America, because it seems too remote from us. It seems as if it is on television. That is hard to say after 9/11 when 3,000 people were killed in an hour.

But as Mr. Hamilton gave his report to us, he emphasized four areas of failure—not President Bush's failure, not President Clinton's failure, but our failure. In fact, he said both Presidents were active and busy and interested and working hard on the threat. But in these four areas, we as a country failed.

First was the failure of imagination. We didn't imagine what could have happened that day. Second was a failure of policy. A third was a failure of capability. And fourth was a failure of management.

It made me think, if I may give a personal reflection. I have thought about it many times because I have heard various people suggest, ''Why didn't President Bush think of this?'' or ''Why didn't President Clinton think of this?'' As the Chair knows, I was busy in the mid 1990s trying to occupy the same seat President Bush occupies today. I was a candidate for President of the United States in 1994, 1995, and 1996. I thought back many times. It never once occurred to me a group of people might fly airplanes into the World Trade Center and into the Pentagon and try to fly them into the Capitol.

It never occurred to me. And it also never occurred to me that if I should by some chance be successful in that race, that within a year and a half of taking office I would suddenly be interrupted in a meeting in Florida with some schoolchildren, and in a short period of time I would have to decide whether to shoot down a plane load of U.S. citizens on a commercial airline headed toward Washington, DC. It never occurred to me.

I thought for a long time: Maybe that is just me. Maybe I am naive and have not had enough experience, but I have asked other public officials with a lot more experience. I did not ask the Presiding Officer, whose husband was a candidate for our country's highest office, if that occurred whether they might have to shoot down such an airplane. Maybe with her background in transportation, she would have thought of that, but I didn't. And I think most policymakers did not. Obviously, many people in intelligence didn't.

What Mr. Hamilton was saying, and Governor Kean, is we are going to have to imagine all of the things that could be done, some of us at least, and think about them and take those things very seriously in the future.

As fortunate as we are to live in this big country with remote, safe places, far away from a lot of the fighting we see on television, an unfortunate part of living in today's world is there are real threats and we are going to have to imagine those things that even candidates for the highest office in our land a few years ago would not have ever imagined.

I salute the Commission for its work. I thank them for it. I like the fact that it is unanimous, without a single dissent, without a dissenting opinion. I thank them for their job.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

FINANCIAL SOLICITATIONS ON MILITARY BASES

Mrs. CLINTON. Mr. President, I rise today to express my concern about a rider included in the Department of Defense appropriations conference report that we will be taking up shortly. This rider is from the House Defense appropriations bill. It will limit the ability of the Department of Defense to address deceptive sales practices on our military bases.

This week, the New York Times has published a two-part series which included disturbing reports of financial advisers taking advantage of service men and women on our military installations. These articles contained evidence which indicate that recently enlisted service members are required, at many installations, to attend mandatory financial advisory classes. In those classes, it has been discovered that sales agents use questionable tactics to sell insurance and investments that may not fit the needs of our young men and women in uniform.

Mr. President, I commend to my colleagues the articles from the July 20 and July 21 editions of the New York Times titled ''Basic Training Doesn't Guard Against Insurance Pitch to G.I.'s'' and ''Insurers Rely on Congress to Keep Access to G.I.'s.''

Mr. President, as you well know, our men and women in uniform today are being called upon to sacrifice, sometimes—for more than 900 of them—the ultimate sacrifice. All of them are separated from their families. They are putting their lives at risk in the service of our Nation.

It is almost unimaginable that in addition to their sacrifice they would be exposed to less than scrupulous financial advisers at the installations at which they serve. However, instead of protecting our service members, a culture of financial abuse persists on our military bases. As soon as I learned of these reports, I immediately wrote to Secretary of Defense Donald Rumsfeld, asking for an immediate investigation of these practices, as well as immediate action to prevent these abuses from continuing.

Mr. President, I ask unanimous consent that my letter to Secretary Rumsfeld be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, July 20, 2004.

Hon. DONALD RUMSFELD,
Secretary of Defense, U.S. Department of Defense, Washington, DC.

DEAR MR. SECRETARY: I write to urge you to conduct an immediate investigation into reports about efforts by financial advisors to take advantage of our men and women in uniform through the use of deceptive sales practices. I am greatly alarmed by these reports which indicate that recently enlisted service members at many installations are required to attend mandatory financial advisory classes in which sales agents use questionable tactics to sell insurance and investments that may not fit the needs of people in uniform.

Today our men and women in uniform are being called upon to sacrifice, be separated from their families, and to put their lives at risk in service of their nation. They should not, under any circumstances, be exposed to less than scrupulous financial advisors at the installations at which they serve. However, instead of protecting our service members, a culture of financial abuse persists at military installations. It should not be too much to expect that our service men and women are protected from this behavior through the enforcement of post policies and regulations restricting disreputable financial practices. In short, our men and women in uniform should never be the unwitting prey of self-interested sales agents at military installations.

In addition to conducting a thorough investigation, I urge you to establish a financial education program for enlistees and review the practices whereby sales agents are given unfettered access to new recruits. This financial education program should include a component that equips soldiers to recognize that an attempt is being made to entice them to purchase financial services that are not in their best interest.

With our men and women in uniform serving bravely in Iraq, Afghanistan and elsewhere, we owe it to them to make sure they are not solicited for questionable financial schemes at the installations where they live.

I thank you for your consideration of my request and look forward to your response.

Sincerely yours,

HILLARY RODHAM CLINTON.

Mrs. CLINTON. I have also written to and spoken to both Chairman WARNER and Ranking Member LEVIN from the Senate Committee on Armed Services, to ask for hearings on this issue when we return in September. However, I was alerted yesterday that there is a provision in the Department of Defense conference report that would prohibit the Department of Defense from taking immediate action to address these financial abuses on our military installations.

Specifically, section 8133 of the conference report does not allow any changes to the Department of Defense Directive 1344.7, entitled ''Personal Commercial Solicitation on DOD Installations,'' until 90 days after a report containing the results of an investigation regarding insurance premium allotment processing is submitted to the House Committee on Government Reform and the Senate Committee on Governmental Affairs.

With that investigation still ongoing, it could be months—maybe years, for

all we know—until any changes are made to these abusive practices. During that time, more of our young men and women will fall prey to these unscrupulous agents who sell them financial products they do not need and they barely understand.

Yesterday, I sent a letter to Senators STEVENS and BYRD, the distinguished chair and ranking member of the Senate Committee on Appropriations, as well as to Senator INOUYE, the ranking member of the Senate Appropriations Subcommittee on Defense, to express my concern about the inclusion of this provision in the conference report of the DOD appropriations bill and to urge them to take action to remove this rider.

I understand a similar provision, with an even longer delay before DOD can take action, was included in the House Defense authorization bill. I am a conferee in the House-Senate conference on the Defense authorization bill, and I intend to do everything I can to include language that will allow the Department of Defense to immediately address this troubling issue without having to wait several months while our men and women in uniform continue to be fleeced.

I hope I will have the support of my colleagues who are also conferees on the Department of Defense authorization bill. I look forward to working with Senators on the Committee on Appropriations to figure out the best way to address this issue.

The problem of financial advisers taking advantage of our service men and women is one that requires immediate action. It is almost hard to believe, as the two articles in the New York Times so poignantly point out, that young men and women, who have a lot on their minds—such as leaving their families; oftentimes worrying about young wives left alone, taking care of children; or parents who are worried about their safety; trying to get the training they need; trying to get prepared for the dangerous missions they will face in Afghanistan, Iraq, and elsewhere—would be required, in many instances, to attend these meetings, which could do a lot to help educate them.

In fact, in my letter to Secretary Rumsfeld I ask there be financial education provided to these young men and women and oftentimes, if possible, where there are large bases, to the spouses who are left behind. I have visited bases where particularly young wives—often as young as 17, 18, 19 years old—are seeing their husbands leave for overseas deployments. They do not know how to keep a checkbook. They do not know how to pay bills. They have gone literally from their parents' home into a new, young marriage, oftentimes under the pressure of an impending deployment—usually of their husbands—and now, all of a sudden, they are left to try to deal with the financial demands of running a household. They should be given help. They should not be taken advantage of.

It strikes me as just regrettable that we would permit the solicitation for questionable financial schemes at the very military installations where these young men and women live prior to asking them to go into harm's way.

There certainly is a role for additional insurance, for other kinds of investment information to be provided, but not in a situation where the people doing the presentations are often former military officers or high-ranking noncommissioned officers, who purport to and present themselves as people in authority, and often lay the groundwork for a very rushed and somewhat coercive atmosphere, where these young men and women sign things they do not understand. It is somewhat reminiscent of many of our college students, who are in comparable age and group settings, who are given the hard sells for credit cards and insurance policies they do not understand. So I think there is a tremendous opportunity for legitimate financial education and for helping our military service members know what their needs are, and then to meet those needs.

I am looking forward to working with my colleagues on the Committee on Armed Services, as well as Senators on the Committee on Appropriations, to find a solution to this problem. I regret these riders were injected into the DOD appropriations subcommittee conference report that we will vote up or down this afternoon.

I will certainly support the appropriations bill because there are much-needed resources in it for our military and other ongoing needs that are within the purview of the Department of Defense that we need to be funding.

REPORT OF THE 9/11 COMMISSION

Mrs. CLINTON. Mr. President, I salute the 9/11 Commission for an extraordinary job well done and an act of real patriotism. The men and one woman who served on this Commission were asked to do a very difficult task, to try to separate themselves from their prior associations. These are all political people. Not everyone ran for political office, but the distinguished chair and vice chair certainly did and other members as well. These are all people who understand our political process and who with great distinction have served their party as well as our country, but they put that to one side when it came to working together. This 9/11 Commission report is a great testimony to their willingness to search hard for the truth, to get at the facts, to then explain, in understandable language, whatever they could discover about the events leading up to 9/11.

This report not only is educational and informative, but it is an urgent call to action. There are recommendations that ask the branches of our Government, the executive and legislative, as well as the American public, to understand we are up against a determined and committed adversary. Therefore, we have to think differently. We have to organize differently. We cannot act as though business as usual is sufficient. The recommendations from this Commission will ask this body to reorganize itself, to have a different approach to the oversight of intelligence. I hope we will respond to that request and recommendation.

There have been many other commissions, led by distinguished Americans, who have plowed the same ground, who have come forth with worthwhile and compelling recommendations which, frankly, have been ignored. We ignore this one at our peril.

I have stood in this spot numerous times, most recently just a week ago Thursday, to ask what are we doing. We sometimes act as though there is no threat beyond what our young men and women in the military face in the mountains of Afghanistan or the streets of Baghdad. This threat is real and it is here. It is among us. We know enough to understand that there are credible reports of plans underway as I speak to strike again.

If one reads this report—and I hope every American does, and I hope this is assigned in junior high schools and high schools and colleges because this is not just a report to be read by decisionmakers, to be read by political leaders, this is a report that should be read by every American—they cannot help but be struck by the ongoing threat we face.

I perhaps feel it more strongly because we know that in every report of any credibility, New York is always mentioned. Therefore, I have to ask: Are we doing our part even now, before we get to the point of considering the Commission's recommendations? Why aren't we considering homeland security right now? Why have we done nearly everything but consider the appropriations for homeland security, consider the very good legislation offered on both sides of the aisle to try to have a better approach to everything from port security to providing our first responders with the resources they need, to disbursing Federal funds based on threat and not treating it, as the Commission rightly says, like some kind of revenue sharing? Obviously, that will mean New York will get more than any other place, probably followed closely by Washington, DC, but those are the places of highest risk and threat.

The work before us is obvious. But I have to confess to a certain level of frustration that we have not even addressed what is within our purview. Now we are being asked by the 9/11 Commission to be even more imaginative, to be willing to change the turf, to remove some of the authority some have in order to better organize ourselves going forward.

At the press conference today, one of our distinguished former Members who served in this body for a number of years, Senator Bob Kerrey, summed it

up. He said, knowing as he does how this town works and how this body works, how this Congress works, he was hopeful but not optimistic that we would face up to our responsibilities.

What does it take for us to realize that the partisan bickering, the divisiveness, the point scoring, and the political gamesmanship have no place in the ongoing serious war against terror?

I hope, as a result of the fine work of this Commission and the path it has charted that we should follow into the future, we will rise to the occasion. There are recommendations certainly for the White House, the FBI, the CIA, the Department of Defense, the Immigration and Naturalization Service, the Department of Homeland Security. There are many recommendations that go to the administration, that go to the executive branch, that regardless of who is our President after November, that President will have to address. But that does not let the Congress off the hook. We have not fulfilled our responsibilities of oversight, and we now must take seriously the recommendations of these patriotic, hard-working, thoughtful Commissioners.

This report cannot be allowed to sit on a shelf somewhere. I hope we will take it in the spirit it is offered, as not just a bipartisan but, frankly, nonpartisan report; that we will immediately, under the leadership we have in this Senate, begin to figure out how we will fulfill the hope this Commission offers us; that we will be better prepared, better organized to play our part in the struggle against terrorism. I certainly will look forward to working with my colleagues in order to do that. I trust and hope that I can afford to be optimistic and that we will be able to prove our former colleague and one of the Commissioners, Senator Kerrey, wrong to a limited extent, that we can be both hopeful and optimistic that the Senate, the Congress, and our Government will live up to the obligations this report lays out so clearly.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, I rise this afternoon to talk about what so many Americans are thinking about as they turn on their television today, and that is the 9/11 Commission report that is being issued by many of our former colleagues and partners in trying to address the security needs of our Nation. I am sure many Americans are going to want to know from this 9/11 report, is it going to result in us getting off our orange alert? Is it going to help us in providing better security across America?

One of the things we have to think about is the fact that this report now needs to be put into legislative action by this body. I thank the Commission, including Governor Keane, former Congressman Hamilton, and former Senator Slade Gorton, for their contribution to this report and their hard work. The voluminous report has a lot of recommendations, but I would like to call out two or three of those recommendations that are particularly important for us as a body to address when we return in September.

First and foremost is the need for us to focus on international cooperation. We in the Northwest learned that lesson very well when Ahmed Ressam came across the Canadian border with a car full of explosives on his way to LAX Airport. Many people in America know that story and know that a good customs agent was able to stop Ressam and confiscate those goods, and that act was never perpetrated on American soil. We also know after that, 9/11 did happen. So the question for us in America is, What are we going to do to make sure we have good international cooperation?

What is interesting about the Ressam case is Mr. Ressam started his efforts in Algiers, was successful in getting into France, then successful in creating a new identity and getting into Canada. Even though that was an illegal entry into Canada, he was able to remain in Canada and then create a Canadian passport and birth certificate and try to gain access to the United States.

As I said, the route he took through several countries to try to get to Port Angeles, WA, to start his journey shows the need we have in this country for international cooperation as it relates to our visa program and our visa standards. This is something we have seen a delay in in the last several years and something we need to pay particular attention to in the Senate to make sure this visa standard program gets implemented and gets implemented as soon as possible.

While we in the United States can have a visa entry program based on a biometric standard, that standard will only be as good as the standard that is then adopted by Canada and Mexico, our European partners, our Middle East allies, and various other countries around the world. By that, I mean if Mr. Ressam had entered France on a biometric standard which showed, perhaps with fingerprints or facial recognition, who Ahmed Ressam was, the various times he tried to perpetrate a false identity to get into the United States, we would be able to track that individual.

We know this is very important because we know that of the hijackers on 9/11, many of them had various trips back and forth to the United States. While we want to continue to have good international commerce with many countries and have people travel to the United States, we need a better security system with our visa standard, and we should make a top priority of getting such international cooperation based on biometrics.

I can say the same for international cooperation on port security. Washington State, being the home to many ports, needs to focus on the fact that cargo containers come in every day into the ports of Seattle, Tacoma, Vancouver, and various parts of Washington State. What we need is not to wait until the last minute for cargo containers to get into the Seattle area to find out whether they have explosives or whether the containers have been tampered with, but to have point of origin cooperation with countries all over the world to make sure that security system is deployed at the time the cargo leaves its port.

Here are two examples, one of human deployment of people coming to the United States and another of goods and services in which international cooperation is essential. That is why I take to heart the recommendation on page 20 of the 9/11 Commission report, the executive summary saying that:

> Unifying strategic intelligence and operational planning against Islamic terrorists across foreign-domestic divide with a National Counterterrorism Center.

What I believe the report is saying is we have to have the cooperation of our allies and the global community in fighting terrorism and doing so in a cooperative effort if we are going to be successful in the United States.

Secondly, while I think the report emphasizes the focus of a flat organization, from my 2 years on the Judiciary Committee and review of the incidents of 9/11 through the FBI and their organization and changes that have been made to that organization, one thing that is very clear about the 9/11 report is that a flat, decentralized organization and network of information must be accomplished.

While the report does talk about consolidation and the central focus, the important thing to understand is we are facing an asymmetrical threat by terrorists. We are not facing a superpower. We are not facing a well-oiled, well-heeled organization with a lot of support that we can track, detect, and analyze on a large-scale basis; it is very decentralized, with a lot of information flowing from a lot of different cells through different parts of the international community. What is important about that is if we are going to face that asymmetrical threat and meet that challenge, having a large bureaucracy facing an asymmetrical threat of lots of cells presents a challenging problem.

That is why it is very important, as Special Agent Coleen Rowley pointed out to many of the people in the intelligence community and the FBI community, the information that existed in different FBI offices throughout America but was not shared, was not pieced together with the other intelligence information by the CIA about potential people entering and exiting the country, needs to be pieced together in a flat organization.

Critical to this report and our success is for us to monitor the new organizations and agencies, such as Homeland Security, the structure of the FBI and CIA, and any new structures coming out of the 9/11 report to make sure we are keeping a flat organization. That flat organization is about getting access to as much information as possible.

Just as the Intelligence Committee report released by my colleagues in the last 10 days showed and just as this 9/11 report shows, the third thing we need to do is make sure we use the information we acquire and put much more focus and analysis behind that. While that sounds simple and it sounds like something that can be easily forgotten, I remind my colleagues that in 1998, ADM David Jeremiah, under a CIA governance order study, was asked the question: Why did the CIA miss India's testing of a nuclear bomb? Why did we as a country not really understand that was happening? Well, the No. 1 recommendation from that report was not enough analysis, and we had a culture that was not really assessing the 21st century threats to our country.

That is a report that was done in 1998 about a particular part of intelligence, in a particular part of the world, that missed something. We had a report that basically is saying the same things the 9/11 report is saying today, that information and analysis are critical to our success on international efforts at understanding information and potential threats or use of weapons of mass destruction.

To me, it is very important that we take to heart the fact that we need more analysts, and how that analyst structure is going to work. We live in an information age. You can say that terrorists, in their decentralized structure, are going to create much more information about their prospects, their attention to different projects, their communication with cells across the globe. It is this information that we need to acquire, put together, and have analysts working on, on an ongoing basis.

It is safe to say we need a dramatic increase in the number of analysts that we need to recruit into Government, new processes to put this information into a network, and access and assess it on an ongoing basis. I believe this is going to be a very hard challenge for us in Congress because we will see it as something that an agency is assigned to do, and we will forget about the challenges that face each of these agencies as they change their culture and change their structure.

We must keep in mind we are facing a threat of a very decentralized nature. To face a threat of a very decentralized nature we must build organizations and teams of people, including analysts, who also think in a decentralized way.

The report also talks about technology and the role that technology can play. I am a big proponent of technology in this information age. Something like a biometric standard on fingerprints and identification can be helpful. The report goes into a great deal of detail about implementing those at borders, at airports, at various other facilities. Yes, I want to expedite the speed and flow of individuals in and out of the country and have the United States continue to remain a great place where people want to visit. But in adopting these technology solutions, we need to work hard, as the 9/11 report says, to make sure the civil liberties and privacy rights of individuals are protected.

The United States has its privileges. The right to privacy is one of those. So we need to work on this recommendation in the report with that in mind. I think the structure within the FBI and Homeland Security needs to have someone, as these recommendations are implemented, who can—as databases are created, as information is assessed—help create the safeguards that are necessary.

But that should not impede us from working on an international basis to make sure that information about terrorist threats is shared through numerous countries in the world, and shared on a systematic database form with the United States. That is where I believe we have been lacking since 9/11. We have had a visa program and standard that we set in the PATRIOT Act and other bills as an objective. Yet we have failed to execute those. We should use this report today to continue our sharpened focus on getting that standard implemented so we can be sure the same people, like the 9/11 attackers, are not moving in and out of the country.

This report is so critical for us now to join together on these specific recommendations. We must not continue to focus on the past but focus on what we can do to get off of orange alert. It is important that we look at international cooperation, organizations, resources for analysts, new technology, and protecting civil liberties. But as I think about this issue, I think about the significant threats we face from those asymmetrical forms. Yet the results of those could be very catastrophic. That is why we need to get this program implemented.

I look to my colleagues, when we return in September, to keep away from what now has been an analysis of the past and look forward to implementing these solutions as quickly as possible, giving Americans better security in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent to speak as in morning business.

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

TROUBLING TRENDS

Mr. LAUTENBERG. Mr. President, I rise this morning because issues are brought to mind that somehow or other have slipped into the background. For example, look at this morning's Washington Post and see there is disturbing news about the impending retirement of air traffic controllers. This is a subject I have dealt with, even in my previous terms, and certainly in my current term in the Senate, sounding the alarm that we are going to be woefully short of people to replace retirees. We have to be certain that in the middle of what is an impending crisis because of the lack of skilled professionals in the towers, we do not turn to the subject of commercializing this.

We went through an enormous amount of pain and dislocation when we took the baggage screeners out of commercial hands and put them into Government hands because we knew they would operate more efficiently. Now the conversation goes that we are trying as well to go back with our screeners and put that function into commercial hands.

I ask unanimous consent that article be printed in the RECORD.

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

[From the Washington Post, July 22, 2004]

FAA FACES EXODUS OF TRAFFIC CONTROLLERS

(By Karin Brulliard)

Federal officials said yesterday that they are preparing to deal with a nationwide wave of retirements by air traffic controllers over the next decade and that passenger safety will not be jeopardized.

Regional officials with the Federal Aviation Administration are gauging how a potential exodus of nearly half the nation's air traffic controllers will affect individual airports, including Reagan National, Dulles International and Baltimore-Washington International, said Doug Simons, manager at National's control tower.

''Neither the FAA nor its controllers will permit the system to operate in ways that are unsafe or with staffing that is inadequate to the task,'' Simons told reporters yesterday. ''We will be there, with the numbers of people we need, everywhere, at all times.''

The FAA estimates that nearly half of the nation's 15,000 air traffic controllers will be eligible for retirement before 2013. Many of the potential retirees were hired in 1982 after President Ronald Reagan fired more than 11,000 striking members of the Professional Air Traffic Controllers Organization the year before.

In the Washington region, nearly 700 air traffic controllers direct more than 3,000 daily flights from six towers and radar centers. Ten percent of those controllers will be eligible to retire in 2006, said FAA spokesman Greg Martin.

Paul Rinaldi, alternate vice president of the National Air Traffic Controllers Association's eastern region said at least one-third of the controllers at Dulles and BWI will be eligible to retire or will reach the mandatory retirement age of 56 by 2008.

The association has warned in recent weeks that the retirements, if not headed off by aggressive recruiting and increased funding, could cause a controller shortage that would result in chronic flight delays, overstressed controllers and safety risks.

If we don't have the adequate number of certified controllers to work this system, basically we're not going to be able . . . to

safely meet the needs of the traveler, Rinaldi said.

The association, which represents 30,000 controllers nationwide, has called on Congress to appropriate an additional $14 million to the FAA to hire controllers. The current budget is $6.2 billion. To stave off a crisis, at least 1,000 controllers must be hired annually for the next three to five years, Rinaldi said. The FAA hired 762 controller in 2003.

The retirements will come at a time when air traffic is expected to increase dramatically because of expanded flight schedules, new budget airlines, and growth in the private and charter plane industrys.

A shortage could hit Dulles especially hard. The flight schedule there is expanding rapidly, partly because of the arrival of Independence Air, a discount airline that has been based there since June, Rinaldi said.

The FAA says it is uncertain how many new controllers will be needed and which of the nation's 300 air traffic facilities will need them, Simons said. He said the agency is studying the situation at each of the facilities and will deliver a report to Congress in December.

In the meantime, the agency said, it is taking steps to stem a potential shortage. It has proposed raising the controller retirement age and is focusing on advancements in technology to help reduce the dependence on air traffic controllers.

It is also streamlining controller training, an extensive process that can take up to five years, officials said.

''The task at hand is not simply to hire a number of new controllers, but the right number,'' Simons said.

Union representatives say there is no time to wait. Hiring must start now so that enough veteran controllers are still in towers to train recruits, said John Carr, national president of the Air Traffic Controllers Association.

''When it comes to having eyes on the skies, we need help and we need help now,'' Carr said.

Mr. LAUTENBERG. That speaks to the leadership we have. We see a headline that says, ''War Funds Dwindling, GAO Warns.'' That is terrible. We have spent a ton of money.

One thing all of us can agree upon, whether Democrat or Republican, is that we want our troops protected. We want them to be able to conduct their responsibilities in Iraq and Afghanistan with the best equipment they can get. Frankly, I have been looking for some time now at a way to compensate these service people for the 90 days of extended term that has been demanded by this administration. I want to get a $2,000-a-month extra stipend to help them weather the financial storm.

The emotional, family storm is terribly painful. We see an unusual number of suicides—far greater than we have seen in past wars—because of the emotional distress. It is overpowering. Soldiers are away from their families for a year. They are often people with little children. These are people, largely in the Reserve Corps, who are often young, have young families, and are trying to take care of their family and financial needs at the same time—paying the mortgage payments, paying for the normal sustenance of life.

That could not get heard here. It wasn't allowed to be brought up.

There are other things that I consider detrimental to the purported support we want to give our troops. I agree all of us in this body want to do what we can for those who are serving so dutifully and courageously. But we see, no matter what we have allocated, the funds are short. We have a lack of sufficient numbers of service people there, and we are trying to find our way out of that. We now find that a promise made recently that we would go from 130,000 down to 90,000 service people there is now kind of canceled. It has fallen into the background. We are going to maintain 130,000 people there.

I submit that is not enough. We know darned well that is not enough because all we have to do is look at the casualty count and we see now we have finally gone over 900 dead in Iraq.

We see we are miscalculating on all fronts—whether it is financial, whether it is service, whether it is the kind of equipment we should have had early on.

I ask unanimous consent this article be printed in the RECORD.

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

[From the Washington Post, July 22, 2004]

WAR FUNDS DWINDLING, GAO WARNS

(By Jonathan Weisman)

The U.S. military has spent most of the $65 billion that Congress approved for fighting the wars in Iraq and Afghanistan and is scrambling to find $12.3 billion more from within the Defense Department to finance the wars through the end of the fiscal year, federal investigators said yesterday.

The report from the Government Accountability Office, Congress's independent investigative arm, warned that the budget crunch is having an adverse impact on the military as its shifts resources to Iraq and away from training and maintenance in other parts of the world. The study—the most detailed examination to date of the military's funding problems—appears to contradict White House assurances that the services have enough money to get through the calendar year.

Already, the GAO said, the services have deferred the repair of equipment used in Iraq, grounded some Air Force and Navy pilots, canceled training exercises and delayed facility-restoration projects. The Air Force is straining to cover the cost of body armor for airmen in combat areas, night-vision gear and surveillance equipment, according to the report.

The Army, which is overspending its budget by $10.2 billion for operations and maintenance, is asking the Marines and Air Force to help cover the escalating costs of its logistics contract with Halliburton Co. But the Air Force is also exceeding its budget by $1.4 billion, while the Marines are coming up $500 million short. The Army is even having trouble paying the contractors guarding its garrisons outside the war zones, the report said.

White House spokesman Trent Duffy said the Defense Department continues to believe that extra funds will not be needed this fiscal year. President Bush had requested a $25 billion reserve to cover shortfalls that may arise between Oct. 1, when the new fiscal year begins, and February, when the White House plans to submit a detailed funding request for military operations. But for now, Duffy said, there are no plans to tap the reserve. He added: ''This president has said repeatedly the troops will have what they need, when they need it. That's why he has stood steadfastly in support of funding for our troops.''

Lt. Col. Rose-Ann Lynch, a spokeswoman for the Pentagon's comptroller, said that though the fiscal 2004 budget is tight, ''the department still anticipates sufficient funding to finance ongoing operations.''

Democrats quickly pounced on the report, charging that the Bush administration is turning a blind eye to military funding issues to avoid adding to the overall budget deficit or conceding that the Iraq operations are off-course.

''George W. Bush likes to call himself a wartime president, yet in his role as commander in chief, he has grossly mismanaged the war on terrorism and the war in Iraq,'' contended Mark Kitchens, national security spokesman for Democratic presidential candidate John F. Kerry. ''He went to war without allies, without properly equipping our troops and without a plan to win the peace. Now we find he can't even manage a wartime budget.''

The GAO report detailed just why a $65 billion emergency appropriation has proved to be insufficient. When Bush requested that money, the Pentagon assumed that troop levels in Iraq would decline from 130,000 to 99,000 by Sept. 30, that a more peaceful Iraq would allow the use of more cost-effective but slower sea lifts to transport troops and equipment, and that troops rotating in would need fewer armored vehicles than the service members they replace.

Instead, troop levels will remain at 138,000 for the foreseeable future, the military is heavily dependent on costly airlifts and the Army's force has actually become more dependent on heavily armored vehicles. The weight of those vehicles, in turn, has contributed to higher-than-anticipated repair and maintenance costs. Higher troop levels have also pushed up the cost of the Pentagon's massive logistical contract with Halliburton subsidiary Kellogg Brown & Root.

About 4,000 Navy personnel in Iraq and Kuwait were not expected to be there, contributing to a $931 million hole in the Navy's budget for fiscal 2004. The Marine Corps was supposed to have decreased its presence in Iraq but instead has 26,500 Marines in the country and an additional two expeditionary units supporting the war on terrorism.

The strain is beginning to add up, the GAO said. The hard-hit Army faces a $5.3 billion shortfall in funds supporting deployed forces, a $2 billion budget deficit for the refurbishing of equipment used in Iraq and a $753 million deficit in its logistics contract. The Army also needs $800 million more to cover equipment maintenance costs and $650 million to pay contractors guarding garrisons.

The Air Force has decreased flying hours for pilots, eliminated some training, slowed civilian hiring and curtailed ''lower priority requirements such as travel, supplies and equipment,'' the report said.

The Pentagon comptroller told GAO investigators that the Defense Department has sufficient funds to cover the shortfalls, provided Congress gives officials more authority to transfer money among accounts.

But the GAO report warned that there will be a serious downside to that approach, especially the deferral of maintenance and refurbishing plans until next year.

''We believe that the deferral of these activities will add to the requirements that will need to be funded in fiscal year 2005 and potentially later years and could result in a 'bow wave' effect in future years,'' the report cautioned. ''Activities that are deferred also run the risk of costing more in future years.''

A ''bow wave'' refers to a time when deferred costs confront Congress all at once, making it impossible to meet the demands.

Mr. LAUTENBERG. When I look at the morning paper, I see examples of what the administration has failed to do. Look at the status of things in Washington, DC. I assume it is a representative city of urban centers across the country. We see the DC gap in wealth is growing.

I ask unanimous consent to have that article entitled ''D.C. Gap In Wealth Growing'' printed in the RECORD.

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

[From the Washington Post, July 22, 2004]

D.C. GAP IN WEALTH GROWING

UNEDUCATED SUFFER MOST, STUDY SHOWS

(By D'Vera Cohn)

The gap between rich and poor is as great in the District as in any other major city and has grown more here than in most places, a widening chasm that troubles government leaders.

A study to be released today by the D.C. Fiscal Policy Institute said the top 20 percent of the city's households have 31 times the average income of the 20 percent at the bottom. The gap in the District is fed by extremes at both ends: The poor have less average income than in most of the country's 40 biggest cities, and the rich have more.

The persistent gap between rich and poor has been fueling debate over whether the national economic recovery is helping all Americans. The study deepens the picture of an increasingly fractured city, where poverty and wealth both grew in the last decade. The average household income for the top group was $186,830, and the average income for the poorest group was $6,126.

''The rich got richer and the poor didn't get richer,'' said Stephen Fuller, a regional economist at George Mason University in Fairfax. ''The poor can't afford to get out of Washington to the suburbs. . . . Our wealthy class got wealthier in the 1990s, and it didn't trickle down to the bottom.''

The new report identifies the District, Atlanta and Miami as the big U.S. cities with the largest income gaps.

Another recent analysis, by the Lewis Mumford Center at the State University of New York at Albany, found that the District now ranks higher among economically polarized cities than it did in 1990. The analysis, by Brian Stults, a sociology professor at the University of Florida, employed a standard technique to analyze income inequality and ranked the District among the five big cities with the largest gap between rich and poor.

The D.C. Fiscal Policy Institute study measured 1999 income, but a co-author, Ed Lazere, said the income gap is not likely to have closed since then. Nationally, the gap between rich and poor widened from the 1970s until the early 1990s, and has inched up slightly since.

The trend, experts say, reflects a growing gap in wages between skilled, educated workers and those with no skills, as well as social changes such as a growing number of single parents, who have lower incomes than married couples. Although some gap is expected, they see the trend as a disturbing reflection of an economy in which people without college educations will be stuck at the bottom.

The city's richest and poorest households could not be more different, according to Lazere's analysis. Half of the richest households, with incomes starting at $89,814, are married. Among the poorest, where incomes topped out at $14,000, six in 10 were single, living alone. Single mothers accounted for less than 10 percent of the richest households, and more than a quarter of the poorest ones. Nearly all the working-age adults held jobs in the richest households, but only about half did in the poorest ones.

Using numbers from another census survey, Lazere's study calculated that the incomes of the city's richest households rose 38 percent over the decade, while those of the poorest went up 3 percent.

Tony Bullock, a spokesman for Mayor Anthony A. Williams (D), said the gap is the product of complex forces, including poor city services and poor schooling, that have persisted for decades and cannot be fixed overnight.

''We have a large concentration of poverty where no matter what we seem to do to bring investment into the District, a certain population is not able to access the kind of employment opportunities that come from a growing tax base,'' he said. ''But it is our hope that we can improve in the future.''

Bullock said the attractiveness of the city to high-income households is good for its tax base, and the study agreed. It said high-income families in the Washington region are more likely to live in the city than are affluent families in most other big metro areas.

Those at the top benefit from the District's unique job bank of high-paid employment related to the federal government, including lobbying and contracting. A single young professional can earn $100,000 in his or her first year out of law school.

At the other end of the income scale, Lazere's study said, the D.C. minimum wage, $6.15 an hour, is worth less when inflation is taken into account than it was worth in 1979. The purchasing power of the city's maximum welfare benefit—$379 for a family of three—fell by nearly a third over the decade, it said.

A bill co-sponsored by D.C. Council members David A. Catania (R–At Large) and Sandy Allen (D–Ward 8) would raise the D.C. minimum wage to $6.60 an hour next year and to $7 an hour by January 2006. It would be the first increase since 1997 in the D.C. minimum wage, which is set at $1 above the federal level. Catania said yesterday that he is confident that it will pass, and that he also wants the city to beef up its training programs for less-skilled workers.

''I don't want to focus so much on income disparity,'' he said. ''The government should focus more on how to lift these workers out of poverty and help them make better wages.''

Lazere said he is concerned that the mayor's efforts to boost the city's population by 100,000 over the next decade and attract high-income residents could squeeze out the poor through gentrification if the city does not expand its assistance to low-income workers.

''At the high end, the city already is attractive.'' he said. ''Specific policies to attract more high-income families may not be needed and may exacerbate the problems for our neediest residents.''

INCOME GAP

[The income gap between the richest and poorest households is at least as wide in the District as in the nation's other big cities, according to a new study by the D.C. Fiscal Policy Institute. The average income of the city's richest households was about 31 times that of the poorest ones.[1]]

Rank and city	Average income bottom fifth of households	Average income top fifth of households	Ratio of highest income to lowest income
1. Washington, D.C.	$6,126	$186,830	30.5
2. Atlanta	5,858	172,773	29.5
3. Miami	4,294	125,934	29.3
4. New York	5,746	159,631	27.8
5. Newark	3,747	93,680	25.0
6. Boston	5,832	145,406	24.9
7. Los Angeles	7,124	162,639	22.8
8. Fort Lauderdale, Fla.	7,831	176,053	22.5
9. Cincinnati, Ohio	5,440	117,086	21.5

INCOME GAP—Continued

[The income gap between the richest and poorest households is at least as wide in the District as in the nation's other big cities, according to a new study by the D.C. Fiscal Policy Institute. The average income of the city's richest households was about 31 times that of the poorest ones.[1]]

Rank and city	Average income bottom fifth of households	Average income top fifth of households	Ratio of highest income to lowest income
10. Oakland, Calif.	7,642	163,931	21.5

[1]Census 2000 data analyzed by the D.C. Fiscal Policy Institute. The difference between D.C., Atlanta and Miami may not be statistically significant.

Mr. LAUTENBERG. If you look at the chart and see what has happened in terms of the difference in the wage scales, it is atrocious.

The wage scale gap at the top of the ladder goes up $186,000 and the people at the bottom of the ladder are at $6,000. Once again, we see a failure of responsibility.

I see on television a message that says, ''My name is George W. Bush and I approve of this message.'' We see talk about the number of votes JOHN KERRY has missed but we don't see in the same message what JOHN KERRY did when he was in Vietnam. Even though he disagreed with the war, he went there and served bravely. He got three Purple Hearts, a Bronze Star, and a Silver Star—medals of bravery. One of the instances that got him that medal was pulling out of the water one of his colleagues who was practically drowning as bullets were flying overhead. He stopped that boat he was in command of and pulled his friend and subordinate out of the water. We don't see that. Instead, it says JOHN KERRY missed these votes.

Yes. JOHN KERRY is a man who is always devoted to duty. Right now what he is doing is important. All of us think the votes are very important here, but very often these votes are already predetermined by the numbers in the majority and the numbers in the minority—not that we should miss votes. But he has a more important task. He has a task of changing the leadership in this country and making sure we are paying attention to our responsibilities to the community at large and not just to a particular moment in time but, rather, in the total picture of leadership.

In my view, it is not how one runs government. What we see is a question of leadership in the administration—the question of leadership of President Bush and Vice President CHENEY. If you look at their prior leadership positions, you will see similar problems.

For instance, take Vice President CHENEY's recent leadership of Halliburton. How did he transform that company?

My experience in the corporate world was a very good experience. I, with two other fellows—all three of us coming from poor homes, two brothers—started a business over 50 years ago. It was a very small business in its beginning days. We had a few dollars of borrowed money—not much. We started a business that never looked like it was

going to mature. It took us 12 years to get to the stage where we could apply computer technology to our business. Today that company we started—three poor kids with no resources to begin with—has over 40,000 employees and the longest growth record of any company in America, a growth of 10 percent each and every year for 42 years in a row. We grew at 10-percent earnings each and every year. It is remarkable.

I give that background not to boast but, rather, to try to make a point, the point being that there is a culture associated with our company—a culture, I am proud to say, has never been challenged in over 50 years of business, a culture that says whatever we do we have to be honest with our customers, honest with our employees, honest with our shareholders, and honest with the public at large. That sets the corporate culture. It tells you how we want that company to operate.

A CEO has an impact on a company that should endure beyond his or her years of service. I want to use that example to reflect on what has happened with Halliburton, one of America's largest companies.

In the wake of early leadership, Halliburton has been associated with bribes, kickbacks, violating terrorist sanctions laws, and sweetheart, no-bid Government deals. It doesn't sound very pretty, and it is not.

To make matters worse, Vice President CHENEY still receives salary checks from Halliburton for well over $150,000 each and every year. It has been 4 years now, somewhere around $700,000. He still holds over 400,000 unexercised Halliburton stock options. They are exercisable to 2009. He left the company 4 years ago. If the administration continues its service, he will have 4 more years. That is 2008, by my count. But the options exercise in 2009.

It is unconscionable that he would have a financial association with this company that disgraced corporate leadership in a time of war.

When I was in the Army a long time ago, I enlisted in 1942. I was 18 years old. During that period of time that America was fighting for its life, it was unthinkable that a company could profiteer while a war was going on; unthinkable. It would have been considered traitorous behavior.

But here we are in a session where the Vice President is undermining our Nation's ethical credibility here and abroad.

On September 14, 2003, the Vice President was asked about his relationship with Halliburton and the no-bid contracts on ''Meet the Press.'' This is what triggered my interest. I listened very carefully, because I have respect for the office, and I think DICK CHENEY is someone who wants to do the right thing but it has hasn't come out that way. Vice President CHENEY told Tim Russert:

> I have severed all of my ties with the company, gotten rid of all of my financial interest. I have no financial interest in Halliburton of any kind and haven't had now for over 3 years.

There is a problem with that statement. When he said it, he held over 400,000 Halliburton stock options and continued to receive a deferred salary from the company.

In fairness, the Vice President has said, well, this is insured income, took out an insurance policy not dependent on the operating results of Halliburton. I take him at his word. He said he is going to give profits away from the stock option exercise to charitable institutions, philanthropic institutions.

But it is better for him if the company does well. He has these options, and even if he wants to give away the profits, the more profits the better if you look at the institutes he is giving the profits to. But he does hold 433,000 unexercised Halliburton stock options. Even though most of the exercise prices are above the current market price, the majority of the options, as I mentioned earlier, extend to 2009.

Any optionholder has to hope that the stock price will surge relative to the value of the options in excess. One way it can happen is to be sure that lucrative contracts keep coming from whatever source, whoever the customer is. In this case, the customer is the U.S. Government, and it is happening.

In the first quarter of 2004, Halliburton's revenues were up 80 percent from the first quarter of 2003. Why? Wall Street analysts point to one simple factor—the company's massive Government contracts in Iraq.

In addition, as I said, to the stock options, Vice President CHENEY continues to receive a deferred salary. Halliburton has paid the Vice President a salary of at least $150,000 a year since he has been Vice President of the United States. I think it is wrong and it ought to stop.

I heard the Vice President's defense: The deal was locked in in 1999; there was no way for him to get out of his deferred salary deal. That is not so. A little checking of the facts shows otherwise. I have obtained the terms of Vice President CHENEY's deferred salary contract with Halliburton. The bottom line is that the deferred salary agreement was not set in stone.

In fact, one need only look at the ethics agreement of Treasury Secretary Snow to see what the Vice President should have done in order to avoid taking the salary from a private corporation while in public office. Secretary Snow took six different deferred compensation packages as a lump sum upon taking office. The Vice President is not a victim of Halliburton's generosity. He could have attempted to take the deferred salary as a lump sum.

In the meantime, what has happened to Vice President CHENEY's former company? For starters, Halliburton overcharged the Pentagon a $27.4 million fee for meals served to troops abroad. The company billed taxpayers for meals never served to our troops. This is not Senator LAUTENBERG's concoction. These are the facts printed in news media, printed in contract agreements, printed in Pentagon papers.

Another Pentagon investigation is continuing after an audit found Halliburton overcharged the Army by $61 million for gasoline delivered to Iraq as part of its no-bid contract to operate Iraq's oil industry.

Now whistleblowers, former Halliburton employees, have revealed Halliburton employees would abandon $85,000 trucks because of flat tires—do not bother to fix them, get rid of it—or the need for an oil change. Dump the truck; we can bill the taxpayers. The whistleblowers also said Halliburton spent $45 for 30 canned cases of soda when local Kuwaiti supermarkets charged about $7. Halliburton has a cost-plus contract so they get reimbursed for their spending plus a calculated percentage of profit. That system is being heartily abused and is costing taxpayers a lot of money.

In my view, Halliburton is a company that suffers from failures in leadership, the same type of leadership that continues.

These overcharges are confirmed when the Pentagon, the Department of Defense, is refusing to pay bills of $160 million comprised of the elements I talked about. The auditors at the Pentagon said, Don't pay them; we do not owe that kind of money.

Those are overcharges, Mr. President.

In the meanwhile, we see the attack on Senator KERRY, our colleague. They are saying he has misplaced priorities; he missed votes in the Senate. What they are unwilling to admit is Senator KERRY and all of us are on a critical mission such as those he took on in Vietnam. What he is doing is not purposeless, it is not something to be made fun of. He is working for a safer, stronger America at home and respect for us across the world.

I wish President Bush would talk about the things he did or failed to do and that he would want to correct, such as protecting the purchasing power of working families, eliminating the creation of larger and larger deficits, protecting the solvency of Medicare, now estimated to be insolvent in 2019.

How about the costs of gasoline to the average person in this country since this administration has taken over? And $2.40 a gallon is not unusual for high test; $2.19 for regular gas is not unusual. I don't hear the President saying he wants to correct that problem.

No, he would rather try to say JOHN KERRY deserted his responsibilities, he is soft on defense. He received three Purple Hearts. Citizens do not get Purple Hearts for nothing. They even wanted to challenge the depth of one wound to see whether it was deserving of a Purple Heart.

Look at the cost of prescription drugs. Where are we going with that if drug prices go higher and higher? But

we do not hear any protest. As a matter of fact, we had a Medicare bill that says within its content that Medicare is forbidden to negotiate with the drug companies to try to get a lower price because of the huge volume of purchasing for Medicare beneficiaries. The VA negotiates drug prices and it brings the prices way down, much lower, 20, 30 percent lower than those the Medicare beneficiaries pay.

How about improving the job market? We see what is happening in the stock market. If that is to be a barometer of where we are going, it is a terrible indication. The market has been reeling from shock and in an awesome decline from where it was. This market that was supposed to be making everybody, the pensioners and the mutual funds and the investors, happy is not doing so.

We should be hearing from President Bush about what he is going to do to correct the problems so worrisome to American families today: whether they can afford their mortgage, whether they can afford to educate their kids, whether they can afford to take care of a grandparent, if necessary, whether they could guarantee that someone who can learn can get an education. Those are the things we would like to hear.

Stop this insidious criticism, personal criticism, of Senator JOHN KERRY. Look at JOHN KERRY's record and look at the record of this administration. What a comparison that is. The Nation is tired of hearing this negative stuff. Talk about positive things. Talk about what you are going to do for America, not about what the other guy failed to do. Talk about what you failed to do and are ready to correct.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRAPO). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 1039

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session to consider S. 1039, the Wastewater Treatment Works Security Act of 2003, that the bill be read a third time and passed, and that the Senate return to executive session.

The PRESIDING OFFICER. Is there objection?

The Senator from Nevada.

Mr. REID. Mr. President, will my friend restate the unanimous consent request?

The PRESIDING OFFICER. The Senator asks for a restatement of the request?

Mr. REID. Yes, please.

Mr. INHOFE. Of course.

Mr. President, I ask unanimous consent that the Senate proceed to legislative session to consider S. 1039, the Wastewater Treatment Works Security Act of 2003, that the bill be read a third time and passed, and that the Senate return to executive session.

Mr. REID. Mr. President, reserving the right to object, in committee I voted for this matter, to have it reported out. The ranking member, Senator JEFFORDS, did not, as did a number of other people who are in the minority. Their belief is this bill does not require wastewater systems to do basic tasks such as even completing a vulnerability assessment. Senator JEFFORDS believes this legislation is a step backward from existing law for drinking water plants and what we have agreed to already for chemical plants. So because of that, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. INHOFE. Mr. President, I would like to at least mention this is a bill that is in the committee I chair. It is one that has been requested by virtually every community we have in Oklahoma. In fact, the Senator who is presiding right now was a cosponsor of this bill. It passed the committee by a vote of 12 to 6. It passed the House of Representatives, once on a voice vote and the second time by a vote of 413 to 2—413 to 2. Virtually every Republican and Democrat voted for it. In fact, every Democrat voted for it. Only two Republicans did not vote for it. The House cosponsors include Congressman JIM OBERSTAR.

Wastewater treatment works are responsible for treating municipal and industrial waste to a level clean enough to be released into the Nation's waterways. I have to say, I cannot think of any one bill that means more to local communities. Having been a mayor of a major community at one time, this is a very critical bill. It is one I am hoping there will be no objection to when we come back from this recess in September.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. NELSON of Florida. Mr. President, I ask to speak as in morning business.

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

9/11 COMMISSION REPORT

Mr. NELSON of Florida. Mr. President, I rise to comment about the 9/11 Commission report. I think it is an excellent report. Its recommendations ought to be implemented and they ought to be implemented soon by the Congress. Given the fact that we are near gridlock in an election season and it is very unlikely in September when we come back from the August recess we will get anything done, I think we ought to consider coming back after the election and implementing the recommendations of the report. Why? Because the only way we protect ourselves from the enemies whom we call terrorists is to have accurate and timely information.

The terrorist uses surprise and stealth, and the only way to defeat that is by having accurate and timely intelligence.

So whatever we need to do to avoid the colossal intelligence failure we had on September 11 and the colossal intelligence failure we had again prior to going into Iraq, we best get about the job of correcting that information gathering, information flow, and information analysis so we can try to continue to thwart the attempts at doing damage to us.

Is it not interesting what the 9/11 Commission report said? It specifically defined the terrorist as someone who is usually an Islamist fundamentalist who has warped the teachings of Islam so that it becomes a passion of hatred, and out of that wanting to do damage to the free world. Of course, we being the superpower are the target of that.

It was also noteworthy in the Commission's report, as they are suggesting how to restructure the intelligence apparatus, they have suggested having a national intelligence director and that the counterterrorism center would be a compendium that would report to him. It is also interesting that they still wanted to keep the administration of intelligence gathering and analysis from direct political involvement. So the Commission did not recommend the new intelligence chief be a member of the President's Cabinet but rather be what they have defined as the National Intelligence Director. Then in all of these subdepartments that have a myriad of filling out a flow chart, an organizational chart, it is interesting how all of the different components of intelligence, the CIA, the DIA, the FBI, would then fit together into this new apparatus.

We only have to remember that about a month ago we had another major information failure, and this was at the time of President Reagan's funeral. We had the Governor of Kentucky on his State airplane, having been given clearance by the FAA to come in and land at Washington National Airport, and his transponder was not working. He had been given clearance by the FAA, but the FAA was not communicating with the military. So the military, seeing a blip on the radar moving to the center of Washington, without a transponder, sent out the alert and, of course, everybody in this U.S. Capitol building and in all of those office buildings off to the side of this building got the emergency evacuate order, so much so that the Capitol Police, bless their hearts, were shouting at the top of their lungs, get out of the building, run, there is an inbound aircraft.

So how many more of these do we need to have before we come to the commonsense reality that we are not collating and coordinating all of this information like we ought to? So, we best get on the process of reforming the system.

Now we have a good blueprint with which to do it. We have an opportunity to make America safer—and, with our allies, quite a bit.

That leads me to the next subject I want to talk about, our allies. The 9/11 Commission report also says something that many of us in this Chamber have been saying for some period of time: You can't go out and be successful in the war on terror until you can bring in a lot of colleagues, a lot of allies, in a coordinated and planned effort so you internationalize the effort. We did that brilliantly 13 years ago in the gulf war. We did that again brilliantly in Afghanistan when we started going after bin Laden. But we didn't do that in Iraq. Especially, we didn't do it in Iraq after a brilliant military victory. We didn't do it in the occupation.

What the 9/11 Commission is pointing out is that if you want to improve the intelligence-gathering mechanism and analysis, then you have to internationalize the effort. That stands to reason.

Fortunately, through Interpol and direct one-to-one relationships with other countries' intelligence services, we get a lot of that information. But as the 9/11 Commission said, we have to do a lot more.

The 9/11 Commission also told us something that we didn't know. It said the country of Iran may have facilitated al-Qaida. It did not suggest that Iran's Government knew anything about the planning for the September 11 attack, but it suggested that some of those operatives passed through Iran.

There have been a number of us in this body who have been talking about Iran; that after September 11, and the importance of going after al-Qaida, that the next imminent threat to the interest of the United States were the countries of Iran and North Korea. Why? Because they are trying to acquire or already are building nuclear capability. Therefore, I think it is very important that we get our act together and implement this Commission report for many reasons. That is just one additional reason.

I see the esteemed chairman of the Senate Armed Services Committee has come into the Chamber. I want to say in his presence, as he knows, as one of the members of his committee, on a completely different subject, I have spoken out time and time again about the plight and the determination to find some evidence about CAPT Scott Speicher, the Navy pilot who was shot down on the first night of the gulf war in 1991.

There is a report in the Washington Times—and I will make reference directly only to what is reported in today's Washington Times—and what the Washington Times says is that a Speicher team has left and has given up the search. I hope that is not true. The family who lives in my State, in Jacksonville, FL, deserves to have closure. The family has been through a trauma like hardly any of us could believe. The Washington Times gives a great deal of detail. I don't know if it is true or not, but if it is, then what this country owes to that family is to keep searching. If a team has been returned, as the Washington Times has stated, then it is important that whatever the size of that team, that we have a presence. As long as the U.S. military is located there, a fallen flier in the future will always have the confidence to know we are not going to leave him or her there alone, and we are coming to get you. We didn't do that with Scott Speicher.

Mr. WARNER. Will the Senator yield?

Mr. NELSON of Florida. I am delighted to yield.

Mr. WARNER. First and foremost, I can't comment on the Washington Times article. But yesterday, in the course of an Armed Services Committee briefing by General Dayton, who at this point in time is also briefing the Senate Intelligence Committee—and I just left the Intelligence Committee meeting to come to the floor—the matter was discussed. That much I will confirm, as appropriate. As a member of the Committee of the Armed Services, my able friend knows that at every juncture our committee, largely through yourself and Senator ROBERTS most often, brings up a current report on that.

I will not say, other than it was a matter that was discussed, and General Dayton shared with us his views. But I wish to point out, in discussing it with General Dayton, he finds that whatever was carried today, reflects it as his views, and he simply wants to say the final decision rests with the Secretary of the Navy, not General Dayton, as to the course of this investigation. So that much I will say. Beyond that, I believe, regrettably, it was a top secret briefing, but nevertheless information might well have gotten out. That is regrettable.

I thank the Senator for bringing it up. I, too, join you in fervently wishing and praying for Scott Speicher. The Senator has to be commended for the amount of time he has spent on this situation.

Mr. NELSON of Florida. I thank my colleague, my esteemed chairman. I am a devoted member of his committee, under his leadership. I thank the Senator from Virginia for all the personal encouragement he has given to me as we have relentlessly kept after this, trying to find some evidence.

I do want to say, since my colleague mentioned General Dayton, I think he performed magnificently. He, of course, had many other responsibilities other than just the search for CAPT Speicher. He had all the responsibilities of the search for weapons of mass destruction. But he had a special team that was led by Major Eames, who has now been promoted to lieutenant colonel. That young officer was as devoted as any that I could ever imagine in the search, when I visited with him in his headquarters in Baghdad. At the time we had actually gone to one of the cells where we thought maybe it was Scott Speicher's initials on the wall, having been scratched into the stucco: MSS.

All those leads did not pan out. But there are other leads they need to follow. It is my hope the U.S. military will continue to do that, even though General Dayton is not in Iraq anymore, and he deserves to be home. Even though Colonel Eames is not in Iraq.

If those leads would be continued, Colonel Eames would, in fact, be back in Iraq in a heartbeat, following up that new information.

I want to take the occasion of reminding the Senate that this Senator will continue to speak out on this issue, to remind the U.S. military of its obligation to continue to search for evidence so the case of Scott Speicher can be brought to closure.

Mr. President, I yield the floor.

Mr. WARNER. Mr. President, I commend my colleague. He has worked very hard on the Speicher case and undoubtedly his commitment will carry forward. I suggest, based on what was said yesterday, that he will be in consultation with the Secretary of the Navy. He has the authority to make disclosures as he sees fit about this case, but I believe General Dayton, in a very professional and conscientious way, will discharge his duties.

THE 9/11 COMMISSION REPORT

Mr. WARNER. Mr. President, I would like to provide this Senator's observations, very preliminary though they may be, with regard to the report of the 9/11 Commission which was made public today.

Yesterday I joined about a dozen or so Senators, the distinguished majority leader, and others to receive a brief private briefing. That was our first official glimpse of this report. I have not had the opportunity to, of course, go through this rather prodigious volume—each Member received a copy—but I do intend to do so because I think it is a very important contribution by this Commission. I think many parts of it can provide a roadmap for things that must be done.

It has been my privilege to serve in the Senate—this is my 26th year, and I commit to work with other colleagues, all colleagues, to see what we can do to strengthen our ability, not only in intelligence, but across the board in all areas of national security.

As privileged as I am to be the chairman of the Senate Armed Services Committee, I am prepared to listen to how the responsibilities of that committee should be changed for the better. I will not participate in any obstruction simply because of turf. I have been here too long. Also, this changed

world in which we live is so very different than when I came to this institution a quarter of a century ago, and most particularly in the aftermath of the tragedy of 9/11.

So I think it is incumbent upon all of us in the Congress and, indeed, the executive branch to have a strong self-examination of the areas covered by this report; to use this report, along with input from other commissions, groups, and individuals, as a sort of roadmap to guide us into those areas which need to be carefully reviewed.

Out of that process, which I hope is a carefully thought through, not rushed, deliberative process, I hope will evolve such changes as we, Congress, deem necessary to strengthen our capability to deter and, if necessary, engage further in this war against terrorism. So, therefore, I say with respect, I welcome the recommendations of the Commission. I commit to study them and commit to work with my colleagues.

Yesterday a specific question was put to the two cochairmen of the 9/11 Commission: Is America safer today? And their unhesitating acknowledgment was it is safer today, and I agree it is. Is it as safe as we need? None of us believe that. But I think conscientious efforts have been made all along the way to make this a safer Nation, and we have, in large measure, succeeded with the goals within the timetable we have had.

I am disappointed, however, that there was not more thorough dialog between the 9/11 Commission and Members of the Congress. I do not take that personally. I did have an opportunity to visit in my office some 2 weeks ago—a very pleasant visit—with one member, at which time we exchanged views. Somehow I do not feel that was the type of consultation that enabled us to get into the report and make constructive contributions. I do not suggest all 535 Members of Congress troop up before the 9/11 Commission. We do not have time to do that. Somehow it seems to me a better balance could have been struck between the knowledge and the ideas we have in the institution of the legislative branch of our Government that could have been shared with this Commission. After all, the Commission was, in many respects, created as a consequence of the actions of Congress.

Having said that, I am going to take some specific issue with this rather sweeping indictment that we have been dysfunctional in our oversight.

All throughout my public service, I have been privileged to have a number of jobs, and I am very humble about it, but I am far from perfect, and I have always welcomed constructive advice and criticism. But this time this dysfunctional brush that was wiped across struck me as not fair to certain things I personally have a knowledge of that were done by this body, the Senate.

I will start back some years ago in 1987 when, as a member of the Armed Services Committee, we structured the Goldwater-Nichols legislation which had sweeping ramifications in our overall defense setup. It has been hailed since that period of time as a landmark achievement by the Congress to begin to transform our military from the cold war era to the era of the threats today which are so diverse and so different as compared to those we confronted during World War II and in the immediate aftermath of the cold war.

That was quite an accomplishment and, in large measure, is owing to Senator Goldwater and Congressman Nichols. Again, I had the privilege to serve with those two men for many years, long before we started the Goldwater-Nichols Act.

As a member of the Armed Services Committee—and I say with humility and personal pride, I was a close personal friend of Senator Goldwater. I admired him so much and looked forward to the times we worked together and traveled together. I remember Congressman Nichols bore the scars of World War II, having been a very courageous serviceperson in that war. He was extremely conscientious about his duties on the House Armed Services Committee. These two giants in the way of thinking got together and relentlessly drove this legislation through both bodies of the Congress, and it has withstood the test of time.

Contemporaneous with this, I remember my dear friend with whom I came to the Senate, Senator Cohen, who later became, after he resigned from the Senate, Secretary of Defense. We worked together as a team with others to carve out of the Department of Defense, taking from the Army, the Navy, the Air Force, and the Marines some of the best and the brightest to create the Special Operations Command.

While today most colleagues have seen their magnificent performance worldwide, particularly as a front line against terrorism, I remind them it was a tough and long struggle, vigorously resisted by the Department of Defense, to create this new entity and to give them their dedicated assets of modest naval vessels, modest number of airplanes, and other equipment which was their own. But we succeeded. Today those forces have established themselves in the contemporary military history of this country as an essential part of our military structure, much admired by all, much envied by all, and their performance record is second to none. I do not mean to suggest by that they have outpaced or outperformed the basic elements, particularly combat-committed elements of the Army, Navy, Air Force, and Marines. No, it is that the whole military looks with a sense of pride toward their accomplishments. I am proud to have been a part of establishing this important part of our armed forces.

Then in 1999, when I was privileged for the first time to become chairman of the Senate Armed Services Committee, I went in there and I changed basically a structure that had been in place for decades, the subcommittee structure. Again, I carved out a new subcommittee called Subcommittee on Emerging Threats and Capabilities. This is 1999. This is not in the aftermath of 9/11. This is 1999.

I must say, I have had the constructive support of the members of the committee, and by pure coincidence—I am speaking of the Subcommittee on Emerging Threats and Capabilities—the first chairman of that subcommittee, the distinguished Senator from Kansas, Mr. ROBERTS, just walked into the Chamber, and perhaps he will have a word or two about the functions of that subcommittee.

Mr. President, I say to my distinguished colleague, I was saying the 9/11 Commission has brushed the Congress as being sort of dysfunctional, and I was going back in history. The Senator from Kansas was one of my principal supporters on establishing the Subcommittee on Emerging Threats and Capabilities. He has been ranking member or chairman of that subcommittee, and under his leadership and that of the full committee, we have achieved a great deal, and have helped the Department of Defense move forward in the areas of joint experimentation, homeland defense, counterterrorism, and future technologies and concepts that will be needed to confront future threats.

That subcommittee was directed to look forward a decade and determine what are the threats that are going to face the United States of America and how best our Department of Defense needs to transform itself and allocate assets and men and women to take up the positions of responsibility to meet those threats.

That subcommittee has done its work and done it admirably and has measurably enhanced the overall strength of our military today.

My distinguished colleague, Senator ROBERTS from Kansas, is chairman of the Intelligence Committee. I am privileged to serve on that committee today. In years past, I was privileged to serve 8 years. We have this rotation in the Senate, and this is my second tour on that committee. When I was vice chairman, together with other members of that committee, we fought hard against the cuts in intelligence.

I ask unanimous consent that portions of the minority view report be printed into the RECORD.

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

MINORITY VIEWS OF SENATORS WARNER, DANFORTH, STEVENS, LUGAR, AND WALLOP

The United States must maintain and strengthen U.S. intelligence capabilities to provide for the future security of the Nation and for the protection of its interests around the globe. The U.S. should commit more resources to achievement of that objective than the fiscal year 1994 intelligence authorization bill reported by the Select Committee on Intelligence would provide.

The U.S. faced grave security risks during the Cold War, but it faced them in an international environment that was comparatively stable and predictable. With the end of the Cold War and the dissolution of the Soviet Union and its Warsaw Pact military alliance, the U.S. had hoped for a ''New World Order'' with stable and steady progress toward greater democracy, freedom and free enterprise. What the U.S. faces in the post-Cold War era, however, is a more chaotic environment with multiple challenges to U.S. interests that complicate the efforts of the U.S. and cooperating nations to achieve the desired progress. In an unstable world of diverse and increasing challenges, the need for robust and reliable U.S. intelligence capabilities has grown rather than diminished.

America faces a world in which:

Ethnic, religious and social tensions spawn regional conflicts;

A number of nations possess nuclear weapons and the means to deliver them on a target;

Other nations seek nuclear, chemical or biological weapons of mass destruction and the means to deliver them;

Terrorist organizations continue to operate and attack U.S. interests (including here at home, as the bombing of the World Trade Center in New York reflects);

International drug organizations continue on a vast scale to produce illegal drugs and smuggle them into the U.S.; and

U.S. economic interests are under constant challenge.

The United States continues to have a vital interest in close monitoring of developments in the independent republics on the territory of the former Soviet Union. The U.S. Government needs accurate and timely intelligence on the nuclear arsenals, facilities and materials located in Russia, Ukraine and other republics; the economic and military restructuring in the republics; and the ethnic, religious and other social turmoil and secessionist pressures in the republics.

To the extent that the end of the Cold War allows a reduction of U.S. resources devoted to intelligence capabilities focused on military capabilities of countries on the territory of the former Soviet Union, the U.S. should reallocate the gained resources to strengthen intelligence capabilities to deal with growing risks to America's interests. The U.S. should make such resources available for strengthened intelligence capabilities focused on the problems with which the U.S. Government must deal in the coming decades, including proliferation of weapons of mass destruction, terrorism, international narcotics trafficking, and the illegal transfer of U.S. high technology. In many intelligence disciplines, investment in research and development is needed now to yield intelligence capabilities a decade from now. Absent needed investment, capabilities will not be available when needed and existing capabilities will erode.

At the same time as risks to U.S. interest grow, U.S. military power will decline as the U.S. draws down substantially the size of its armed forces following victory in the Cold War. With a diverse and growing array of risks to U.S. interests and a reduced commitment of resources to the Nation's defense, the U.S. will grow increasingly dependent for its security and the protection of its interests abroad upon its intelligence capabilities—the Nation's eyes and ears. Indeed, the substantial cuts of recent years in defense budgets have been premised directly upon the strengthening of intelligence support to the remaining, smaller armed forces. Reducing the Nation's intelligence capabilities magnifies significantly the risks attendant to reductions in resources devoted to the Nation's defense. As this Committee noted in discussing legislation to assist in managing the personnel reductions at the Central Intelligence Agency, ''. . . maintaining a strong intelligence capability is particularly important when military forces are being substantially reduced . . .'' (S. Rept. 103–43, p. 3).

The U.S. will depend on effective foreign intelligence in allocating scarce U.S. national security resources effectively. To protect America's interests in times of peace and of conflict, U.S. policymakers and military commanders will depend heavily upon early warning of trouble and early and extensive knowledge of the activities, capabilities and intentions of foreign powers. Effective intelligence will multiply substantially the effectiveness of the smaller U.S. military force.

A sampling of the deployment of the U.S. armed forces abroad in the past four years illustrates risks to American interests in the post-Cold War world, likely uses of U.S. military forces in the future, and the importance of effective intelligence in supporting military operations. In late 1989, American troops in Operation JUST CAUSE liberated Panama from the Noriega dictatorship that suppressed Panamanian democracy and threatened U.S. personnel. In 1990 and 1991 in Operations DESERT SHIELD and DESERT STORM American and coalition forces liberated Kuwait from Iraqi occupation, and those forces remain on station in and around the Arabian Peninsula to enforce United Nations sanctions on Iraq. American forces have rescued American diplomats caught in civil insurrections abroad. U.S. forces have assisted in stemming the flow of illegal immigrants into the United States. U.S. forces have undertaken humanitarian relief operations, to feed hungry people and provide them medical care. The U.S. has assigned its forces as part of or in support of United Nations peacekeeping forces in many countries, including Bosnia, Macedonia, Somalia, and Cambodia. In every one of these operation—from massive operations on the scale of DESERT STORM to the smallest humanitarian relief operations—the successful accomplishment of missions by the U.S. armed forces and the protection of American troops have depended directly upon the high quality and timeliness of the intelligence available to American forces.

Reductions in U.S. intelligence capabilities in this period of international instability are unwise and do not serve the Nation's long-term security interests. Defense of America and America's interests abroad requires a greater commitment of resources to U.S. intelligence capabilities than the fiscal year 1994 intelligence authorization bill provides.

JOHN WARNER.
JOHN C. DANFORTH.
TED STEVENS.
RICHARD G. LUGAR.
MALCOLM WALLOP.

Mr. WARNER. I have the report that accompanied the 1994 bill. This was written in July of 1993. This report covered the ensuing fiscal year. I wrote the minority views, which were joined in by other colleagues on the committee at that time: Senator Danforth, who is now our Ambassador to the United Nations; Senator STEVENS, who is currently chairman of the Senate Appropriations Committee; Senator LUGAR, who is currently chairman of the Foreign Relations Committee; and our former colleague, Senator Wallop.

Here is what we had to say, and I do not think this is dysfunctional participation, but I will let my colleagues judge for themselves after I have read portions of this report.

The minority views of the following Senators:

The United States must maintain and strengthen U.S. intelligence capabilities to provide for the future security of the Nation and for the protection of its interests around the globe. The U.S. should commit more resources to achievement of that objective than the fiscal year 1994 intelligence authorization bill reported by the Select Committee on Intelligence would provide.

We were, of course, members of that select committee.

The U.S. faced grave security risks during the Cold War, but it faced them in an international environment that was comparatively stable and predictable. With the end of the Cold War and the dissolution of the Soviet Union and its Warsaw Pact military alliance, the U.S. had hoped for a ''New World Order'' with stable and steady progress toward greater democracy, freedom and free enterprise. What the U.S. faces in the post-Cold War era, however, is a more chaotic environment with multitude challenges to U.S. interests that complicate the efforts of the U.S. and cooperating nations to achieve the desired progress. In an unstable world of diverse and increasing challenges, the need for robust and reliable U.S. intelligence capabilities has grown rather than diminished. America faces a world in which: Ethnic, religious and social tensions spawn regional conflicts; a number of nations possess nuclear weapons and the means to deliver them on a target; other nations seek nuclear, chemical or biological weapons of mass destruction and the means to deliver them; terrorist organizations continue to operate and attack U.S. interests (including here at home, as the bombing of the World Trade Center in New York reflects)—

This is 1993. It is interesting. It was June 30, just about this time—

international drug organizations continue on a vast scale to produce illegal drugs and smuggle them into the U.S.; and U.S. economic interests are under constant challenge.

To the extent that the end of the Cold War allows a reduction of U.S. resources devoted to intelligence capabilities focused on military capabilities of countries on the territory of the former Soviet Union, the U.S. should reallocate the gained resources to strengthen intelligence capabilities to deal with growing risks to America's interests. The U.S. should make such resources available for strengthened intelligence capabilities focused on the problems with which the U.S. Government must deal in the coming decades, including proliferation of weapons of mass destruction, terrorism, international narcotics trafficking, and the illegal transfer of U.S. high technology.

I shall not read further because I will put it in the RECORD.

This is not dysfunctional action by legislators; this is legislators looking into the future and seeing much of what is occurring today. I only wish we had the opportunity to advise the 9/11 Commission of this and other contributions by many others in this Chamber at that period of time who were in the service of the Senate and their States. This was not dysfunctional.

In the days ahead, we do need to look at how best to organize the intelligence elements of our national security structure, along with many other components. We must not, however, do anything precipitously.

In the specific area of intelligence, our intelligence services, even with the flaws that have been recently pointed out, are the best in the world, by far. They are not perfect, and their business is, by definition, one of uncertainty—best judgments made with the information that is currently in hand. Any changes we make must be carefully constructed to preserve existing excellence, while improving other functions.

As we consider any changes, we must remember that intelligence is an integral part of military operations. Recent military operations by our forces in Afghanistan and Iraq have been extraordinarily successful, in large part because of excellent intelligence, and because of the close relationship between military operations and intelligence that has been so carefully built over the years. Intelligence is part of a whole Department of Defense, as well as part of a larger intelligence community. Moving defense intelligence functions under the authority of another cabinet-level official could have unintended consequences—we must move with careful deliberation.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

TRIBUTE TO TOM DIEMER

Mr. DEWINE. Mr. President, I rise today to recognize the retiring dean of the Ohio press corps. Tom Diemer, a veteran reporter who spent more than 26 years at the Cleveland Plain Dealer newspaper, has left the paper to pursue another career.

Tom is one of those rare reporters who truly do ''get it.'' Tom understands Ohio. He understands Ohio government. He understands Ohio politics and certainly national politics. He understands what his readers need and what they want to know.

Tom Diemer began working at the Columbus bureau of the Plain Dealer in 1978. A few years later, in 1981, Tom was promoted to bureau chief. When the opportunity came in 1985 to join the Plain Dealer's Washington bureau, Tom took it. During his career here in Washington, Tom has covered four Ohio U.S. Senators: first, Howard Metzenbaum and John Glenn; later on, myself and then GEORGE VOINOVICH.

With a healthy dose of skepticism, Tom reported to his readers in Cleveland about the activities in the U.S. Senate. But Tom was never a reporter to take a press release at face value or a prepared statement at face value. I think Tom was a skeptic in a good sense of the term. He required his sources and those he got information from to make the case to him, and he questioned them, questioned them hard. He asked them questions that showed he was looking for the story behind the story. Whether it was local issues, such as the Great Lakes or the Euclid Corridor, or national issues, such as a war declaration or the PATRIOT Act, we could always expect Tom to dig deeper and go further with his line of questioning than just about anybody else.

Tom would want to know the implications of a certain story or he would want some ''color'' for his story so he could capture the ''feel'' of an event for his readers. He would want to be able to take his readers here to Washington and let them feel and understand how things really work in our Nation's Capital.

I always got the feeling that when Tom wrote a story, his editors got off pretty easily. They really did not have to do much work. However Tom wrote it, that was probably just about the way the story appeared in the Plain Dealer because Tom got it right. No matter how tough his questions were to me, I always knew any story I read by Tom Diemer would be fair and accurate.

In Washington, Tom came to lead the Ohio press corps. His expertise about Ohio politics often made him the go-to person for C–SPAN or CNN or any of the national reporters anytime they needed someone to analyze the Ohio political scene during an election year.

I have always appreciated Tom's great professionalism, his thoroughness, his frankness, his fairness, his kindness, and the way he deals honestly, forthrightly with people.

Tom Diemer will still be writing, but he is leaving the Plain Dealer to set out now on his own. I certainly will miss him. I will miss my frequent contact with him. I certainly wish him the best of luck.

TRANSPORTATION SAFETY

Mr. President, I would like to turn to the issue of highway safety. Over 43,000 people lost their lives on our Nation's highways last year. That is one death every 12 minutes or the equivalent of two Boeing 747–400s filled to capacity going down every week with no survivors.

This past May, the National Highway Traffic Safety Administration, NHTSA, released its 2003 traffic safety report, which details when, where, and why so many Americans lose their lives on our roads. This information gives us an idea of how effective our efforts are at the local, State, and national levels and where we need to focus resources in the future to help save lives. Based on the preliminary 2003 data, we have, tragically, a long way to go.

Overall, fatalities increased 1 percent, from 42,815 in 2002 to 43,220 in the year 2003. This is the fourth consecutive increase in annual traffic fatalities. This is truly bad news, particularly in light of the progress we made throughout the 1990s, when the norm was a reduction in fatalities each year. On the other hand, the number of deaths per 100 million vehicle miles traveled stayed constant at 1.5 from 2002 to 2003. While not an increase, this figure does show how difficult it will be to reach the Secretary of Transportation's very aggressive goal of reaching 1.0 fatalities per 100 million vehicle miles traveled by the year 2008.

The 2003 report also includes a number of other findings that shed light on the direction our country is taking as far as highway safety. Among other things, the report states the following:

Standard passenger car fatalities are down but deaths in sports utility vehicles, SUVs, are up in the past year, with most of the increase coming from rollover crashes. NHTSA estimates this trend may continue as SUVs grow as a share of sales volume.

Motorcycle crash deaths are up 11 percent from last year, now totaling 3,592. Further, drunk driving death rates are essentially unchanged from 2002, with 40 percent of crash fatalities involving alcohol in the year 2003.

Further, the number of fatal crashes involving young drivers, those between 16 and 20, declined by 3.7 percent, from 7,738 in 2002 to 7,542 in the year 2003.

While the report does bring welcome news with regard to young drivers who are much more vulnerable while driving than adults, it is also clear that progress needs to be made in a host of other areas, particularly rollover crashes and drunk driving. I have been working in the Senate, along with others, to see that we do just that through safety issues we have added and that the Senate added to the 6-year highway bill currently under consideration by the joint House-Senate conference committee.

These initiatives are designed to advance our ability to test vehicles for passenger protection and rollover crashes, get consumers vital crash test information when they need it most, and increase seatbelt use and reduce drunk driving through nationwide high-visibility traffic safety enforcement campaigns. Combined with increased seatbelt use, something that in my State of Ohio, Ohio State Senator Jeff Armbruster is working diligently to enforce in Columbus, better driver education, which the Ohio Department of Public Safety is focusing on, and responsible practices, such as using a designated driver, can in fact make a real difference.

These initiatives are contained in the Senate-passed bill that is currently being considered by the House-Senate conference committee. It is vitally important that they remain in this conference committee. They will, in fact, save many lives.

Traffic safety affects all of us. We all have a role to play in making sure that when the 2004 numbers come out early next year, they are headed in the right direction.

In a related matter, I would also like to discuss a very important development in the effort to make our Nation's roads safer. Earlier this month,

Delaware became the 50th and last U.S. State to adopt a .08 blood-alcohol content per se drunk driving standard. Now every State in the Union has that standard.

This development constitutes the culmination of many years of work here in the Senate to get tough, uniform drunk driving laws on the books across our country. In 2000, the Senate took decisive action to help stop drunk driving by implementing mandatory sanctions for States that do not adopt a .08 per-se standard. Now we are finally seeing the full realization of this effort, as all 50 States now have .08 laws.

This is so important from a safety perspective because the fact is that a person with a .08 blood-alcohol concentration level is seriously impaired. When a person reaches .08, his or her vision, balance, reaction time, hearing, judgment, and self-control are severely impaired. Additionally, critical driving tasks, such as concentrated attention, speed control, braking, steering, gear-changing and lane-tracking, are negatively impacted at .08.

Beyond these facts, there are other scientifically sound reasons to have a national .08 standard. First, the risk of being in a crash increases gradually with each blood-alcohol level, but then rises rapidly after a driver reaches or exceeds .08 compared to drivers with no alcohol in their systems. The National Highway Traffic Safety Administration reports that in single-vehicle crashes, the relative fatality risk for drivers with blood alcohol levels between .05 and .09 is over eleven times greater than for drivers with blood alcohol levels of zero.

Second, .08 blood alcohol laws have proven results in reducing crashes and fatalities. Some studies have found that .08 laws reduce the overall incidence of alcohol fatalities by 16 percent and also reduced fatalities at higher blood alcohol levels. Now that all 50 States have a .08 law, we will have the opportunity to see its effects on a much larger scale.

The reduction in alcohol-related fatalities since the 1970s is not attributable to one single law or program. Rather, it is the result of a whole series of actions taken by State and Federal Government and the tireless efforts of many organizations, such as Mothers Against Drunk Driving, Students Against Drunk Driving, Advocates for Highway and Auto Safety, the Insurance Institute for Highway Safety, the Alliance of Auto Manufacturers, and many others.

I thank my friend from New Jersey, Senator LAUTENBERG, for his continued dedication to fighting drunk driving. His hard work and perseverance have made the nationwide .08 standard possible. Mr. President, .08 was definitely a legislative effort worth fighting for, and now that all 50 States have a companion law in effect, I believe we will see why.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

JOB GROWTH: GOOD JOBS

Mr. FRIST. Mr. President, shortly we will be going to the Defense bill and we will have a UC in a little bit on that. While we are waiting for some final approval on language, I want to take this opportunity to comment on the economy, job growth, and jobs.

Earlier this week, Chairman Greenspan presented his semiannual monetary policy report to Congress. The chairman's conclusion needs to be highlighted. He said: ''Economic developments of the United States have generally been quite favorable in 2004'' and that this favorable situation ''increasingly supports the view that the expansion is self-sustaining.''

On the same day the chairman presented his upbeat, optimistic assessment of the economy to the Senate Banking Committee, the Department of Labor released its latest report on State-by-State employment figures for June. The Department of Labor report presents hard data that shows the unemployment rate has fallen in 47 States since last June—47 States. Nonfarm payroll employment increased in 41 States in June. Over the past year, employment has increased in 46 States. Today, 37 States have unemployment rates at or below the national unemployment rate of 5.6 percent in June. Further, since last August, the economy has generated 1.5 million private sector jobs, and an average of more than 250,000 jobs have been created each month over the last 4 months. Finally, today, more Americans are working than at any time in this country's history—over 139 million Americans.

Unable to refute this good news, this positive news, this real and continually improving news on the job front, some of our Democratic Senators and colleagues, including the presumptive Democratic Presidential and Vice Presidential nominees, have tried a whole new approach in attacking this positive news. They now have decided: OK, maybe there have been jobs created, but they are not good jobs; they are low-paying jobs. This is a new approach. As former President Ronald Reagan would say: There they go again.

The question was asked directly of Chairman Greenspan by my colleague, Senator DOLE, on Tuesday:

> Does your analysis show that the current jobs being created are basically lower wage jobs with little or no benefits?

The chairman's answer, in one uncharacteristic word for him:

> No.

More recently, the University of Pennsylvania's nonpartisan Annenberg Public Policy Center supported research found that after analyzing data over the last year from the Bureau of Labor Statistics, there was ''solid growth in employment in relatively higher paying occupations,'' including construction workers, health care professionals, business managers, and teachers, and virtually no growth in relatively lower paying occupations, such as office clerks and assembly line workers.

Factually, the study concluded that we have seen ''good evidence that job quality has increased over the past year or more.''

I asked my staff to similarly analyze the data since the most recent job growth began last August. Using the current population survey data distributed by 11 industries broken down by 14 occupations, 154 categories of workers, there were in these 154 categories 1.8 million jobs created and 110,000 jobs lost since last August.

The median weekly earnings for these 154 categories in 2003 was $541. Of the gross 1.8 million jobs created since last August, 1.4 million were in categories where their weekly wage exceeded the median wage of all workers in 2003. In other words, 77 percent of all the jobs created since last August have been in occupations with weekly earnings above the median.

Of the 1.8 jobs created since last August, 461,000 were in occupations with weekly earnings below the median, or 27 percent of the jobs created were in those below median earnings jobs. Only about 110,000 jobs created since last August have been in occupations at the median.

The conclusion, supported by other objective analyses, higher paying jobs are growing faster than other jobs in this recovery.

My friends on the other side of the aisle who are looking hard to find a way to spread pessimism across the political landscape of this election year are simply wrong in saying the quality of jobs being created is low.

Chairman Greenspan just simply disagrees. The nonpartisan Annenberg Public Policy Center-supported research disagrees, and hard data from the Bureau of Labor Statistics disagree.

Economic growth is on track, job growth is good, and the quality of those jobs is high. I hope my Democratic friends could at least try to get their facts correct, and when they do they will find this latest attempt to discredit the progress made is a canard.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The Senate is in executive session.

Mr. DODD. I ask unanimous consent to speak as if in morning business.

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

(The remarks of Mr. DODD pertaining to the introduction of S. 2755 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The majority leader.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005—CONFERENCE REPORT

Mr. FRIST. Mr. President, I ask unanimous consent that following the granting of this request, the official Senate copy of the Defense appropriations conference report having been presented to the desk, the Senate proceed to 2 hours for debate only, with 1 hour equally divided between the chairman and ranking member of the committee and 1 hour equally divided between Senator MCCAIN and Senator INOUYE; provided further that following that time the Senate proceed to a vote on adoption of the Defense appropriations conference report with no intervening action or debate and points of order waived; further, that when the Senate receives the official papers from the House, the vote on passage appear at the appropriate place in the RECORD following the receipt of those papers; and, finally, this agreement is null and void if the House does not agree to the conference report.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, reserving the right to object, if all goes well, Members will not use the full 2 hours. This, I think, is the only remaining vote Members would have to worry about tonight unless something untoward happens. Is that right?

Mr. FRIST. Mr. President, we have several business items, one of which has Transportation, Coast Guard, and other issues. The assistant Democratic leader is right with his implication that this is going to be in all likelihood the only rollcall vote. It is absolutely critical that Members understand we have other items we have to address tonight. We need to do that, and finish with this vote, if all goes well.

Mr. REID. Mr. President, if everything goes well, Members may have a vote on this very important conference report.

There is no objection on this side.

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

Who yields time?

Mr. DAYTON. Mr. President, after the vote on the Defense appropriations, will there be opportunities for Senators to speak on other subjects?

Mr. FRIST. Mr. President, there will be. We will be happy to be here through the night for morning business—at some reasonable hour, I hope. We will be here for a while.

Mr. DAYTON. I thank the majority leader.

The ACTING PRESIDENT pro tempore. The clerk will 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 to the bill (H.R. 4613) ''making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes,'' having met, have agreed that the House recede from its disagreement of the amendment of the Senate, and agree to the same with an amendment, and the Senate agree to the same.

Signed by all of the conferees on the part of both Houses.

(The conference report is printed in the House proceedings in the CONGRESSIONAL RECORD of Tuesday, July 20, 2004 (No. 101—Book II).)

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. STEVENS. Mr. President, our Appropriations Committee is pleased to present to the Senate the Defense Appropriations Conference Report for the Fiscal Year 2005. I believe passage of this measure today represents the earliest date the Defense bill has ever been sent to the President for signing.

This conference report symbolizes a balanced approach to fulfilling the financial needs for the Department for the fiscal year 2005.

It provides $416.2 billion in new discretionary spending authority for the Department of Defense. This amount includes $25 million in emergency spending requested by the President for the fiscal year 2005 costs associated with the operations in Iraq and Afghanistan. That provision becomes effective immediately upon the signing of this bill by the President.

The conference report fully funds key readiness programs critical to the global war on terrorism such as land forces training, helicopter flying hours, ship steaming days, and spare parts.

It fully funds the 3.5 percent military pay raise proposed in the President's budget, and increases levels for basic allowance for housing, eliminating service members' average out-of-pocket housing from 3.5 percent to zero in 2005.

It provides $1.5 billion above the President's budget request for Army and Marine Corps recapitalization of combat and tactical vehicles, helicopters, and ammunition, and provides a total of $18.2 billion for the Defense Health Program, an increase of $2.5 billion over the fiscal year 2004 enacted level.

I urge all Members to support the men and women in uniform who risk their lives for our country each day by voting for this measure.

I would like to thank Larry Lanzillota, the Acting Department of Defense Comptroller, for his hard work, dedication, and diligence throughout the past year. He has done a superb job and we wish him success in his future endeavors.

I also thank my cochairman, Senator INOUYE, for his support and valuable counsel, and recognize him for any statement he wishes to make.

I wish to put in the RECORD the names of the diligent staff members who have worked on this bill night and day to be able to present it to the Senate at this time, as follows:

Charlie Houy, Betsy Schmid, Nicole DiResta, Sid Ashworth, Jennifer Chartrand, Kraig Siracuse, Tom Hawkins, Kate Kaufer, Lesley Kalan, Alycia Farrell, Brian Potts, Brian Wilson, Janelle Treon, and Mazie Mattson.

I yield to my friend from Hawaii, if he wishes to make an opening statement.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I rise today to address the Defense appropriations conference report that passed the House earlier today.

First, I wish to commend my chairman, Senator STEVENS, and his capable staff for this agreement.

The proposals provided by the conference report represent a careful balance between the recommendations of each body. Moreover, it provides what the Defense Department needs for the coming year.

This is a good bill. It represents a fair compromise. It is the product of a lot of hard work by the chairman and members of the committee. I recommend all my colleagues support it.

Let me highlight just a couple of key items in this measure.

In meeting the conference committee priorities, the bill supports the men and women in uniform. It approves a 3.5 percent pay raise for them. It funds health care requirements to include benefits that are authorized for our guard and reserve forces. And, most important in this very challenging time, it provides significant increases for force protection—specifically up armored ''humvees'', body armor, better helmets, armor plating for other vehicles and new technology to try and counter improvised explosive devices.

The bill provides substantial resources to enhance investment programs in the Defense Department to support key programs like the V–22, the F–22, the new DDX destroyer, the littoral combat ship, missile defense and significant increases in Army equipment for Stryker combat vehicles, trucks, and helicopters.

But, I want to inform my colleagues that this bill does not rubber stamp the administration's desires. It reduces many programs for which insufficient justification has been provided. While we recognize that the country needs to continue to enhance its space capabilities, members of the Appropriations Committee have learned the hard way that improvements must be developed prudently. It is a waste of resources to try and accelerate complex new technologies in the manner recommended by civilian officials in the Defense Department.

The bill also provides $25 billion in emergency spending, the amount requested, but it allocates the funds to meet the priorities and needs of the individual military departments, not the