

Thus, all seniors will have equal access to a drug benefit, regardless of whether they choose to join a managed care plan or remain in traditional fee-for-service Medicare.

This legislation offers more than a Medicare prescription drug benefit. It will finally address many of the Medicare reimbursement inequities that have plagued America's rural health care providers. It will increase payments to local physicians and community hospitals to improve health care services throughout the nation. And this legislation will better foster competition between generic and brand-name pharmaceuticals.

I have heard from many of my colleagues regarding some of the imperfections in the conference report—for example, the gap in coverage, the risk that the bill may cause employers to drop retiree drug coverage, the potential state shortfalls in the early years of the benefit, the increased payments to private plans, and the "premium support" pilot program.

While I remain committed to addressing these potential shortcomings in the legislation during the upcoming months and years, we must not forget that this bill creates a \$400 billion expansion of the Medicare Program. We must not squander this historic opportunity to fundamentally improve the lives of millions of American seniors.

We would not have this opportunity without the fine leadership in the Senate. Senator GRASSLEY, chairman of the Finance Committee, skillfully led this effort through the committee, on the floor, and in the conference negotiations. Majority Leader FRIST was willing to put aside party differences to focus on achieving bipartisan consensus. Senator BREAUX's efforts helped bridge differences. The work of Senator BREAUX, my steadfast partner in the difficult negotiations, as well as Senators SNOWE, HATCH, JEFFORDS, and GRAHAM have greatly contributed to the debate over prescription drugs throughout the past several years.

And Senator KENNEDY, the health care expert of the Senate. For over 25 years, Senator KENNEDY has fought to include prescription drug coverage within Medicare. Through his continued leadership, prescription drugs for seniors are now within reach.

Senator KENNEDY played a key role in getting a good bill out of the Senate and throughout the conference. The 76 votes in the Senate are a tribute to his efforts, and whatever is positive in this bill is due to his dedication and hard work.

And there is much that is positive in this bill, in my view. Of course, the conference report is not perfect by any means. There are elements that I would not include if I were writing this bill on my own. But it is a true compromise. It reflects a near evenly split Congress.

Let us not forget that the original Medicare Act also represented a compromise—in the way that the program

was financed through a combination of payroll taxes, premiums, and general revenue, and in the way it was organized, with fiscal intermediaries and carriers making payments for separate Part A and Part B benefits.

In the final analysis, let us not forget why this bill is important. Millions of seniors live today without prescription drug coverage. They live in greater pain, and they live shorter lives, because of that.

With this bill, we will take an important step to make their lives better. To help them live longer, fuller lives. That is our purpose here today, and that is why I support this conference report.

For 38 years, Medicare has been a covenant—a pact between the generations. All Americans—young and old, rich and poor—pay into the promise of Medicare. And the Congress has the responsibility to uphold this commitment to those who benefit from it. As part of that responsibility, we must continue to improve the program and keep up with modern medical care.

This conference report represents an historic opportunity to strengthen Medicare. And as elected officials, we have the obligation to take advantage of this opportunity. Of course, we also have the responsibility to ensure timely implementation in a way that fulfills congressional intent.

On the day of this historic vote, we take a step to ensure that Medicare continues to fulfill Lyndon Johnson's vision. We take an important step to deliver on our promise to America's senior citizens.

I yield the Floor, and I again thank my good friend from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank my friend from Montana, Mr. BAUCUS.

#### INVASION OF IRAQ

Mr. President, it was the prophet Hosea who lamented of the ancient Israelites, "For they have sown the wind, and they shall reap the whirlwind."

I wonder if it will come to pass that the President's flawed and dangerous doctrine of preemption on which the United States predicated its invasion of Iraq will some day come to be seen as a modern-day parable of Hosea's lament. Could it be that the Bush administration, in its disdain for the rest of the world, elected to sow the wind, and is now reaping the whirlwind?

I ponder this as the casualties in Iraq continue to mount, long past the end of major conflict, and as the vicious attacks against American troops, humanitarian workers, and coalition partners increase in both intensity and sophistication. I ponder this as the number of terrorists attacks bearing the hallmarks of al-Qaida appear to be increasing, not just in Iraq but elsewhere, including Saudi Arabia and, most recently, Turkey. I cannot help but wonder, as I view these developments with

a sorrowful heart, what the President has wrought. By failing to win international support for the war in Iraq and by failing to plan effectively for an orderly post-war transition of power, has the President managed to create in Iraq the very situation he was trying to preempt?

The deaths of three more American soldiers in Iraq over the weekend, and the vicious mob attack on the bodies of two of them, are but the latest evidence of a plan gone tragically awry. The death toll of American military personnel in Iraq since the beginning of the war has now reached 427, and it continues to climb on a near-daily basis. Most troubling of all is the fact that more than two-thirds of those soldiers who have died in Iraq have been killed since the end of major combat operations. At that time, 138 American fighting men and women had died in Iraq, at the time major combat operations had ended. Instead of making headway in the effort to stabilize and democratize post-war Iraq, the administration seems to be losing ground. If the current violence cannot be curbed, if Iraq is allowed to descend unchecked into a holy hell of chaos and anarchy, the implications could be catastrophic for the region and the world.

An article earlier this month in the Los Angeles Times, entitled "Iraq Seen As Al Qaeda's Top Battlefield," raises the alarming specter that Iraq already is replacing Afghanistan as the global center of Islamic jihad. According to the article, as many as 2,000 Muslim fighters from a number of countries, including Sudan, Algeria and Afghanistan, may now be operating in Iraq. No one knows the numbers for certain, but foreign Islamic terrorists are suspected in some of the deadliest attacks in Iraq, including the bombing of the United Nations headquarters and the Red Cross offices in Baghdad.

It seems only yesterday that the President and his advisers were warning the United Nations that Saddam Hussein must be disarmed at once, forcibly if necessary, to preempt Iraq from becoming the next front in the war on terrorism. On May 1, when the President announced the end of major combat operations in Iraq as he basked in the glow of a banner that was waving overhead proclaiming "Mission Accomplished," he described the liberation of Iraq as "a crucial advance in the campaign against terror."

What a difference a few months makes. Before the war, it was Afghanistan and al-Qaida, not Iraq, that constituted the central front in the war on terror. It was Osama bin Laden, not Saddam Hussein, who orchestrated the September 11 attacks on the United States, and it was Osama bin Laden, not Saddam Hussein, who orchestrated earlier attacks on the USS Cole and on the American embassies in Kenya and Tanzania. It is Osama bin Laden who continues to taunt the United States and who continues to plot against us,

and it is Osama bin Laden who has exhorted his followers to gather in Iraq to avenge the U.S. invasion.

Today, while the Taliban appears to be regrouping in Afghanistan, it is Iraq that has become the most powerful magnet for Islamic terrorists. It is Iraq where these forces have coalesced with Saddam Hussein loyalists to create an increasingly sophisticated and deadly insurgency that has paralyzed U.S. efforts to establish postwar stability. Ironically, Saddam Hussein and his henchmen are more of a threat to the United States today than they were before the war began.

Could it be that the war on Iraq, while succeeding in chasing one monster into hiding, has created another, equally vicious, monster in his stead, a hydra-headed monster that is spewing terrorism against both the Iraqi people and their would-be liberators? Could it be that the convergence of Islamic jihadists and Baathist loyalists constitutes a more potent adversary than we ever imagined possible in Iraq?

Could it be, that instead of providing a "crucial advance" in the war on terrorism, as the President suggested, the war on Iraq has provided crucial new resources—money, weapons, and manpower, as well as motivation—for the terrorists themselves? Could it be that instead of curbing terrorism, the war on Iraq has served to fan the flames of terrorism?

If only the President had listened more closely to his father, and his father's advisers. In the 1998 book that he co-authored with former National Security Adviser Brent Scowcroft, *A World Transformed*, the first President Bush said of his decision to end the 1991 Gulf War without attempting to remove Saddam Hussein from power, "We would have been forced to occupy Baghdad and, in effect, rule Iraq. . . there was no viable 'exit strategy' we could see, violating another of our principles."

The former President Bush and his national security adviser further cautioned that, "Going in and occupying Iraq, thus unilaterally exceeding the United Nations' mandate, would have destroyed the precedent of international response to aggression that we hoped to establish. Had we gone the invasion route, the United States could conceivably still be an occupying power in a bitterly hostile land. It would have been a dramatically different—and perhaps barren—outcome."

Clearly the situation in Iraq today is far more difficult and dangerous than the administration ever envisioned or prepared for before the war. Although the President declared an end to major combat operations more than six months ago, U.S. forces in Iraq have recently been forced to resort to a new bombing campaign in and around Baghdad—the most intense aerial offensive since active combat ended—in an effort to stem the insurgency. More than 6 months after the end of major combat operations, the situation in Iraq ap-

pears to be deteriorating, not improving.

While the President and his military advisers remain upbeat about Iraq, the top CIA official in Baghdad appears to have reached a far bleaker assessment of the situation on the ground. According to news reports, a top secret CIA analysis from Baghdad has concluded that growing numbers of Iraqi citizens are turning against the American occupation and supporting the insurgents. It may well have been this report that prompted the President to recall the U.S. administrator of the Coalition Provisional Authority to Washington two weeks ago for a hastily arranged round of meetings on accelerating the transition of power to an Iraqi provisional government.

Nothing could do more to spotlight the Administration's abysmal failure to rally international support for the stabilization and rebuilding of Iraq than this frantic scramble to arrange a Hail Mary pass of power from the United States to a provisional government in Iraq that does not yet exist. The Administration has slapped a new deadline on the democratization of Iraq—an Iraqi "transitional assembly" is to be in place by June 1—but it has come up with no blueprint as to how that assembly is to function or how it can be expected to stem the violence in Iraq.

Once again, the administration is ignoring the obvious—the United States cannot go it alone in Iraq. The United Nations and NATO need to be brought on board as full partners with a personal stake in the governance, the stabilization, and the future of Iraq.

Every day that the administration continues to spurn the United Nations is another day that the insurgents have to choreograph their attacks in Iraq and further isolate the United States from the rest of the world. The pattern is becoming chillingly clear. Systematic attacks, including those against the United Nations and the Red Cross headquarters in Baghdad and the Italian military police headquarters in Nasiriyah, have succeeded in driving most humanitarian workers from Iraq and have rocked the resolve of U.S. allies to support the Iraq operation. In the wake of the attack on the Italian troops, Japan is reconsidering its offer to send troops to Iraq, and South Korea continues to procrastinate. Help from other countries on which the United States had pinned its hopes, including Turkey and Pakistan, has evaporated.

Even in the streets of London, the seat of government of America's strongest ally, tens of thousands of demonstrators marched on Trafalgar Square last week to protest President Bush's state visit and his policies in Iraq.

Because of the administration's arrogance and impatience, the United States, for better or worse, is the make-or-break force in Iraq. Could it be that the President, in his haste to impose his will on the rest of the

world, has inadvertently sown the wind and must now confront the whirlwind?

Mr. President, in a short time—perhaps the next day or so—the Senate will adjourn for the year. We are privileged and blessed to return to the comfort of our families for the holidays. Not all families in America will share in our blessings.

Many families will wait out the holidays in fear and tension as they worry about their loved ones in Iraq and Afghanistan.

We in the Senate will not be here to absorb the news from the battle fronts in Iraq and Afghanistan or to voice our response to these developments. I pray that all will be calm, that "Silent Night, Holy Night" will be more than the strain of a familiar carol. But I worry it will not be so, that reality will be harsher than sentimentality.

The war in Iraq is far from over. When we will ultimately be able to declare victory, I do not know and I dare not venture a guess. I only hope that the President will be able to put the good of the Nation over the pride of his administration and accept a helping hand from the United Nations to turn the tide of anarchy in Iraq. Perhaps he may finally be ready to do so. Senior administration officials have been quoted as suggesting that the United States is preparing to seek another U.N. resolution endorsing a new plan for the transition of power in Iraq. I urge the President to do so without delay. This time around, the effort must be genuine, and the resolution must be meaningful.

The facts are stark and hard to accept. If not outright losing, the United States is far from winning the peace in Iraq. Only a significant turnabout in the handling of the security and reconstruction effort, centered on giving the United Nations a leading role in the transition of power, holds any hope for a constructive course change in Iraq. It is a course change that is desperately needed.

As the crisis in Iraq deepens, leadership and statesmanship are urgently needed. I pray that the President, in his desperate quest for a new solution to the chaos in Iraq, will demonstrate those qualities, abandon the U.S. stranglehold on Baghdad, and forge a meaningful partnership with other nations of the world, a partnership with the United Nations so that a swift, orderly, and effective transition of power in Iraq can be achieved and American fighting men and women can come home.

#### THE APPROPRIATIONS PROCESS

Mr. BYRD. Mr. President, I join with my colleagues to decry this appropriations process. This process has fallen apart. Despite the hard work of the chairman of the Senate Appropriations Committee and the bipartisan effort of members of the House and Senate Appropriations Committees, the omnibus bill is parked and the engine is cold.