

The provision I have offered corrects this shortfall in the Federal Employees Retirement System, FERS. By increasing a Federal employee's FERS direct benefit by 1 percent for a period of extended convalescence resulting from a work related injury, the future reductions on Social Security and Thrift Savings Plan, TSP, benefits that result from the inability to make contributions during periods of disability are offset.

The retirement program for Federal Employees Retirement System employees has three distinct parts: Social Security, Federal Employees Retirement System Defined Benefits, and Thrift Savings Plan. Social Security taxes and benefits are the same for all participants. The Federal Employees Retirement System Defined Benefit and the Thrift Savings Plan are similar to defined benefit and 401(k) plans in the private sector. Unlike the impact on Social Security and the Thrift Savings Plan, periods during which an individual is receiving Office of Worker's Compensation Programs disability payments have no impact when calculating the length of service for determining the Federal Employees Retirement System Defined Benefit retirement payments. To explain how the provision will work, I offer the following illustration.

As you know, Mr. President, the goal of the Federal Employees Retirement System is to provide retirement pay totaling about 56 percent of their "high three" annual salary. Under the old Civil Service Retirement System, a direct benefit plan, two percent of a person's salary was set aside to provide the retirement benefit of 56 percent employees did not pay into Social Security or a vested savings plan. Under Federal Employees Retirement System, one percent of a person's salary is set aside to provide the Federal Employees Retirement System Direct Benefit retirement payment of 26 percent of their "high three" annual salary with Social Security and Thrift Savings Plan retirement pay contributing the remaining 30 percent for a total of 56 percent. But increasing the Federal Employees Retirement System Direct Benefit calculation by one percentage point for extended periods of disability, one can adequately offset reduction in Social Security and Thrift Savings Plan payments resulting from the lack to payments into the systems during periods of disability caused by one the job injuries.

Louise Kurtz has earned our appreciation for the role she and her husband Michael have played in identifying this shortfall in Federal Employees Retirement System and in persevering in getting legislation introduced to address the problem. Indeed, Mrs. Kurtz continues to serve the American public even while recuperating from injuries sustained in the terrorist attack upon the Pentagon.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, the Senator from Wisconsin has been waiting for a

long time. The Senator from Pennsylvania is here to offer a unanimous consent request. It is my understanding that it would take 2 minutes. So I appreciate the courtesy of the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Pennsylvania.

UNANIMOUS CONSENT REQUEST—  
H.R. 4695

Mr. SANTORUM. Mr. President, I thank the Senators from Wisconsin and Nevada.

I rise to offer a unanimous consent request for the Senate to consider the partial-birth abortion bill that passed the House recently. We have been working diligently for the past 18 months, since the Supreme Court decision, to craft a partial-birth abortion bill that meets the constitutionality muster of the Nebraska decision. We think we have accomplished that, and I would argue that the House agrees with us.

The House recently passed this legislation 274 to 151. I understand time is short, and we have held this bill at the desk. I am hopeful and have been working to try to get a unanimous consent agreement that we can bring up this legislation for debate and discussion. We are willing to do it on a very limited time agreement, limited amendments, or as many amendments as the other side thinks is necessary.

This is an important piece of legislation. It is one the President said he would sign. It is one that received an overwhelming bipartisan vote in the House. I believe it will have a very strong bipartisan vote in the Senate.

While I understand this unanimous consent will be objected to this evening, I am hopeful we can continue to work together to try to bring up this very important piece of legislation that has been voted on here at least in the last three sessions of Congress with very strong majorities. Unfortunately, it was vetoed by President Clinton. We now have a President who will sign it. We have language that will meet constitutional muster. We will continue to work and seek the unanimous consent request to bring this up.

I now offer that request. I ask unanimous consent that at a time determined by the majority leader, after consultation with the Republican leader, the Senate proceed to the consideration of Calendar No. 521, H.R. 4965, a bill to prohibit the procedure commonly known as partial-birth abortion. I further ask unanimous consent that there be one relevant amendment on each side, with 1 hour of debate equally divided on each amendment, and that there be 2 hours for debate equally divided between the two leaders or their designees; provided further that following the use or yielding back of time, the bill be read the third time and the Senate proceed to a vote on passage of the bill, with no further intervening action or debate.

Mr. REID. Reserving the right to object, Mr. President, the Senator from

Pennsylvania is absolutely right. Time is so critical. Separate and apart from the time involving this matter, there are a number of Senators who have spoken to me personally about their objection to proceeding to this matter, if it came to the floor while I was here. Senator FEINSTEIN was the last to have spoken to me in this regard.

I note an objection.  
The PRESIDING OFFICER. Objection is heard.  
The Senator from Wisconsin.

IRAQ

Mr. FEINGOLD. Mr. President, I rise to comment on the administration's "discussion draft" of a resolution authorizing the use of force against Iraq.

This proposal is unacceptable. The administration has been talking about war in Iraq for quite some time now. Surely they had the time to draft a more careful, thoughtful proposal than the irresponsibly broad and sweeping language that they sent to Congress.

Apparently the administration put forward such broad language as a negotiating tactic—asking for everything in the hopes of getting merely a lot.

But we are not haggling over a used car. We are making decisions that could send young Americans to war and decisions that could have far-reaching consequences for the global campaign against terrorism and for America's role in the world in the twenty-first century.

To put forth such irresponsible language is to suggest that the President actually wants the authority to do anything he pleases in the Middle East—and that suggestion is likely to raise tensions in an already explosive region. To pepper the resolution with so many completely different justifications for taking action signals a lack of seriousness of purpose, and it obscures the nature of the mission on the table. And then to insist on immediate action while remaining largely incapable of pointing to any imminent threat and unwilling to flesh out the operation actually being proposed reveals a troubling approach to our national security.

The administration has a responsibility to define what the threat is. Is it a link between the Iraqi Government and al-Qaida, or is it Iraq's pursuit of weapons of mass destruction?

So far I certainly would conclude that there is insufficient evidence to support the first charge about al-Qaida, but the administration keeps using it whenever they feel like without information. Why? Are they trying to gloss over the real possibility that this focus on Iraq, if not managed with diplomatic skill, will, indeed, do harm to the global campaign against terrorism?

The threat we know is real—Iraq's pursuit of weapons of mass destruction or WMD—is unquestionably a very serious issue. What is the mission? Is the mission on the table disarmament or is it regime change? Has anyone heard a credible plan for securing the weapons of mass destruction sites as part of a

military operation in Iraq? Has anyone heard any credible plan for what steps the United States intends to take to ensure that weapons of mass destruction do not remain a problem in Iraq beyond the facile "get rid of Saddam Hussein" rallying cry?

Saddam Hussein is a vile man with a reckless and brutal history, and I have no problem agreeing that the United States should support regime change. I agree with those who assert that Americans, Iraqis, and the people of the Middle East would be much better off if he were no longer in power. But he is not the sole personification of a destabilizing WMD program. Once Hussein's control is absent, we have either a group of independent, self-interested actors with access to WMD or an unknown quantity of a new regime. We may face a period of some chaos, wherein a violent power struggle ensues as actors maneuver to succeed Saddam.

Has anyone heard the administration articulate its plan for the day after? Is the administration talking about a long-term occupation? If we act unilaterally, that could mean a vast number of Americans on the ground in a region where, sadly, we are often regarded as an imperialistic enemy.

Given the disarray in Afghanistan and the less than concerted American response to it, why should anyone believe that we will take Iraq more seriously? Certainly, it is undesirable for the United States to do this alone, to occupy a Middle Eastern country, and make our troops the target of anti-American sentiment.

Of course, Mr. President, I am sure you and I would agree, none of these concerns is a rationale for inaction. Let me repeat that. None of these concerns is a rationale for inaction. This is not about being a hawk or a dove. This is not about believing that Saddam Hussein is somehow misunderstood. He is a monster. Iraq's weapons programs are real, and only a fool would believe that the United States should simply hope for the best and allow recent trends to continue.

Equally, Mr. President, only a person lacking in wisdom would send American troops wading into this mire with a half-baked plan premised on the notion that the Iraqis will welcome us with open arms; that somehow the WMD threat will disappear with Saddam, and that U.S. military action to overthrow the Government of Iraq will somehow bring the winds of democratic change throughout the entire Middle Eastern region.

We do not make decisions crucial to our national security on a leap of faith. Congress is the body constitutionally responsible for authorizing the use of our military forces in such a matter. We cannot duck these tough issues by simply assuring our constituents that somehow the administration will "work it out." That is not good enough. We must not fail to demand a policy that makes sense.

Let me be clear about another important point: Maybe a policy that makes sense involves the United Nations, but maybe it does not. It is less important whether our actions have a formal U.N. seal of approval. What is important is whether or not action has international support. More important still is whether or not action will promote international hostility toward the United States.

In the context of this debate on Iraq, we are being asked to embrace a sweeping new national doctrine. I am troubled by the administration's emphasis on preemption and by its suggestion that, in effect, deterrence and containment are obsolete. What the administration is talking about in Iraq really sounds much more like prevention, and I wonder if they are not using these terms, "preemption" and "prevention" interchangeably. Preemption is knowing that an enemy plans an attack and not waiting to defend oneself.

Prevention is believing that another may possibly someday attack, or may desire to attack, and justifying the immediate use of force on those grounds. It is the difference between having information to suggest that an attack is imminent and believing that a given government is antagonistic toward the United States and continues to build up its military capacity.

It is the difference between having intelligence indicating that a country is in negotiations with an unquestionably hostile and violent enemy like al-Qaida to provide them with weapons of mass destruction and worrying, on the other hand, that someday that country might engage in such negotiations.

Of course, prevention does have an important role in our national security planning. It certainly should. We should use a range of tools in a focused way to tackle prevention—diplomatic, sometimes multilateral, economic. That is one of the core elements of any foreign policy, and I stand ready to work with my President and my colleagues to bolster those preventive measures and to work on the long-term aspects of prevention, including meaningful and sustained engagement in places that have been far too neglected.

Unilaterally using our military might to pursue a policy of prevention around the world is not likely to be seen as self-defense abroad, and I am not at all certain that casting ourselves in this role will make the United States any safer. Would a world in which the most powerful countries use military force in this fashion be a safer world? Would it be the kind of world in which our national values could thrive? Would it be one in which terrorism would wither or would it be one in which terrorist recruits will increase in number every day?

Announcing that we intend to play by our own rules, which look as if we will make up as we go along, may not be conducive to building a strong global coalition against terrorism, and it may not be conducive to combating the

anti-American propaganda that passes for news in so much of the world.

Fundamentally, I think broadly applying this new doctrine is at odds with our historical national character. We will defend ourselves fiercely if attacked, but we are not looking for a fight. To put it plainly: Our country historically has not sought to use force to make over the world as we see fit.

I am also concerned this approach may be seen as a green light for other countries to engage in their own preemptive or preventive campaigns. Is the United States really eager to see a world in which such campaigns are launched in South Asia or by China or are we willing to say this strategy is suitable for us but dangerous in the hands of anybody else?

The United States does have to rethink our approach to security threats in the wake of September 11, but it is highly questionable to suggest that containment is dead, that deterrence is dead, particularly in cases in which the threat in question is associated with a state and not nonstate actors, and it is highly questionable to embark on this sweeping strategy of preventive military operations.

So as we seek to debate Iraq and other issues critical to our national security, I intend to ask questions, to demand answers, and to keep our global campaign against terrorism at the very top of the priority list. This Senate is responsible to all of the citizens of the United States, to the core values of this country, and to future generations of Americans. We will not flinch from defending ourselves and protecting our national security, but we will not take action that subordinates what this country stands for. It is a tall order, but I am confident that America will rise to the occasion.

I thank the Chair. I yield the floor, and I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, is the Senate in a period of morning business?

The ACTING PRESIDENT pro tempore. We are not.

Mr. REID. Mr. President, I ask, therefore, unanimous consent the Senate proceed to a period of morning business, with Senators allowed to speak therein for a period of 5 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TRIBUTE TO U.S. COAST GUARD PORT SECURITY UNIT 308

Mr. LOTT. Mr. President, I rise today to honor U.S. Coast Guard Port Security Unit 308 from Gulfport, MS. Port