



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 108<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 149

WASHINGTON, WEDNESDAY, MAY 21, 2003

No. 76—Part II

## Senate

### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004—Continued

Mr. HATCH. Mr. President, today I have the privilege of rising to support the Defense authorization bill. As we have seen in the recent conflict in Iraq and Afghanistan, the process of transforming our Nation's military has initially met with great success. Many at home will ask what is transformation and what does it mean to the future of our Nation's military? Simply put, transformation is a process of reform that will revolutionize the way the military conducts operations. We saw a glimpse of this emerging reality during the Iraqi conflict where information was gathered from a variety of sensors, whether on the ground or in the air, and that information was transmitted very quickly to commanders who could then exploit the weakness of our enemy. It was a remarkable operation and it reflects the high level of competence and expertise of our Nation's service men and women.

This Defense bill will accelerate transformation and ensure that our forces maintain their decisive edge. It is an important accomplishment and the chairman, ranking Democratic member and all the members of the committee deserve our thanks. Their efforts to make military transformation a reality has led them to fund the research and development of such revolutionary systems as the Army's Future Combat System, or FCS. FCS will allow our forces to deploy an Army brigade anywhere in the world within 96 hours. The DDX and the Littoral Combat Ship will also be revolutionary in their stealth characteristics, automation systems, and command and control capabilities.

The committee is also continuing its support for the Joint Strike Fighter, the F-35, which will bring a stealth fighter to all of our air and naval/marine air forces. However, I was disappointed to see that the President's

request for full funding of the F/A-22 did not occur. This is a system that is a transformational aircraft at its core. The F/A-22's supercruise engines allow for extended supersonic flight—a magnitude longer than its after-burner predecessors. Using stealth capabilities, the F/A-22 is able to penetrate an opponent's airspace and engage enemy aircraft at great ranges. Additionally, unlike our current air superiority fighter the F-15C, the F/A-22 will be able to engage integrated surface-to-air missile systems. Once again using stealth technology, the F/A-22 will be able to approach these missile sites and destroy them, utilizing internally carried GPS-guided bombs. The F/A-22, using this bombing capability, will also have the ability to track and launch attacks against ground-fixed and mobile targets. However, the truly transformational aspect of the aircraft is that it can accomplish all of these missions almost simultaneously. Paraphrasing the Air Force's motto, no aircraft comes close to the F/A-22's capabilities. I hope that the committee will reverse its decision and fully fund the President's request for 22 of these remarkable aircraft.

I also want to mention my deep concern about the funding of the Radiation Exposure Compensation Program, RECA. The RECA program provides compensation to those individuals who became ill after being exposed to radiation from aboveground nuclear tests or as a result of their employment in the uranium industry. In addition to creating eligibility criteria for compensation, the RECA statute created a trust fund to pay claims. Two years ago, the RECA trust fund ran out of money and individuals whose RECA claims were approved by the Department of Justice were given IOUs. In response to this serious matter, we were able to obtain additional funding for the RECA trust fund through the fiscal year 2002 Department of Defense authorization legislation. This legislation

provided a "capped" appropriation for the RECA trust fund from fiscal year 2002 through fiscal year 2011.

Unfortunately, the Department of justice recently informed my office that the capped appropriation for fiscal year 2004 will be about \$28 million short and that they expect the trust fund to run out of money by next May. In addition, a report issued by the General Accounting Office in April 2003 states that the RECA trust fund will be inadequate from fiscal year 2003 through fiscal year 2007. According to GAO, there will be a shortfall of \$78 million through fiscal year 2011.

I am deeply concerned about this funding shortfall and urge my colleagues to do everything possible over the next several months in order to avoid this looming crisis. I do not believe it is fair that RECA beneficiaries, whose compensation has already been approved by the Department of Justice, could be waiting months for their compensation. And that's exactly what will happen if we do not address this situation in a timely manner. So I urge my colleagues to work with me as we pursue every option to find a solution to this very serious problem.

There will always be some elements of disagreement in any piece of legislation, but there is no disagreement that the committee continues to strive to compensate our Nation's service men and women for their hard work and dedication. Though we have a long way to go, I am pleased with this year's progress and the committee's authorization of an across-the-board military pay raise of 3.7 percent and an additional targeted pay raise for certain experienced mid-personnel, ranging from 5.25 percent to 6.25 percent, for an overall raise of 4.15 percent. I am also encouraged to see that the committee has provided for an increase in the family separation to see that the committee has provided for an increase in the family separation allowance from \$100 per

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S6845

month to \$250 per month and an increase in the special pay for duty subject to hostile fire or imminent danger from \$150 per month to \$225 per month.

I would also like to direct the Senate's attention to some of the unsung heroes who have played such important roles in American military victories. These are the thousands of men and women who work in our Nation's depots. They have worked tirelessly to make sure that the weapons, aircraft, and ammunition that our forces use are properly maintained and in fantastic condition. They are the backbone of our military force and they deserve commendation for the tremendous role they have played. Appropriately, when the committee was considering proposals to undermine the strength of our depot system, it was the Senate Air Force Depot Caucus, of which I am proud to be a member, and Senators INHOFE, CHAMBLISS, BENNETT, and NICKLES, who rose to protect our depots. We have so far been successful in our efforts but we realize that we must be forever vigilant to protect these critical military resources.

Again I would like to thank the chairman, ranking Democratic member and all of the members of the committee for their work on this bill. It will be of great service in the support of our Nation's service men and women.

#### MORNING BUSINESS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business.

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

#### MAD COW DISEASE

Mr. DORGAN. This morning's newspaper has a story on the front page that says: "Canada Finds 'Mad Cow'; U.S. Bans Beef Imports."

On behalf of the beef industry in this country and consumers in this country, this begs a very important question. If Canada found a cow, one cow, in the month of January, that was headed toward a slaughterhouse and subsequently killed, that now 4 months later they say was infected with mad cow disease, the question is, Why does it take 4 months to learn that a cow killed in January had mad cow disease?

There are two possible reasons, it seems to me. One, there is a system by which they sent the head of this animal to England to have it tested and somehow it took 4 months to test it and to tell the people in this country and Canada there was a cow with mad cow disease killed in January. Four months is absurd. If that is the case, something is horribly wrong. Or, second, they discovered earlier than 4 months and did not disclose it.

I don't know which, but the Secretary of Agriculture has imposed a moratorium on further shipments of

beef into this country from Canada. That makes good sense. I support her decision. We ship into this country from Canada 1 million head of cattle and 1 billion pounds of beef. The Secretary of Agriculture is perfectly right in saying let's suspend those shipments at this point. I want her to investigate, and I am sure they will find the answer to the question, Why did it take 4 months to learn that a cow in Canada killed in January was infected with mad cow disease? That, in my judgment, is a threat to the beef industry in this country, a threat to consumers everywhere.

There are one of two explanations, neither of which, in my judgment, is a good explanation. We need to get to the bottom of it on behalf of our beef industry and on behalf of our consumers.

This is not a pretty story. I don't know what the impact of this will be, but as I read this and as I understand the facts, questions need to be answered, and soon. I believe the Secretary of Agriculture will pursue this matter. She says she sent some people to Canada to investigate. We demand answers. We deserve answers, the consumers and the beef industry.

#### SUPPORT FOR FCTC

Mr. DURBIN. Mr. President, I would like to take a moment to commend U.S. Secretary of Health and Human Services Tommy Thompson for his recent announcement that the United States' delegation to the World Health Assembly would support the Framework Convention on Tobacco Control, the world's first global tobacco treaty.

As we know, tobacco is the leading preventable cause of death in the world today.

According to the World Health Organization almost five million people die each year from tobacco related illnesses.

As tobacco use continues to grow at alarming rates around the world, the death toll is expected to rise to 10 million people per year by 2030, with 70 percent of these deaths occurring in developing countries.

Clearly, we must give greater attention to the reality of the harmful effects of tobacco use.

The United States has traditionally been a world leader in tobacco control efforts, often providing the science and expertise to demonstrate the harms of tobacco and the public health efforts needed to reduce tobacco use.

As one who has long advocated for extensive tobacco control measures to stop the spread of tobacco use around the world, I was pleased when the United States joined other WHO member states in treaty negotiations.

These negotiations have been ongoing for nearly four years.

As a result of that hard work, the final draft of the Framework Convention was overwhelmingly approved on March 1, 2003, by 171 WHO member states.

The Framework Convention contains a wide range of provisions aimed at controlling tobacco marketing and consumption and identifies sound public health policies for countries to adopt or strengthen.

These include two particularly strong requirements: No. 1, a comprehensive ban on tobacco advertising, promotion and sponsorship, with an exception for nations with constitutional constraints; and No. 2, the implementation of health warning labels covering at least 30 percent, but ideally 50 percent or more, of the display area on tobacco product packaging.

In addition, the FCTC calls upon countries to ban misleading language that gives the false impression that the product is less harmful than others, such as "mild," "light," or "low tar"; significantly raise tobacco taxes; provide smoke-free public spaces and workplaces; consider using litigation to hold the tobacco industry liable for its wrongdoings.

Collectively, these provisions provide nations with a roadmap for enacting strong, science-based policies that can save lives and improve health across the world.

It is for these reasons that I rise today to applaud the efforts of Secretary Thompson and to commend him for advancing the cause of international health. He has rode to the rescue.

The press reports coming out of these meetings suggested the United States was not going to be fully engaged and fully involved in the development of this important global standard related to the use of tobacco. Secretary Thompson arrived on the scene and came in quickly with good news.

Only with concerted action can we avert millions of premature deaths and prevent future generations of young people from falling victim to the tobacco epidemic.

The Framework Convention has brought nations of the world together to combat this global epidemic.

But, this is the only the first step.

Now, it is imperative that the United States continue to play an active role in the effective implementation of this treaty.

This begins with signing and ratifying the Framework Convention.

I will be working in the United States Senate to make sure we do our part in this process.

And I hope the Administration will follow the lead of Secretary Thompson and will do their part as well.

I am confident that working together, we can reduce the terrible toll in health, lives, and money that tobacco use takes around the world.

#### VOTE EXPLANATION

Mr. DURBIN. Mr. President, I would like to make it a matter of record that on Monday, May 19, 2003, I was unavoidably delayed in arriving in the Senate because my United Airlines