

job. And when I hear discouraging or saddening news from Iraq, I think of this young captain's dedication to this mission, and know that America must—and will—stay the course.

Mr. President, the entire Fort Campbell community grieves the loss of every single Screaming Eagle, and we long to welcome the division home to the fertile farmland of western Kentucky.

But when the division returns to Kentucky, it will have left an indelible mark on the memories of the people of northern Iraq. The 101st has treated the Iraqi people with respect and honor. They have acted not as occupiers, but as allies to the victims of Hussein's brutal reign. When the Screaming Eagles come home, Iraqis will see their legacy around every corner: in the hundreds of newly refurbished schools, in the electricity that now is available 24 hours a day, in the swimming pool renovated for Iraqi kids by the division, in the repaired irrigation canals that bring water to the wheat fields near Mosul, in the soccer fields that are no longer killing fields, and in the proud Iraqis now patrolling the streets of a free Iraq as policemen respectful of the human rights and dignity of their fellow citizens.

Mr. President, Iraq is now free—and an evil despot no longer threatens the United States and his neighbors—because of the selfless actions of the individual soldiers of units like the 101st Airborne. I pray that the families of those Americans who have lost their lives in this conflict find comfort and solace in their time of need. Their loved ones are American heroes, and I will never forget their sacrifice.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### KEY ACCOMPLISHMENTS IN THE FIRST SESSION OF THE 108TH CONGRESS

Mr. McCONNELL. Mr. President, as the first session of the 108th Congress draws to a close, the score of accomplishments of this Senate comes into clearer view. By any historical comparison, this Senate's record of accomplishments is remarkable. But when one considers the slender majority that this party holds in the Senate, and the numerous unforeseen challenges that have risen, the record of accomplishments is truly extraordinary.

Our efforts, the efforts of this Senate in the first session of the 108th Congress, have improved the security of America and the lives of all Americans in significant ways.

While the homeland and national security of America has been strength-

ened, the economic and retirement security of all Americans has also dramatically improved.

America's security has benefited from the first funding of the Department of Homeland Security, the confirmation of the first Secretary of Homeland Security, full funding of the war on terrorism, passage of a modern-day Marshall plan for Iraq, and passage of both the Defense authorization and appropriations bills.

The security of the American people in their work and their retirement has dramatically improved as well. The economic growth package passed earlier this year has pushed the economy to the highest quarterly growth rate in almost 20 years, while the promise of prescription drugs for our seniors on Medicare, thwarted for 38 long years, is just hours—just hours—away from becoming the law of the land with the stroke of the President's pen.

These major legislative victories have been as demanding as they have been time consuming. Yet that did not stop the majority leader from getting the work of the people done.

In an extraordinarily tenacious manner that should make all Tennesseans proud, our leader, BILL FRIST, confronted not just the challenges of last year's business but also the present demands of the war on terrorism.

As I think back on the first year of Senator FRIST's position as our leader, I think we can all feel extraordinarily proud of his many accomplishments in holding this somewhat fractious body together in order to advance the agenda.

The Senate, as we all know from working here, and as many Americans know from studying the history books, was basically constructed not to function very well or certainly not very quickly. At one time or another, virtually every Senator takes advantage of that opportunity. Then you add on top of that the fact that the American people dealt a very narrow majority to the majority party.

Many thought at the beginning of the year the prospect of very much success was quite limited indeed. But as you look back over the year, under Senator FRIST's extraordinary leadership, we have been able to make enormous progress for the American people.

It all began back in January, when we had to pass 11 appropriations bills, uncompleted from the previous year. Under Senator FRIST's leadership, we completed the emergency wartime supplemental appropriations bill. He brought to a successful conclusion the fires and NASA disaster supplemental appropriation. Then he pulled together the conference to pass a very tough Iraq reconstruction supplemental appropriations bill—all of this in the past year.

Even though, as of today, it is not exactly clear when our remaining appropriations bills will be approved, what we can say is this: That under Senator FRIST's leadership, all but 1 of the 13

appropriations bills have gone through the Senate. Six bills are the law of the land and the remaining seven could be just hours away from being successfully concluded, or might be concluded in a couple of weeks. But, in any event, they are largely completed and are awaiting the desire of the Senate to pass this omnibus report and move it along.

When that happens, the Senate will have passed 27 normal and supplemental appropriations bills into law—not a bad year's work.

With this record on appropriations, with passage of the economic growth package, and with passage of the Medicare prescription drug bill, expecting anything more from this Senate would not be reasonable. But in fact much more has been delivered to the American people by this Senate under the leadership of Senator BILL FRIST. We have banned the horrific practice of partial-birth abortion. We have passed the Do Not Call Registry at the Federal Trade Commission. We provided tax relief to military families. We passed the Healthy Forests Act to stop the catastrophic wildfires we have witnessed raging across the western lands. I might say, the occupant of the chair, the Senator from Idaho, was right in the middle of that debate from the beginning to the end, helping steer it to a successful conclusion. I commend him for his extraordinary work on the Healthy Forests proposal.

We have enacted free trade agreements with Chile and with Singapore. The Senate has passed the Federal Aviation Administration reauthorization to revitalize an air transport industry suffering from the effects of the terrorist attack of 9/11. We pushed a comprehensive Energy bill to within two votes of breaking a filibuster.

One thing we can say today: This is only the end of the first session. We have a second session of the 108th to go. We have not given up on the prospect of getting an Energy bill. We are going to have a very cold winter. We have the potential for blackouts, all kinds of problems that could be dealt with substantially by the passage of this Energy bill. I believe there will be two additional Senators who will see their way to supporting an Energy bill something like the one we currently have before us in order to prevent America from having another experience like we had last summer with the blackout.

After more than a decade of repression, the Senate has passed the Burmese Freedom and Democracy Act. In addition, we secured resources to improve our Nation's elections systems and, hopefully, we will finish the job through the omnibus appropriations bill currently being negotiated. We made a commitment to our States to be a partner in this endeavor, and we took the first step to honor that commitment.

I want to linger a moment on this whole election reform issue. Senator

CHRIS DODD of Connecticut deserves an enormous amount of credit, as does Senator KIT BOND of Missouri. The three of us worked long and hard to produce an election reform bill, the theme of which was to make it easier to vote and tougher to cheat. There is, in the context of passing the final omnibus, an additional billion dollars going out to the States to guarantee that we have the cleanest and the most efficient election in American history next November of 2004.

That money must get out the door, and that is another reason we need to wrap up this omnibus appropriation at the earliest possible moment. States and localities all over America are waiting so they can implement this mandate, which is a funded mandate—not an unfunded mandate, a funded mandate—only when the money gets to the States. The sooner we pass the omnibus, the sooner that will happen, and the more likely it is that we will have the most honest, the most efficiently conducted election in American history next November of 2004.

Numerous other legislative accomplishments have been reached during this session. Specifically, the Senate has passed the President's faith-based initiative. We have funded the efforts to eradicate the scourge of global AIDS. We acted to guard our children against abduction and exploitation by passing the PROTECT Act. We improved safeguards from foreign terrorists by enacting the FISA bill. We expanded NATO to include almost all of the former Warsaw Pact countries. We also passed a significant arms reduction treaty with our former enemy, turned ally, Russia. We took steps to bridge the digital divide by providing needed funds to historically Black colleges.

We awarded a congressional gold medal to U.K. Prime Minister Tony Blair and affirmed the constitutionality of using the term "under God" in the Pledge of Allegiance.

We have a solemn responsibility to the American people to improve their lives, to protect their homeland, and build a future filled with hope and opportunity. This year, we have made excellent progress in fulfilling our obligations to the American people. Next year, it is our hope and intention to do even more.

Let me say in closing, again, how much I admire and how much all of us appreciate the extraordinary leadership of our majority leader, Senator FRIST. He has been very skillful in advancing our legislative agenda in a body which is designed to thwart almost every initiative. He has done it with a very narrow majority. So as we wrap up the first session, plaudits to the leader, to all of our colleagues, not only on the Republican side but throughout the Senate, who have worked extraordinarily hard this year.

We had 459 votes this year. We were doing a lot of voting on a lot of issues during the course of the year. In fact,

we had more votes in the Senate this year than any time since 1995, the first year of the Contract with America. We had a lot of very close votes, a lot of dramatic experiences in the Senate.

Back during the budget, we had three votes on which the Vice President had to break the tie in the chair. So for those who were interested in drama and who typically think of the Senate as a place where you to go watch paint peel, there was a good deal of excitement this year at various intervals in our legislative consideration.

I hope all Members will enjoy the Thanksgiving holiday and Christmas with their families and come back to Washington refreshed to tackle the agenda that remains in the second session of the 108th Congress.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### INTERNET TAX MORATORIUM

Mr. FRIST. Mr. President, on November 1, 2003, the most recent Internet tax moratorium expired. In the weeks prior to and following this expiration date, I have been trying to broker a compromise between those who, like me, support making the moratorium permanent and those who oppose a permanent extension. Unfortunately, we have been unable to reach resolution on legislative language that would allow us to make the moratorium on Internet access technology neutral and permanent. However, I remain committed to passing a revised moratorium next year which ensures that all Americans can receive Internet access tax free, regardless of technology.

I respect the arguments of those Senators who are concerned that the language in S. 150, the Internet Tax Non-discrimination Act, will infringe on the ability of States to tax traditional telecommunication services. Because of their concerns, I allowed the bill to be fully debated on the floor of the Senate for several days. In the end, after spirited discussions, the relevant parties could not reach agreement on appropriate language and the current moratorium had expired.

After that process failed to achieve a resolution, I sought to broker a compromise by laying out a menu of options from which the parties could choose. None of these options were perfect, and none went as far to protect the Internet from taxation as I would have liked. But in the spirit of compromise, I believed that taking some action was better than doing nothing at all. Unfortunately, the various relevant parties disagreed. Every option I suggested was rejected by both sides

and both indicated that no deal was better than any of the options I had set forth. As an aside, this was the first, last and only moment when the various parties were able to reach agreement with respect to anything having to do with taxing the Internet.

At this point it became clear to me that no agreement was in the making with respect to a permanent or even multiyear extension of the Internet tax moratorium. I therefore suggested that we pass, as a part of the omnibus appropriations bill, a so-called "Internet-tax CR"—basically an extension of the expired statute to cover the gap between November 1 and the second session of the 108th Congress when the Senate would be able to return to this issue.

My concern was that if we did not extend the moratorium, the Internet would be open to multiple and discriminatory taxes for the first time in 5 years. And while a simple extension would not have addressed the troubling efforts in several States to begin taxing DSL access, I still believed that doing something was better than doing nothing. Further, I was prepared to make it clear that the spirit of the original moratorium was intended to make all Internet access tax free, and that extending the current moratorium should not be an invitation for any State to continue or begin anew taxing DSL.

Much to my disappointment, even a simple extension of the original moratorium failed to gain consensus support. And even when we agreed to consider modifying the original language to prevent states from taxing DSL for the duration of this Internet-tax CR, the House of Representatives was unwilling to agree.

As the strong bipartisan support of the Internet moratorium indicates, there is a growing consensus that the Internet should never be singled out for multiple or discriminatory taxation and that all forms of Internet access should be tax free. Rather than finding new ways to tax the Internet, the unprecedented benefits it offers to our society and economy should be encouraged by policymakers at the Federal, State and local levels. We must not allow differences over details of the moratorium to result in tax policies which damage this critical economic engine of the future. The Internet is too important.

I specifically thank Senator MCCAIN, Senator SUNUNU, and Senator ALLEN for their excellent leadership and dedication to this issue. Their efforts have ensured that this important technology issue receives the attention it deserves from Congress. As majority leader, it is my intention to work hard to get the strongest, longest ban on Internet taxes as possible. As such, I will make passing a meaningful, revised Internet tax moratorium a priority for next year.