

to get that education; people who want to save and invest and start a small business or to go to school or to buy a home will have the opportunity to do that which they don't have today.

That is what this is all about. This should not be about disappointment over past practices. I hope we can focus on the goodness of this legislation and not take something that is accepted by both sides as a desirable and good thing for those who need help in America and use that as the point of departure of a new idea that says we are not going to go to conference because we have not been treated fairly.

I just hope in searching yourselves on the minority side that you will grab another piece of legislation and use that as the starting point. I don't think this legislation deserves it. I don't think the people who will benefit from it deserve it. I hope after further consideration we can have a reasonable conference and get this accomplished.

UNANIMOUS CONSENT REQUEST—  
H.R. 7

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7, the charitable giving bill. I further ask unanimous consent that all after the enacting clause be stricken; the Snowe amendment and the Grassley-Baucus amendment at the desk be agreed to en bloc; that the substitute amendment, which is the text of S. 476, the Senate-passed version of the charitable giving bill, as amended by the Snowe-Grassley-Baucus amendments, be agreed to; that the bill, as amended, be read the third time and passed and the motion to reconsider be laid upon the table; further, that the Senate insist upon its amendments and request a conference with the House; and, lastly, that the Chair be authorized to appoint conferees with the ratio of 3 to 2 and any statements relating to the bill be printed in the RECORD.

Mr. REID. I object. To say going to a conference is the only way to legislate between the House and the Senate is not a valid argument. I personally favor this legislation. I voted for it and I think it is something that is needed. As everyone knows, I am not a cheerleader for the budget but I think this legislation is important for our country. I commend the President for moving forward on it.

As I indicated, saying that a conference is the only way to legislate between the House and the Senate is not a valid argument. Almost every day, both Houses pass legislation for which a conference is not appointed.

Last night, the Senate passed the Fallen Patriots Tax Relief Act. We amended this piece of legislation, then sent it back to the House without asking for a conference.

We have done this lots of times. Here are bills that are now public laws. These pieces of legislation are now public laws. That is how they became

public laws. We bundled them up, sent them to the House. On some of the occasions they accepted them, other times they sent them back with an amendment with which we dealt. H.R. 1584, H.R. 1298, H.R. 733, H.R. 13, H.R. 3146, H.R. 659 are extremely important pieces of legislation that we thought at the time were important. They are now law.

It is my understanding that the Senate, because of the majority, is not willing to deal with the CARE Act, as has been so forcibly announced here today by the distinguished Senator from Pennsylvania.

I suggest and, in the form of a unanimous consent, request that we treat this legislation as we treat lots of legislation: Send it to the House; they might accept it. If they do not, they can send it back with an amendment or amendments on it. They may like our bill. They may want to amend our bill. They may want to send it back. At least we should give the House this opportunity rather than holding the bill hostage.

Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7, which is at the desk; that all after the enacting clause be stricken; the Snowe amendment and the Grassley-Baucus amendment be agreed to en bloc; that the substitute amendment, which is the text of S. 476, as passed by the Senate and amended by the Snowe and Grassley-Baucus amendments, be agreed to; the bill, as amended, be read the third time and passed; and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. The objection is heard of the request of the Senator from Pennsylvania.

Is there objection to the request of the Senator from Nevada?

Mr. SANTORUM. I object.

Mr. President, I understand the Senator from Nevada has suggested we simply amend the bill we passed earlier this year and send it back to the House.

I respectfully suggest to the Senator from Nevada, through the Presiding Officer, we did that once. We passed this bill once and sent it to the House, and the House struck that bill and sent their version back. I don't think we gain anything by then taking the very bill they rejected and sending it back to them and expecting them to pass it. That is what I would call ping-pong. That is back and forth with nobody getting anywhere. That is why there are things such as conferences, where we actually sit down and try to work out differences.

I am not familiar with the list of bills the Senator from Nevada laid out when he said we have been able to accomplish passing of legislation without having a conference. And that is true. We are going to do one, hopefully, tomorrow, the Syria Accountability Act. But the changes between what the House wanted and what the Senate

wanted were very minor changes, a couple of finding changes and basically a change in the waiver status. We talked to the House and they were willing to accept it because they were minor changes. That is an important piece of legislation. I would consider that a major piece of legislation, but it is not a particularly complex piece of legislation as we are dealing with—with a lot of the moving parts—as we have in the charitable giving act, the CARE Act. This is a rather complex piece of legislation, complex tax law.

There is a whole issue of \$10 billion that is not paid for in one bill, in the House bill, and it is paid for here. How are we going to tell what, if anything, will be paid for and how much; what vehicles, what measures, we will use to offset this? This is a very complicated issue that has not just one—as the Syria Accountability bill—issue. There are many issues. There is the food donation provision. There are provisions on IRA rollovers. There are provisions on people who do not file long forms, people who do not itemize being able to deduct charitable giving. That is just three of probably a dozen issues we are going to have to deal with on this bill.

To suggest we can do so by ping-ponging the bill back and forth and trying to find some equilibrium—I suggest the people who have been in this Chamber for a lot longer than I have would recognize that a bill of this complexity does not get handled that way.

I hope we will recognize we have an obligation to try to finish this legislation. I hope we can do so in a way that will do well by the Senate. We have my commitment, the commitment of the Senator from Pennsylvania, to be inclusive, not just because that is the way we have done it but that is the way we need to do it in order to be successful and get a compromise that will pass both the House and the Senate.

I respectfully have to object to the unanimous consent request of the Senator from Nevada and hope we can continue to think of this and work on it and get to a successful conclusion.

Mr. REID. Mr. President, as my friend has said, we do not want to prolong this, but I make another suggestion that may work. That would be that the two amendments, the Snowe amendment which deals with the child tax credit and the other amendment that deals with tax extenders, really have nothing to do with charitable choice. I suggest those be taken from the bill and the pure bill that passed the Senate be sent to the House forthwith. That may make it easier for the House to deal with—I would hope so—and the other issues which I know are very important, we could deal with at a later time.

That is just a suggestion. I am not asking unanimous consent; I am just saying to my friend who has devoted so much of his time to this bill, which I know he believes in very sincerely, that might be a suggestion that is taken up with the majority leader and

others who have some persuasive powers in their ability to move this matter.

For clarification with respect to my colloquy with the distinguished Senator from Pennsylvania, we are ready to send to the House all three components of the Senate amendment to H.R. 7, the version of S. 476, as passed the Senate, the Snowe-Lincoln child tax credit piece, and the Grassley-Baucus tax extenders piece. We are supportive of all these items. In order to help the Senator from Pennsylvania, we are ready to send all of them over separately, and of course, we are ready to go forward sending them over bundled just without the necessity of a conference.

Mr. SANTORUM. I appreciate the suggestion of the Senator from Nevada.

I suggest in response to that, again, this bill is the bill that has already passed the Senate. We already sent it over to the House. The House has already looked at the Senate bill and said: We have a better way. We do not want to have offsets to this bill; we do not want to have social service block grant funds; we do not want to have as generous a food donation provision. We want to have some other provisions that you do not have in this legislation. They sent it back.

Now when you have such differing viewpoints on how to solve this problem, the tradition in this body, and out of necessity, is to convene a conference and get that done. Sending different versions back and forth does not make progress and, with all due respect, I do not believe will solve the problem.

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

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

#### MORNING BUSINESS

Mr. SANTORUM. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak for up to 10 minutes each.

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

#### HONORING OUR ARMED FORCES

Mr. DODD. Mr. President, I rise to honor the memory of Pfc. Anthony D'Agostino, of Waterbury, CT, who was killed in Iraq this past Sunday. He was just 4 days short of his 21st birthday.

Private D'Agostino was part of the U.S. Army's 16th Signal Brigade, based in Fort Hood, TX. He was one of 15 soldiers killed when a missile struck a Chinook helicopter that was carrying American troops to Baghdad International Airport for a trip home to spend 2 weeks with family and friends.

I join all of America in mourning each and every one of these brave soldiers, and in praying for the recovery of the 20 soldiers who were injured in the attack.

It's a sad fact of war that as the death toll mounts, the daily casualty reports can become almost routine. But each time I read the story of a Connecticut soldier who has perished overseas and this is the sixth such story in this war I'm reminded of how many lives are touched by every single man or woman who makes the ultimate sacrifice so that all of us can live in peace, freedom, and security.

Anthony was a true Connecticut son, spending virtually his entire life in our State. He grew up in Middlebury, attending Middlebury Elementary School and Memorial Middle School, and in 2001, he graduated from the W.F. Kaynor Regional Vocational-Technical High School, specializing in electricity. After graduating, he lived in Waterbury until he enlisted in the Army 2 years ago.

Men and women across America who make the decision to join our Armed Forces do so for a variety of reasons. For Anthony D'Agostino, it was a decision that was forged in the fire of the attacks of September 11, 2001. Like so many Americans, in the aftermath of those terrible attacks, Anthony decided that he wanted to contribute something to his country. Tragically, he and his family would ultimately make the most painful contribution of all.

Joining the Army was a homecoming of sorts for Anthony. He was born in Georgia while his father Steven was stationed at Fort Benning. And when it was time for Anthony to enter basic training 19 years later, he returned to the same base where his father once served.

Those who knew Anthony say he had a tremendous work ethic, whether that meant giving his all on high school sports teams, or mowing his grandparents' lawn with a stand-up mower. Even while he was in Iraq, he asked his family to send over Spanish books so he could use what little spare time he had to better himself. He had dreams of returning home and attending the U.S. Military Academy in West Point.

Anthony D'Agostino knew he was facing serious danger when he left for Iraq 8 months ago. But it was a danger he was prepared and proud to accept as a soldier in the United States Army.

Anthony had a sense of responsibility, dedication, and commitment well beyond his years. And Connecticut will never forget him.

My heart goes out to Anthony's father Steven, his mother Deb, his stepfather Paul, and to his entire family.

Mr. DURBIN. Mr. President, I would like to take a few minutes to pay tribute to a truly remarkable individual whom I have had the privilege to know and work with, U.S. Army Lt. Colonel Patrick Sargent. Pat Sargent worked in my office for a year as a Congres-

sional Fellow in 2001. He is a helicopter pilot and is currently the commander of the 421st Medical Battalion stationed in Germany. Lt. Colonel Sargent served in Operation Iraqi Freedom and is scheduled to return for a second deployment shortly.

This past August, Pat received the General Benjamin O. Davis Jr. Award by the Tuskegee Airmen Inc., an organization dedicated to preserving the amazing legacy of the World War II Tuskegee Airmen. This award is conferred annually to "a field grade officer who has exhibited outstanding performance in both professional and community service." It is the highest award given by this organization, and this year was the first time this honor has gone to an Army aviator.

Who were the Tuskegee Airmen? They were a group of American heroes who every American should know about. In recent years we have seen a surge in interest in World War II and the experiences of American servicemen who served in the worst conflict humanity has ever seen. Movies such as "Saving Private Ryan" have done much to illustrate the sacrifices of our World War II veterans, and we have begun construction of a World War II Memorial on the Mall here in Washington. All of these veterans sacrificed for the allied cause against totalitarianism.

But the Tuskegee Airmen faced an additional struggle on top of the war against the Axis Powers. They fought prejudice here at home, and they succeeded on both fronts. During World War II, the U.S. military began an experiment to determine whether African Americans were capable of successfully piloting combat aircraft. This "experiment" eventually evolved into the 332nd Fighter Group, consisting of four squadrons of fighter aircraft piloted entirely by African Americans. Under the command of then-Colonel Benjamin O. Davis, the 332nd flew 200 missions escorting U.S. bombers over Europe. It was the only U.S. fighter group of the war that never lost a bomber under its protection.

Pat Sargent is a modern-day descendant of those brave men. As I noted, he commands the 421st Medical Battalion. With 45 Black Hawk helicopters, 40 ground ambulances, 118 wheeled vehicles, and 591 personnel, it is the U.S. Army's largest medical evacuation battalion. Serving in Operation Iraqi Freedom, Pat became the first African American to command a medical evacuation battalion in combat in our Nation's history. The motto of the 421st is "Anyone, Anywhere, Anytime." It is only three words in length, but it is telling nonetheless. The battalion's men and women are deployed to sites across the globe, including the Balkans, Iraq, Afghanistan, and Africa. They perform medical evacuations not only for American soldiers but for allied troops, wounded enemy soldiers that have been taken prisoner, and injured civilians. In Iraq, helicopters