debate.

The Defense Appropriations bill, already signed into law, included a provision statutorily renaming National Guard armories as ''Readiness Centers,'' a particularly Orwellian use of language. By statutorily relabeling ''depot-level activities'' as ''operations at Centers of Industrial and Technical Excellence,'' we further institutionalize this dubious practice, the implications of which are to deny the American public the most cost-effective use of its tax dollars.

In conclusion, I would like to reiterate my belief in the importance of enacting meaningful improvements for active duty and Reserve servicemembers. They risk their lives to defend our shores and preserve democracy, and we can not 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 servicemembers past, present, and future need these improvements. However, we can not continue with this ''business as usual'' mindset. We must reform the Department of Defense and we must 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 feel they are woefully under-represented. We must continue to do better.

Mr. President, I ask unanimous consent that the attached list of items added to the defense authorization bill by Congress be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FY01 DEFENSE AUTHORIZATION CONFERENCE REPORT (H.R. 4205) ADD-ONS, INCREASES AND EARMARKS

Total Add-ons, Increases and Earmarks	$2,333,550,000

LANGUAGE EARMARKS

Sec. 112 Increases the quantity of Bunker Defeat Munitions the US. Army is authorized to purchase from 6000 to 8500.

Sec. 128 Directs the Secretary of the Navy to fully man and equip one squadron of six SH–2G aircraft for operational support of Naval Reserve FFG–7 frigates (Coronado, CA).

Sec. 341 Directs the Secretary of Defense to not include unutilized and underutilized plant-capacity costs when evaluating an Army Arsenal's bid.

Sec. 434 Encourages commercial firms to use Government-owned contractor-operated ammunition manufacturing facilities. Included is a loan-guarantee program.

Sec. 825 Provides a ''Sense of Congress'' that any entity of the DoD should fully comply with the Buy American Act.

Sec. 826 Directs that the Secretary of Defense may not, in awarding a contract for the purchase of firearms or ammunition, take into account whether a manufacturer agrees to limit importing or manufacturing firearms or ammunition in the commercial market.

Sec. 831 Directs the Secretary of Defense to conduct a study analyzing the amount and sources of parts, components and materials that are obtained from foreign sources.

Sec. 921 Directs the Secretary of Defense to establish an Institute for Defense Computer Security and Information Protection and provides $5 million for initial funding.

Sec. 1084 The Secretary of the Army to convey without consideration to the Cannonball House Museum in Macon, Georgia a 12–pounder Napoleonic Cannon.

Specific Conference Report Earmarks

[In millions of dollars]

TITLE I, PROCUREMENT:	
Army Procurement:	
Truck, Tractor, Line Haul	1
Special Purpose Vehicles	5.7
Gen Smoke Mech: Motorized Dual Purpose M56	3
Kit, Standard Teleoperating	6
Combat Support Medical	5
Training Devices, Non system	9
Navy Procurement:	
Items less than $5 million	4
TADIX–B	6
Marine Corps Procurement:	
Improved Night/Day Fire Control Observation Device (INOD)	2
M203 Tilting Brackets	2
Material Handling Equipment (D–7G Bulldozer)	12.1
Air Force Procurement:	
F–15A	149.8
Predator	10
Modification of Inservice Aircraft—55 C–135 Aircraft	52
H–60	5.5
GPS Adv. Procurement	4.5
Intelligence Comm Equip.	4
ADP Equip.	7
Combat Training Ranges	20
Items less than $5 million (Light Parachutes)	3
Mechanized Material Handling Equip.	8
Procurement, Defense-Wide:	
Automatic Document Conversion System	15
Chem Bio Individual Protection	2.5
Chem/Bio Contamination Avoidance	0.9
TITLE II R, D, T, and E:	
Army R, D, T & E:	
Composite materials	6
Passive millimeter wave camera	2.5
MISSILE TECHNOLOGY: Advanced missile composite components	5
COMBAT VEHICLE AND AUTOMOTIVE TECHN.: Smart Truck Initiative	3.5
ELECTRONICS AND ELECTRONIC DEVICES: Portable hybrid electric power research	1.5
COUNTERMINE SYSTEMS: Acoustic mine detection	2.5
HUMAN FACTORS ENGINEERING TECHNOLOGY: Medical errors reduction research	2.5
MILITARY ENGINEERING TECHNOLOGY:	
Thermoelectric power generation for mil. applications	1
Operational support	4
WARFIGHTER TECHNOLOGY: Thermal fluid based combat feeding system	1.5
MEDICAL TECHNOLOGY: Real time heart rate variability	2.5
MEDICAL ADVANCED TECHNOLOGY:	
Life support for trauma and transportation	4
Anti-malarial research	2
Volumetrically controlled manufacturing/artificial hip	3.5
COMBAT VEHICLE AND AUTO. ADVANCED TECH:	
National Automotive Center	3

Specific Conference Report Earmarks—Continued

Equipment Readiness 8
Fuel cell auxiliary power units 3
ARMY MISSILE DEFENSE SYSTEMS INTEGRATION:
Family of systems simulators 3
Army space control 3
Acoustic technology 4
Radar power technology 4
Scramjet acoustic combustion enhancement 1.5
Aero-acoustic instrumentation 3
Supercluster distributed memory 1.5
TANK AND MEDIUM CALIBER AMMUNITION: Trajectory correctable munition 3
C3—ENG. DEV.: Communications and networking technologies 12.5
DOD HIGH ENERGY LASER TEST FACILITY:
High-Energy laser test facility 3
Solid state high energy laser 10
AEROSTAT JOINT PROJECT OFFICE, DOMESTIC PREPAREDNESS AGAINST WMD: National Terrorism Preparedness Institute 3
ARMY TACTICAL UNMANNED AERIAL VEHICLES: Army tactical unmanned aerial vehicles PIP 4
END ITEM INDUSTRIAL PREPAREDNESS ACTS: Man Tech 10
RDT&E, NAVY:
AIR AND SURFACE LAUNCHED WEAPONS TECH: Free electron laser .. 5
SHIP, SUBMARINE & LOGISTICS TECHNOLOGY:
Biodegradable polymers 1.2
Bioenvironmental hazards research 2
MARINE CORPS LANDING FORCE TECHNOLOGY C3IS: Hyperspectral research 3
HUMAN SYSTEMS TECHNOLOGY: Cognitive research 2
MATERIALS, ELECTRONICS & COMPUTER TECH:
Intermediate modulus carbon fiber 2
Silicon carbide & gallium nitride semiconduct. substrates 4
Nanoscale sensor research .. 2.5
Ceramic and carbon based composites 2
Hybrid fiberoptic wireless communications 2
OCEANOGRAPHIC AND ATMOSPHERIC TECHN.:
Adv sensors for mine countermeasures & oceanogr .. 6
Distributed marine environment forecast system 2
Littoral area acoustic demo 2
UNDERSEA WARFARE WEAPONRY TECHN.: Computational engineering design 2
AIR SYSTEMS AND WEAPONS ADV. TECHN.:
DP–2 thrust vectoring sys proof of concept demo 4.5

Specific Conference Report Earmarks—Continued

IHPTET 1
SURFACE SHIP & SUBMARINE HM&E ADV. TECH:
Project M 3
Ship service fuel cell program 2
Advanced waterjet–21 4
Laser welding and cutting .. 2
MARINE CORPS ADV. TECHN. DEMO: Remote precision gun 1
ENVIRONMENTAL QUALITY & LOGISTICS ADV. TECH:
Hybrid light detection range lidar 3
Aviation depot maint tec demo 1.7
MINE & EXPEDITIONARY WARFARE ADV TECHN: Ocean modeling for mine & expeditionary warfare 3
ADVANCED TECHNOLOGY TRANSITION: USMC ATT Initiative 7.5
SHIP PRELIMINARY DESIGN & FEASIBILITY STUD: Shipboard simulation for marine corps operations 20
COMBAT SYSTEMS INTEGRATION: Optically multiplexed wideband radar beamformer 2
NONLETHAL WEAPONS–DEM/VAL: Nonlethal research and technology development 4
SPACE & ELECTRONIC WARFARE ARCH/ENG SUPP: Collaborative integrated information techn ... 4
MULTI-MISSION HELICOPTER UPGRADE DEVEL: Advanced threat infrared countermeasures ... 5
MEDICAL DEVELOPMENT: Mobile integrated diagnostic & data analysis system 1.5
INFORMATION TECHNOLOGY DEVELOPMENT: Single integrated human resources strategy 8
TECHNICAL INFORMATION SYSTEMS: Supply chain management & develop. best practices 4
MARINE CORPS PROGRAM WIDE SUPPORT—E2–C SQUADRONS:
E2–C2 Rotordome & control surface improvements 2
E2–C2 eight blade composite propeller 4
CONSOLIDATED TRAINING SYSTEMS DEVELOP: Battle force tactical trainer 5
MARINE CORPS COMMUNICATIONS SYSTEMS: Mobile electronic warfare support system 5
MARINE CORPS GROUND COMBAT/SUPPORT JOINT C4ISR BATTLE CENTER: Interoperability process software tools 2
TACTICAL UNMANNED AERIAL VEHICLES:
Joint forces command operational testbed 1
TUAV MSAG technology 7
MODELING AND SIMULATION SUPPORT: C4ISR modeling and simulation/distributed eng plant 5

Specific Conference Report Earmarks—Continued

INDUSTRIAL PREPAREDNESS: Man Tech 10
RDT&E, AIR FORCE:
DEFENSE RESEARCH SCIENCES: Upper atmosphere and astronomical research 3
MATERIALS:
Special aerospace materials & manufact. process 4.5
Ultra-high thermal conductivity graphite materials 1.8
Resin systems for engine applications 1.3
Laser processing tools 3.2
Thermal protection system 1
Weathering & corrosion on aircraft surfaces/parts 1
AEROSPACE FLIGHT DYNAMICS: Aeronautical research 2
AEROSPACE PROPULSION:
IHPTET/IHPRPT 3.8
Variable displacement vane pump 1.8
PBO membrane fuel cell 2.6
SPACE TECHNOLOGY:
Aluminum aerostructures .. 1.8
Space survivability 3
HAARP 7
CONVENTIONAL MUNITIONS: XSS–10 microsatellite technology 8
ADVANCED MATERIALS FOR WEAPON SYSTEMS: Special aerospace materials & manufact. process 4.5
FLIGHT VEHICLE TECHNOLOGY: Fiber optic control technologies 1.4
BALLISTIC MISSILE TECHNOLOGY: Ballistic missile technology 12
ADVANCED SPACECRAFT TECHNOLOGY:
Miniature satellite threat reporting system 1.5
Upper stage flight experiment 5
Scorpius/low cost launch 6.5
Space maneuver vehicle 6.5
Solar orbital transfer vehicle 2.6
EW DEVELOPMENT:
Precision location and identification technology 10
MALD 1.2
MILSTAR LDR/MDR SATELLITE COMMUNICATIONS: Automated communications satellite management 4.5
LIFE SUPPORT SYSTEMS: Standardized cockpit and crew seats 3.7
COMBAT TRAINING RANGES: AMODSM 4
RDT&E FOR AGING AIRCRAFT: Aging landing gear life extension 10
AF TENCAP:
Hyperspectral research on Predator UAV 2
Hyperspectral research on high alt. reconn platforms 2
INFORMATION SYSTEMS SECURITY PROGRAM:
Lighthouse cyber-security .. 3.8
U–2 SYERS/SYERS polarization project 5
AIRBORNE RECONNAISSANCE SYSTEMS: Wideband integrated common data link 7
MANNED RECONNAISSANCE SYSTEMS: ECARS 9.5

Specific Conference Report Earmarks—Continued

DISTRIBUTED COMMON GROUND SYSTEMS INDUSTRIAL PREPAREDNESS: Specialty Aerospace metals	3.8
Defense-Wide R,D,T & E:	
Defense Research Sciences Spin Electronics	10
University Research Initiatives MEMS Sensors	9.5
Military Personnel Research Institute	4
Infrasound Detection Basic	1
Chem Agent Detection-Optical Computing	2
Thin Film Technology	1.7
Lincoln Lab Research Program Bio Defense Research	1.5
Chem Bio Defense Program Hybrid Sensor Suite	4.8
Tactical Technology Remotely Controlled Combat Sys Ini.	100
Integrated Comm and Cont. Tech. High Definition Sy	7
Materials and Electronics Tech. 3–D Structure Research	2
Nuclear Sustain. & Counter Prolif. Thermionics for Space	2.5
High Energy Laser R&D HEL Applied Research/Transfers	30
Explosives Demil. Tech. Ammunition Risk Analysis Cap.	2.8
Chem & Bio Def. Prog—Advanced—Chem-Bio Indiv. Samp.	2
Consequence Management Information System	4
Chem-Bio Advanced Material Research	2.8
Small Unit Bio Detector	0.75
Generic Logistics R&D Tech Demonstrations Competitive Sustain.	3
Air Logistics	0.3
Coop DoD/VA Med Research—Occupational Lung Disease	0.5
Adv. Concept Tech. Demonstrations—Ultra wideband Radar/Vision	1
Joint Wargaming Sim Management Office/WMD Simulation Cap.	3
Advanced Sensor Applications Program	9.5
HAARP	5
CALS Initiative Integrated Data Environment	2
Environ. Sec. Tech. Certif. Prog. Remediation of Unexploded Ord.	4
Defense Imagery and Mapping Program GeoSar	15
National Technology Alliance NIMA Viewer	3
Smart Maps/Spatio-temporal Database Research	2
Joint Technology Information Center Initiative	20
Live Fire Testing Reality Fire-Fighting Training	1.5
TITLE III OPERATIONS & MAINTENANCE:	
Army O&M:	
Military Gator/Battlefield Mobility Enhancements	3
Modern Burner Unit	3
Land Forces Depot Maintenance	50
Maintenance Automatic Identification Technology	1
Apprenticeship Program	3

Specific Conference Report Earmarks—Continued

Specialized Skill Training	5
WMD–CST	5.8
Navy O&M:	
Operational Meteorology and Oceanography	7
Man Overboard System	2.5
MTAPP	2
USMC O&M: ULCANS	10
USAF O&M:	
Keesler AFB, MI, Weatherproofing	2.8
Tethered Aerostat Radar System	8.5
Engine Reliability & Maintainability Program	2
Aircraft Spares	70.8
Defense Wide O&M:	
Mobility Enhancements	25
IT Organization Composite Research	2
MOCAS Enhancememnts	1
Document Conversion	4
Clara Barton Center	1.5
CTMA–Depot Level Activities	6
Legacy (Recovery & Preservation of Civil War Vessels)	6.5
Army National Guard O&M: Additional Military Technicians	20.5
Total Pork (not including MILCON Authorization)	1,272.75
MILITARY CONSTRUCTION AUTHORIZATION ADD-ONS:	
AL Redstone Space & Msl Defense Bldg	15.6
AK Eielson AFB Joint Mobility Complex	25
AK Elmendorf AFB Child Development Center	7.6
AK Air National Guard Kulis ANGB Corrosion Control Fac.	12
AZ Ft Huachuca Child Development Center	3.4
AZ Army National Guard Papago Mil. Res. Readiness Center	2.3
AZ ANG Yuma Readiness Center	1.6
AR Army Pine Bluff Arsenal Child Deve. Center	2.8
CA Army Presidio Monterey Barracks	2.6
CA Navy Barstow MCLF Paint Fac.	6.7
CA Lemoore NAS Child Dev. Center	3.8
CA Miramar MCAS Physical Fitness Center	6.4
CA Navy Monterey NPGS Bldg 245 Extension	5.3
CA Twenty Nine Palms BEQ	21.7
CA Beale Air Force Base Control Tower	6.3
CA Camp Parks Army National Guard Org. Maint. Shop	6.1
CA Fresno ANG Org. Maint Shop	2.8
CO Peterson AFB Computer Network Defense Fac	6.8
CO Peterson AFB Main Access Gate	2.3
CO Ft. Carson ANG Mobilization and Training Site	15.1
CO Buckley ANGB Jt Munitions Maint and Storage Fac	10.7
DE Smyrna ANG Readiness Center	7
DC Marine Corps Site Improvement	7.4
DC Washington NRL Nano Science Res. Lab	12.4
FL Mayport NS Aircraft Carrier Wharf Improvements	6.8

Specific Conference Report Earmarks—Continued

FL Panama City CSS Amphib Warfare Integration Fac	9.9
FL Tyndall AFB Weapons Controller Training School	6.2
FL Clearwater Army Reserve Army Aviation Support Fac	17.8
FL St. Petersburg Armed Forces Reserve Center	10
FL Homestead AFB Fire Station	2
GA Fort Gordon Army Consolidated Fire Station	2.6
GA Athens NSCS Fitness Center	2.9
GA Moody AFB Dormitory	8.9
GA Robbins AFB Storm Drainage System	11.7
GA Robbins AFB Airmen Dining Hall	4.1
HI Army Pohakuloa Trng Fac Saddle Access Road	12
HI Schofield Barracks, Army, Barracks Complex	43.8
HI Pearl Harbor NAVSTA Sewer Force Main on Ford Island	6.9
HI Maui ANG Readiness Center	11.6
ID ANG Gowan Field C–130 Assault Strip	9
IL Aurora ANG Readiness Center	2.8
IL Danville ANG Readiness Center	2.4
IN Ft. Wayne IAP Fuel Cell and Corr. Contr. Fac.	7
IN Grissom ARM Navy Reserve Training Center	4.7
IN Grissom Air Force Reserve Services Complex	11.3
KS Army Fort Riley Adv. Waste Water Treatment	22
KS McConnell AFB ANG B–1 Power Check Pad	1.5
KS McConnell AFB Approach lighting System	2.1
KS McConnell AFB KC–135 Squad Ops Fac	9.7
KY Ft. Knox ANG Parking at MATES	3.9
LS Barksdale AFB B–52H Fuel Cell Maint. Dock	14.1
LS New Orleans NAS Joint Reserve Center	7
LS New Orleans NAS Physical Fitness Rec Area	1.7
ME Portsmouth NSY Navy Standardized Waterfront Crane Rail Sys	4.9
MD Fort Meade Barracks	19
MD NAS Patuxent River Environmental Noise Reduction Wall	1.7
MD NAS Patuxent River RDT&E Support Fac	6.6
MD Aberdeen PG Munitions Assess/Proce Syst Fac	3.1
MA Hanscom AFB Renovate Acquisition Mgnt Fac	12
MA Barnes MAP Air Guard Relocate Taxiway	4
MA Otis ANG Upgrade Airfield Storm Water System	2
MA Westover AFRB Repair Alter Airmen Quarters	7.4
MA Westover Marine Reserve Trng Fac	9.1
MI Augusta Army Guard Org. Maint. Shop	3.6
MI Lansing Combined Maint. Shop	17
MI Selfridge ANGB Upgrade Runway	18
MS Stennis Space Center Warfighting Supp. Center	6.9
MS Columbus AFB Corrosion Control Fac	4.8

Specific Conference Report Earmarks—Continued

MS Camp McCain (Elliot) Modified Record Fire Range	2
MS Oxford Army Guard Readiness Center	3.4
MS Jackson IAP Air Nat. Guard C–17 Corrosion Cont. Fac	1.7
MO Maryville Army Guard Readiness Center	4.2
MO Whiteman AFB Navy Reserve Littoral Surveillance System	3.6
MT Malmstrom AFB Convert Commercial Gate	3.5
MT Malmstrom AFB Helicopter Operations Facility	2.4
MT Bozeman Army Guard Readiness Center	4.9
NV Fallon NAS Corrosion Control Hangar	6.3
NV Carson City Army Guard USP&FO Administrative Complex	4.5
NV ANG Reno-Tahoe IAP Fuel Storage Complex	5
NH ANG Pease Intl. Replace Medical Tng Fac	4
NJ Picatinny Arsenal Armament Software Eng Ctr	5.6
NJ McGuire AFB Air Freight/Base Supply Complex	10.6
NM Cannon AFB Control Tower	4.9
NM Holloman AFB Repair Bonito Pipeline	18.4
NM Kirtland AFB Fire/Crash Rescue Station	7.4
NY Fort Drum Battle Simulation Center	12
NY Hancock Field Syracuse Small Arms Range Trg Fac	1.3
NY Hancock Field Syracuse Upgrade Aircraft Maint Shop	9.1
NY Niagra Falls ANG IAP Upgrade runway/overrun	4.1
NC Camp Lejeune MCB Armories	4
NC Seymour Johnson AFB Repair Airfield Pavement	7.1
NC Charlotte Douglas IAP Replace Base Supply Warehouse	6.3
ND Wahpeton ANG Armed Forces Readiness Center	10.9
OH Wright Patterson AFB Consolidated Toxic Hazard Lab	14.9
OH Mansfield-Lahn MAP Replace Squad Ops and Comms	7.7
OH Springfield Buckley MAP Relocater Pwr Check & Arm Dearm	4
OH Columbus NMCRC Reserve Center Consolidation	7.7
OK Fort Sill Tactical Equip Shop	10.1
OK Altus AFB C–17 Cargo Compartment Trainer	2.9
OK Tinker AFB Dormitory	8.7
OK Vance AFB Maint. Hangar	10.5
OK Sand Springs Army Guard Armed Forces Reserve Center	13.5
OR Camp Rilea ANG Training Simulation Ctr	1.5
PA Philadelphia NSWC Gas Turbine Fac	10.7
PA Fort Indiantown Gap Army Guard Repair Waste Treatment	8.6
PA Johnstown Army Guard Regional Maint. Shop	4.5
PA Mansfield Army Guard Readiness Center	3.1
PA New Milford Army Guard Readiness Center	2.7
SC Charleston AFB Base Mobility Warehouse	9.4
SC Charleston AFB Repair Runway North Field	10.3
SC Shaw AFB Dining Fac	5.3
SC Beaufort Readiness Center	4.8
SC Leesburg Training Center	5.7
SC Fort Jackson Navy Reserve Readiness Center	5.2
SD Ellsworth AFB Civil Engineer Complex	10.3
SD Sioux Falls ANG Consolidated Barracks	0.1
TN Henderson ANG Readiness Center	5.2
TN New Tazwell ANG Readiness Center	3.5
TX Ft. Hood Command and Control Fac.	4
TX Ft. Hood Fire Station/Transportation Motor Pool	6.4
TX Corpus Christi NAS Parking Apron Expansion	4.8
TX Ingleside NS Mobile Mine Assembly Unit Fac	2.4
TX Kingsville NAS Aircraft Parking Apron	2.7
TX Dyess AFB Fitness Center	12.8
TX Lackland AFB Child Deve Ctr	4.8
TX Laughlin AFB Visitors Quarters	11.9
TX Sheppard AFB Dining Facility	6.5
TX William Beaumont Med Center Lab Renovation	4.2
TX Ellington Field Air National Guard Base Supply Complex	10
TX Fort Worth Navy Reserve Indoor Rifle Range	3.5
TX Fort Worth NAS Reserve Religious Ministry Facility	1.8
UT Hill AFB Dormitory	11.5
VT Burlington IAP Aircraft Maint Complex	9.3
VA Fort Eustis Aircraft Maint Instruct. Building	4.5
VA Dahlgren NSWC Joint Warfare Analysis Center	19.4
VA Langley AFB Fitness Center	12.2
VA Richlands Army Guard Org. Maintenance Shop	1.2
WA Bangor NSB Strategic Security Support Fac	4.6
WA Bremerton NS Fleet Recreation Fac	1.9
WA Everett NS Aquatic Combat Training Fac	5.5
WA Puget Sound Bremerton Industrial Skills Center	10
WA Army Guard Bremerton Readiness Center	1.7
WA Yakima Training Center Readiness Center	1.6
WA Fort Lawton Transfer	3.4
WV Yeagar ANG Upgrade Parking Apron and Taxiway	6
WV Eleanor Navy Reserve Center	2.5
WY Air Guard Cheyenne Control Tower	1.4
MILCON Pork	1,060.8
Pork not including MILCON	1,272.75
Total Add-ons, Increases and Earmarks	2,333.55

Mr. JEFFORDS. Mr. President, I rise today to express my profound disappointment that the Conference Report to the Fiscal Year 2001 Department of Defense Authorization bill does not contain language that was in the Senate passed bill to expand Federal jurisdiction in investigating hate crimes.

The language in the Senate passed bill was adopted by the Senate on June 20th by a vote of 57–42, and endorsed in the House on September 13th by a vote of 232–190. This language would expand Federal jurisdiction in investigating hate crimes by removing the requirement in Federal hate crime law that only allows federal prosecution if the perpetrator is interfering with a victim's federally protected right like voting or attending school. It would also extend the protection of current hate crime law to those who are victimized because of their gender, sexual orientation, or disability.

Mr. President, any crime hurts our society, but crimes motivated by hate are especially harmful. Many states, including my state of Vermont, have already passed strong hate crimes laws, and I applaud them in this endeavor. An important principle of the amendment that was in the Senate-passed bill was that it allowed for Federal prosecution of hate crimes without impeding the rights of states to prosecute these crimes.

The adoption of this amendment by the Senate was an important step forward in ensuring that the perpetrators of these harmful crimes are brought to justice. The American public knows that Congress should pass this legislation, and it is unfortunate that the conferees did not retain this important language.

Congress should pass this legislation, and I will continue to work to ensure that this legislation is enacted into law.

Mr. LEVIN. Mr. President, as the Senate completes action on this important legislation, I want to again congratulate the chairman of the Committee, Senator WARNER, for his leadership and determination in completing this important bill.

I also want to thank and congratulate all of the members of the Armed Services Committee for their hard work on this bill over the past year. The subcommittee chairpersons and ranking members carried the brunt of the workload in conference, but the fact is that every member of the committee played an active and constructive role in this legislation, from the committee and subcommittee hearings in the spring to the committee markup, to floor action and finally in conference.

Finally, Mr. President, I want to say a special word of thanks to the staff of the Armed Services Committee. The majority staff under the capable leadership of Les Brownlee works very cooperatively with the minority staff under David Lyles. The Committee's long tradition of bipartisanship among the members extends to the staff as well. They truly work together as a single team for the benefit of the men and women of the armed forces and for the national security of our nation.

In addition to David Lyles, I want to thank all of the members of the Armed Services Committee minority staff for their efforts this year: Peter Levine, Rick DeBobes; Richard Fieldhouse;

Creighton Greene; Mike McCord; Gary Leeling; Dan Cox; Chris Cowart; and Jan Gordon. I also want to recognize the efforts of the associate staff members of all of the Democratic members of the committee for their efforts this year.

Mr. DODD. Mr. President, I rise today to express my gratitude to Chairman WARNER and Senator LEVIN for bringing to the Senate a strong Defense Authorization conference report. While I have long had the greatest respect for my friends from Virginia and Michigan, the task they complete today is a testament to their legislative skill, managerial expertise and leadership. Over the last year—and for many years—Senators WARNER and LEVIN have listened to our troops needs, and the needs of our troops' families. They have listened to our commanders and identified the equipment and modernization requirements needed to carry out the missions we, as a nation, expect of our military. They have listened to their colleagues, literally working through hundreds of amendments and incorporating many of them into this conference report. And today we consider a conference report which reflects all these influences and effectively balances the current national security requirements of our country with an eye toward the future needs of our military.

Broadly speaking, the Defense Authorization report we adopt today properly places the fighting men and women of this country at the heart of our military priorities. It increases pay, extends special pay and bonus programs to facilitate troop retention and it begins to address the housing, health care and educational needs of troops and their families. In addition this report extends retirement benefits including, most notably, the TRICARE-for-life program which will provide a prescription drug benefit and reduce out-of-pocket medical expenses for our Medicare-eligible military retirees—making a lifetime health care commitment to our fighting men and women. Taken as a whole, this report is a significant step in the right direction.

This conference agreement will ensure that the United States remains the world's preeminent superpower well into the 21st century. The report authorizes $38.9 billion for research, development, training and evaluation, including $4.8 billion for Ballistic Missile Defense, ensuring that we remain the most technologically advanced fighting force in the world and enabling our country to pursue a policy that will provide the greatest level of security in an ever-changing global environment.

I am proud of the central role Connecticut has earned when it comes to providing the men and women of our armed forces with the cutting edge in military equipment. I feel this conference report reflects that continued preeminence.

As many of my colleagues are aware, today is the 100th anniversary of the commissioning of the U.S.S. *Holland*, the United States Navy's first submarine. Today we mark 100 years of submarine operations by the United States Navy. I feel it is altogether appropriate that the Congress christen the next 100 years of submarine operations with a 21st century new attack submarine, the Virginia Class. It will be the most capable and most cost effective submarine class ever built.

Therefore, I commend the conferees for recognizing the growing need for, and expanding role of, our submarine force by authorizing the block buy of five New Attack Submarines, including $1.7 billion in fiscal year 2001 for a new Virginia Class submarine. I am proud to have the U.S.S. *Virginia*, the first of its class, taking shape in Connecticut today. The commitment we make here today will continue this essential program for years to come.

It is also encouraging that further planning and study for another innovative program, the conversion of four Trident submarines into guided missile submarines, remains a national priority, having been authorized for $37 million.

Further, in response to a force level requirement report produced earlier this year by the Joint Chiefs of Staff, this conference report requires the Secretary of Defense to report to Congress on how our country might maintain at least 55 fast attack submarines through 2015. I fully support this initiative.

The H–60 helicopter platform is once again recognized in this report for its unique versatility and combat-proven track record of survivability and performance. The agreement authorizes $206 million for 16 UH–60Ls and two UH–60Qs, and $280 million for 17 CH–60s. With respect to the demonstrated need of our armed forces, this authorization level represents an appropriate increase over the 21 helicopters requested by the Administration.

The conference agreement also authorizes $310 million for F–15 engine upgrades and $305 million for F–16 engine upgrades. This will extend the life and improve the performance of these vital air supremacy assets.

The New London Submarine Base is authorized to receive $3.1 million for much needed dry-dock construction which will enhance the base's ability to service and maintain our fighting force.

I might also mention a number of other authorizations which are contained in this conference report, including for the C–17 cargo aircraft program, the JPATS program, the Joint STARS ground surveillance aircraft program, the Comanche helicopter development program, the F–22 fighter engineering and development program and the ongoing, but slowed, Joint Strike Fighter development. All of these important national security priorities will draw upon the ingenuity and strength of the citizens of Connecticut.

I would also like to note the language in this conference report that will convey the national defense reserve fleet vessel *Glacier* to the Glacier Society of Bridgeport. The ship will be refurbished and docked in Bridgeport Harbor, becoming a museum to educate students and the general public about military service and the exploration of the North and South Poles. One of only a few ships to have served under both the U.S. Navy and the Coast Guard, the icebreaker *Glacier* made 39 trips to the North and South poles, including the deepest penetration of the of the Antarctic by sea in 1961. The *Glacier* will become a valuable civic asset for Bridgeport, and I am pleased to see the inclusion of this provision in the report.

And finally, I would like to take a moment to comment about one last provision. Senator DEWINE and I worked on the Firefighter Investment and Response Enhancement, FIRE, Act, which was designed to help reduce injuries among firefighters across the country. The original House version of the bill had previously been introduced by Congressman BILL PASCRELL, Jr. of New Jersey. Senator DEWINE and I worked hard to move the FIRE Act and we were pleased when Chairman WARNER and Senator LEVIN agreed to accept the FIRE Act as an amendment to the DOD Authorization bill.

Our original amendment has been modified by the Conference Committee, but the FIRE provision offered here today as part of this Conference Report authorizes more than $460 million dollars worth of federal assistance to local fire departments and for related research. This legislation represents a major step in developing an effective partnership between the Federal government and the men and women who every day put their lives on the line to protect Americans from all sorts of man-made and natural disasters.

The FIRE Act, is designed to provide local fire departments with the resources they need to keep firefighter safe and to protect the public. The bill is modeled on the very successful ''COPS'' program, which has helped towns and cities hire tens of thousands of police officers and to buy equipment to protect lives and property from crime. Now, under the FIRE Act the federal government will make a similar commitment to help protect lives and property from the ravages of fire, chemical spills, accidents, and natural disasters.

Each day, a million U.S. firefighters put their lives on the line to protect our families, our homes, and our businesses. Unfortunately, under the current funding regime, these unselfish men and women aren't always as well-equipped as they should be.

And in many ways the problems are getting worse. As our population grows, as our buildings and infrastructure age, as our suburbs expand and our highways and waterways become more congested, our firefighters and emergency medical technicians are being

asked to respond to an increasing number and variety of dangerous situations.

There is a bright side, as well. Technology has kept pace with the increasing demands. We now have high-tech equipment, like thermal-imaging devices, that allow firefighters to see inside a building without going into the blaze. And modern science has produced incredible materials that can be integrated into protective gear that can shield firefighters from heat and falling debris. Unfortunately, technology is not cheap. And local governments are seldom able to fund the purchase of all of the wonderful tools becoming available.

There is a gap—a widening gap—between the leading edge of modern technology and our ability to put that technology to work to protect the public and our firefighters. I believe the Federal Government has an obligation to bridge the gap and help ensure that local firefighters have the financial resources they need to protect the public.

We can't eliminate all of the dangers that confront firefighters, but we can at least ensure that our local fire companies have up-to-date, safe and reliable equipment and today we are doing something about the problem.

By passing the FIRE Act today, Congress is saying to every firefighter in America: ''We have taken you for granted for too long. We won't ignore your needs any longer. We stand with you and we are committed to working together to ensure that America is as safe and as prepared for any catastrophe as it can be.''

Passage of the FIRE Act has been one of my highest legislative priorities this year. I want to thank Senator WARNER, Senator LEVIN, and Senator MCCAIN, Senator HOLLINGS, and, of course, Senator DEWINE for their vigilance and commitment on this most important issue. I also want to thank the experts at the National Safe Kids Campaign, International Association of Fire Fighters, International Association of Fire Chiefs, National Volunteer Fire Council, International Association of Arson Investigators, International Society of Fire Service Instructors, the National Fire Protection Association, and The Safety Equipment Association for all of the assistance and insight they have provided over the course of the last year.

Mr. ASHCROFT. Mr. President, today's final passage of the Defense Authorization Conference Report is a significant achievement. It fulfills past commitments, provides the necessary funds for our present obligations, and makes significant investments toward a secure future. I want to commend Senator WARNER and Senator LEVIN for the tremendous job they have done providing for our national defense. This bill authorizes $310 billion for the Department of Defense and the Department of Energy's defense related activities. This is $4.5 billion more than requested by President Clinton, and represents the first real increase in defense spending in 14 years.

One provision in the Defense Authorization bill of particular importance to the people of Missouri is that of military retiree health care. For generations, our military's career men and women have dedicated their lives to the protection of freedom and prosperity in America. One of the promises this country made to these men and women was a pledge that career members of the Armed Forces, their spouses, and dependents would have health care benefits on active duty and in retirement. While these benefits were not authorized by Congress, they were promised by the United States government, specifically, by the Department of Defense and its recruiters. Promises made need to be kept. Career members of the Armed Forces acted in good faith and relied on the statements of their government's representatives.

Mr. President, until recently, military retirees were provided with health care in military facilities here and abroad. However, due to major changes in the military health care program, multiple base closings, and a risky downsizing of the military by the current Administration, too many military retirees have been shut out of military facilities. Many have sought Medicare coverage or private insurance, or have been forced to do without access to care. In Missouri, where we have 76,439 military retirees, retiree family members, and survivors, this is a significant problem. Although we are fortunate to have Fort Leonard Wood and Whiteman Air Force Base close at hand in Missouri, and Scott Air Force Base in Illinois and Fort Leavenworth, Kansas, both nearby, many military retirees in Missouri have told me that it is virtually impossible to get an appointment at these bases for a routine physical, let alone for critical care. It is clear that Washington is not keeping its promise to these patriotic men and women.

Through the strong and dedicated leadership of Senator WARNER, America's military retirees will again have access to quality health care, as promised. This Defense authorization bill includes a provision to expand the popular TRICARE Senior Prime demonstration project. It eliminates the current restrictions that require military retirees to lose their military health care benefits under the CHAMPUS and TRICARE programs after they reach age 65 and become eligible for Medicare. Military retirees will not be able to receive TRICARE Senior Prime, or ''TRICARE-for-life''—an HMO-type coverage plan for retirees that includes partial payment of the costs from Medicare. This program will finally ensure that all military retirees have access to quality health care throughout their life. This bill will also establish a military health care trust fund to ensure that retiree health care remains solvent for years to come. This valuable retiree health care provision is endorsed by most of the major veteran and military retiree organizations, and I support its inclusion in this legislation.

In addition to ''TRICARE-for-life,'' the Defense Authorization bill also extends to military retirees access to prescription drugs, by restoring the full DoD Prescription drug benefit, including mail order and retail pharmacy, to all Medicare-eligible uniformed services beneficiaries.

These break-through provisions for military retirees are not the only important provisions of the Defense Authorization bill. This bill includes several critical active-duty provisions including measures to bring our military families off the food-stamp roles, provide a well-deserved 3.7% pay increase, and eliminates the statutory requirement that service-members incur out-of-pocket housing costs, thus permitting the Deputy of Defense to increase housing allowances immediately. This will eliminate out-of-pocket cost for housing by October 1, 2004.

This bill also makes significant progress towards ensuring a strong defense for our country in the years to come. The legislation includes authorizations for additional F–15s and a new Extended-Range Cruise Missiles, as well as provides $63 billion dollars for other new weapons procurements. Furthermore, the bill provides an additional $1 billion in funding for key readiness accounts. These amounts are necessary to ensure our military is not only ready to fight today, but will remain ready for any challenges our country may face in the future.

Again, I want to thank Senator WARNER for his leadership in the area of national defense. I urge the Senate to support this bill, and to support our men and women in uniform, especially those who gave their lives in service today on the U.S.S. *Cole*, in far away Yemen. We extend our thoughts and prayers to their families and friends.

Mr. WARNER. Mr. President, I ask for the yeas and nays on the conference report.

The PRESIDING OFFICER. Is there a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Minnesota (Mr. GRAMS), the Senator from North Carolina (Mr. HELMS), and the Senator from Arizona (Mr. MCCAIN) are necessarily absent.

Mr. REID. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''aye.''

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

The result was announced—yeas 90, nays 3, as follows:

[Rollcall Vote No. 275 Leg.]

YEAS—90

Abraham	Durbin	Mack
Akaka	Edwards	McConnell
Allard	Enzi	Mikulski
Ashcroft	Fitzgerald	Miller
Baucus	Frist	Moynihan
Bayh	Gorton	Murkowski
Bennett	Graham	Murray
Biden	Gramm	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Hollings	Roth
Bunning	Hutchinson	Santorum
Burns	Hutchison	Sarbanes
Byrd	Inhofe	Schumer
Campbell	Inouye	Sessions
Chafee, L.	Jeffords	Shelby
Cleland	Johnson	Smith (NH)
Cochran	Kerry	Smith (OR)
Collins	Kohl	Snowe
Conrad	Kyl	Specter
Craig	Landrieu	Stevens
Crapo	Lautenberg	Thomas
Daschle	Leahy	Thompson
DeWine	Levin	Thurmond
Dodd	Lincoln	Voinovich
Domenici	Lott	Warner
Dorgan	Lugar	Wyden

NAYS—3

Feingold	Kerrey	Wellstone

NOT VOTING—7

Feinstein	Kennedy	Torricelli
Grams	Lieberman	
Helms	McCain	

The conference report was agreed to.

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

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

The motion to lay on the table was agreed to.

CHANGE OF VOTE

Mr. WELLSTONE. Mr. President, I ask unanimous consent to be able to change my vote to ''no.'' It does not change the outcome, most definitely.

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

(The foregoing tally has been changed to reflect the above order.)

Mr. WARNER. Mr. President, I cannot think of a stronger message that we as a body of the U.S. Government—the legislative body—can send to the men and women of the armed services in this hour of need throughout the uniform ranks, the reserve ranks, and the Guard ranks than this strong vote. It is a salute to each and every one of them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I join the chairman in that sentiment. This is an extraordinarily strong vote for a Defense authorization bill. I think there were 90-plus votes for it.

MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2001

The PRESIDING OFFICER (Mr. FITZGERALD). Under the previous order, the clerk will read H.J. Res. 111.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 111) making further continuing appropriations for fiscal year 2001.

The PRESIDING OFFICER. The question is on agreeing to the joint resolution.

Mr. WELLSTONE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. NICKLES. I announce that the Senator from Kansas (Mr. BROWNBACK), the Senator from Montana (Mr. BURNS), the Senator from Minnesota (Mr. GRAMS), the Senator from North Carolina (Mr. HELMS), and the Senator from Arizona (Mr. MCCAIN) are necessarily absent.

Mr. REID. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''aye.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?—

The result was announced—yeas 90, nays 1, as follows:

[Rollcall Vote No. 276 Leg.]

YEAS—90

Abraham	Enzi	McConnell
Akaka	Feingold	Mikulski
Allard	Fitzgerald	Miller
Ashcroft	Frist	Moynihan
Baucus	Gorton	Murkowski
Bayh	Graham	Murray
Bennett	Gramm	Nickles
Biden	Grassley	Reed
Bingaman	Gregg	Reid
Bond	Hagel	Robb
Boxer	Harkin	Roberts
Breaux	Hatch	Rockefeller
Bryan	Hollings	Roth
Bunning	Hutchinson	Santorum
Byrd	Hutchison	Sarbanes
Campbell	Inhofe	Schumer
Chafee, L.	Inouye	Sessions
Cleland	Jeffords	Shelby
Cochran	Johnson	Smith (NH)
Collins	Kerrey	Smith (OR)
Conrad	Kerry	Snowe
Craig	Kohl	Specter
Crapo	Kyl	Stevens
Daschle	Landrieu	Thomas
DeWine	Lautenberg	Thompson
Dodd	Levin	Thurmond
Domenici	Lincoln	Voinovich
Dorgan	Lott	Warner
Durbin	Lugar	Wellstone
Edwards	Mack	Wyden

NAYS—1

Leahy

NOT VOTING—9

Brownback	Grams	Lieberman
Burns	Helms	McCain
Feinstein	Kennedy	Torricelli

The joint resolution (H.J. Res. 111) was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. CRAIG. Mr. President, I thank Senator WARNER and Senator LEVIN for the fine work they have done on critical issues before us and, of course, on the DOD authorization bill.

MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate be in a period for morning business, with Senators permitted to speak for up to 10 minutes each.

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

MIDDLE EAST CRISIS

A COUNTRY UNITED

Ms. MIKULSKI. Mr. President, I want to take 5 minutes at this time to speak on the events occurring in the world today.

I stand here with the melancholy that any Senator would feel as a result of the loss of lives of our U.S. military men and women due to a despicable act of terrorism.

I say to the terrorists: You underestimate the United States. Right now we are in an orderly constitutional process to begin the transition of the executive branch to a new leader. Do not think because we are beginning a transition that we are weak.

I say to the terrorists anywhere in the world: When any American is under attack, all Americans are under attack. We will check our party hats at the door. We will be united as one nation. I believe the Congress and the American people will stand as one behind President Clinton to aggressively pursue and punish the terrorists who have engaged in this despicable act. You might have gotten away with this one, but do not think again about the next hour, the next day, or the next week. The United States of America is coming after you, and we are all together on this.

In addition, to our friends in the Middle East: We are deeply troubled by the violence that is ongoing. A peace agreement was within reach. Indeed, it was fragile. We say now, please, take a timeout, end the violence, let's step back to see if we cannot come forward under the leadership of the United States as an honest broker to move ahead. We are plunging into chaos. Chaos only means further retreat. It means that maybe for years violence will continue.

We say: Please, Mr. Arafat, do not work behind the scenes; work on the front lines; end your violence.

To the people of Israel: We know that the first act is the act of self-defense. We understand that. It is human. Please, we ask restraint, and we ask all to come back to the bargaining table. Let's put down the stones. Let's put down the guns. Let's see if we can move forward.

I come back to what has occurred on the Senate floor today. I say to people