

As the Senator has correctly noted, I say to the distinguished Senator from Texas, Texas has changed the name of its franchise fee to an access line fee. It was never our intention that franchise fees be affected by the moratorium.

I am very happy to work with the Senator from Texas on it. I will have to consult with the Senator from Virginia, but he has always been very gracious working with our colleagues. The two of us will be consulting with the chairman of the committee. I want to make it clear I am very anxious to accommodate the distinguished Senator from Texas.

Mr. ALLEN. Will the Senator from Texas yield?

Mrs. HUTCHISON. I am happy to yield to the Senator from Virginia.

Mr. ALLEN. Mr. President, I state for the record that I concur with the Senator from Oregon, Mr. WYDEN, and the Senator from Texas, Mrs. HUTCHISON, that my intent as the author of the underlying bill, S. 150, is to prevent taxation of Internet access. Any modifications to the definition of Internet access taxes are not intended to include payments for franchising fees as described in section 1104(8)(B), including Texas' access line fees. I believe it is accurate to say the exemption for any franchise fee or similar fee in the definition of tax in section 1104(8)(B) of title 47 of the United States Code includes the tax line fees as established in Texas in 1999.

I thank the Senator from Texas for her strong advocacy for the people of Texas, making sure that this is brought up. I can assure the Senator from Texas that the Senator from Oregon and I, as this goes into conference, will work to make sure that express intent is effectuated when this measure comes back and is signed into law.

Mr. MCCAIN. I want to join my colleagues Senators ALLEN, WYDEN and HUTCHISON to include Texas access line fees collected by cities and local governments in the exception to the definition of "tax" in 47 U.S.C. section 1104(8).

Mrs. HUTCHISON. Mr. President, I thank the Senators from Virginia and Oregon, and say that I also have the assurance from Senator MCCAIN and Senator DORGAN that in the conference this issue will be addressed. It is a Texas-only issue, as I understand. It is a franchise fee but it is called an access line fee after Texas law was changed in 1999, which is why the moratorium puts it in question.

I would like to assure that we get this definition in conference. I know now, from talking to the four managers, that it was not the intention to take our access fee as a part of the major bill, but in fact treat it as a franchise fee, which is what it is.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

PLAYING POLITICS WITH IRAQ

Mr. STEVENS. Mr. President, as President pro tempore and presiding over the Senate, I have found the overheated rhetoric on Iraq over the last few days at best disappointing and at worst misleading, harshly partisan, and motivated by election year politics. I have simply had enough of this. I have come to the floor to ask my Senate colleagues to restore the level of debate that this institution demands. I urge the Senate to not play politics with Iraq.

Do not seek to gain some slim, fleeting advantage at the ballot box by making our country appear divided, and by making reckless accusations.

Our troops in Iraq deserve better than this. They deserve much better. If there is debate, let it be reasoned and measured, and focused on the way forward in this war on terrorism.

When our forces are deployed and in the field, they deserve nothing less than our absolute, unwavering commitment to their success. Nothing less.

I take strong issue with three particular themes: First, the analogy that Iraq is somehow like Vietnam. This analogy is wrong, and simply inflammatory; second, that the President was wrong when he made his speech on the USS *Abraham Lincoln* a year ago on May 1; and third, that somehow our action to remove the brutal regime of Saddam Hussein was in any regard "unprovoked." That is simply and plainly not true.

Iraq is not Vietnam. It is wildly irresponsible—even reckless—to compare the situation in Iraq to the war in Vietnam. Those who make that false claim are engaging in dangerous rhetoric, and are ill informed about history and facts of the two conflicts.

Comparing Iraq to Vietnam does not advance the debate, it simply inflames the issue, obscures the facts and, unfortunately, misleads the American people.

My colleague, the senior Senator from Massachusetts, started this Iraq is Vietnam spin in a speech a few weeks ago. Of all people, he knows better than to make that bogus comparison.

I encourage my colleagues to turn down the rhetoric on Vietnam, and get the facts right. Here are some of those facts:

In Vietnam, President Kennedy sent "advisers" to Vietnam in 1961, but they were not authorized to use force until 1964, 3 years later. Then, in 1971, Congress repealed that authority.

In Iraq, this very Congress approved a resolution that authorized the use of force in October, 2002, well in advance of any forces being deployed. That resolution still stands today.

In Vietnam, eight nations joined with the United States.

In Iraq, over 30 nations are in our coalition, including 16 of 26 NATO allies.

In Vietnam, Ho Chi Minh violated zero U.N. Security Council resolutions—none.

In Iraq, Saddam Hussein violated seventeen—seventeen—U.N. Security Council resolutions, beginning immediately after the 1991 Gulf war cease fire agreement.

In Vietnam, how many draftees were sent to that country? About two million draftees, all young men.

In Iraq, how many draftees are there? Zero, none. We have an all-volunteer force. They know the risks, they know their duty, and they volunteer to step forward and serve our country.

I have yet to meet one at the hospitals here who hasn't asked me the question: How can I go back to my unit? How can I go back to Iraq? They ask that despite the many serious wounds they have.

In Vietnam, against how many Vietnamese, Cambodians, and Laotians did Ho Chi Minh use chemical and biological weapons? Were there chemical and biological weapons used by North Vietnam? No, none.

In Iraq, against how many Iraqis, Iranians, and Kurds did Saddam Hussein use chemical and biological weapons? Thousands and thousands of people—the Kurds, the Iraqis, and Iranians—were the subject of chemical and biological weapons used by Saddam Hussein.

I have an article here from last Sunday's Providence Journal-Bulletin, and the headline of that article is this: "Historians, Soldiers Hesitant to Call Iraq another Vietnam: the purposes, strategy, terrain and players in the Vietnam war were far different than those in Iraq, many experts say."

Far different than those in Iraq, indeed.

That is a true statement by the Providence Journal-Bulletin. In this article, Anthony Cordesman, a military expert and former diplomat, says "I really worry about the analogy between Vietnam and Iraq, where we're not really fighting a foreign enemy."

Mr. Cordesman, who is now at the Center for Strategic and International Studies, goes on to say:

There is as yet no massive insurgency [confronting coalition forces]. We're not dealing with massive external powers supporting the insurgents. We do not have a situation where we have lost a majority of the population as we did in Vietnam when we lost the Buddhists. We are not attempting to get around the reality of a need to create a legitimate government, which we did after the fall of the South Vietnam's Diem regime.

I hope that cooler heads and cooler rhetoric will prevail here in the Senate. My colleague from Delaware, the ranking member of the Senate Foreign Relations committee, has found the Vietnam analogy, "misleading" because, as he says, "The vast majority of Iraqis share our vision for a participatory, representative democracy."

President Bush is absolutely right when he says that the Vietnam-Iraq analogy is false. And he is right that brandishing that false analogy as a rhetorical weapon, "sends the wrong message to our troops and sends the wrong message to the enemy."

With regard to President Bush's speech on the USS *Abraham Lincoln*, some have chosen to make a great issue about it. They have endlessly taunted the Commander in Chief for words on a banner, and have twisted his words to suit their purposes.

What the President said is this:

Major combat operations in Iraq have ended. In the battle of Iraq, the United States and our allies have prevailed. And now our coalition is engaged in securing and reconstructing that country.

The President was dead-on right. He spoke clearly and plainly, yet some refuse to listen to what he said.

He went on to say that "major combat operations in Iraq have ended." The President was and is absolutely correct today in making that statement.

Saddam's regime of oppression and torture was gone. The Hussein Baath Party regime was disbanded, and no longer in power. Baghdad had fallen, and was under the control of the coalition of which we were the leader.

Active, organized military resistance had collapsed. Saddam's military forces were not resisting; their will to fight had been destroyed; they had no ability to command and control the few forces they had left.

The mission was to remove a threatening, brutal dictator from power, to bring to an end the ruthless oppression of the Iraqi people—and that mission was accomplished.

President Bush made it abundantly clear that he recognized the challenges that would face America and confront our troops. He said, "And now our coalition is engaged in securing and reconstructing that country."

He said:

We have difficult work to do in Iraq. We're bringing order to parts of that country that remain dangerous. The transition from dictatorship to democracy will take time, but it is worth the effort. Our coalition will stay until our work is done.

That could not be clearer or more truthful. There are those in this body who should listen to these words and hear them accurately.

Let me state that again. He said:

We have difficult work to do in Iraq. We're bringing order to parts of that country that remain dangerous. The transition from dictatorship to democracy will take time, but it is worth the effort. Our coalition will stay until our work is done.

The clear and compelling meaning of the President's words on May 1, 2003 was that Saddam Hussein had been removed from power, Iraq's military defeated, and the work of stabilizing and reconstructing Iraq had begun—and that such work would be both difficult and costly.

The President was right when he spoke on the carrier a year ago, and he is still right today.

What has happened in recent weeks and months is an emerging insurgency, and the appearance of foreign fighters in Iraq who will do anything—anything—to see the coalition fail, and see Iraq revert back to a brutal dictator-

ship, and become a breeding ground for radical Islamic terrorists.

These terrorists have joined with former regime elements, and have chosen to make Iraq a full-blown battlefield in the war on terrorism.

This is not a war against Saddam Hussein. This is a war on terrorism. What these terrorists and their sympathizers fear most is Iraq becoming a stable, functioning democracy that benefits the Iraqi people, joins the world community, and serves as a source of democratic influence on the people of the region.

They have no regard for the will of the Iraqi people, for their safety, for their security or for their future. They are simply using Iraqi soil, and taking innocent Iraqi lives, in their ruthless Jihad, in their desire to spread chaos and foment hate across the Islamic world, and in their hatred of freedom, moderation and democracy.

I urge those who are twisting the President's words of now almost a year ago to listen carefully to what he said, to end the personal attack, to stop the spin. Stop parsing words and stop mocking plastic banners. We can and we must do better than that in the Senate.

And unprovoked? I heard the word "unprovoked." My third point is, I say to those who claim the war to liberate Iraq was somehow "unprovoked," that is wrong. It is absolutely wrong. Could that statement be more preposterous? Could anything be more disconnected from the truth in Iraq? Can anyone say with a straight face Saddam Hussein did nothing to provoke the international community?

Here is a sampling of some of the ways that Saddam Hussein provoked this conflict, how he provoked the United States, and how he provoked the world. In 1980, Iraq invaded Iran and used chemical weapons against the Iranian people. In 1988, Saddam's forces killed 5,000 innocent civilians in a chemical weapons attack against the Kurdish villages of Halabja. In 1990, Saddam's forces invaded another neighbor, this time Kuwait. We all know in the Gulf War thousands of innocent Kuwaiti civilians were raped, tortured, and murdered during the occupation. In 1991, Iraq was poised to march on other nations but was stopped by a U.S.-led coalition of forces. We call that the Gulf War. Iraq has launched ballistic missiles at four of its neighbors. Remember that, "unprovoked"? It launched ballistic missiles at four of its neighbors: Iraq, Saudi Arabia, Bahrain, and Israel. I might say, I was in Israel when one of those was launched.

Saddam's Iraq was, at a minimum, engaged in clandestine research and development activities to develop, refine, and employ chemical and biological weapons. From 1991 to 2003, Saddam's Iraq fired more than 1,000 missiles at our aircraft as they patrolled Iraq's U.N.-sanctioned no-fly zones. We went over to Kuwait. We met the pilots who were flying day after day—what we call

the CAP, the constant air patrol—at the request of the U.N. in compliance with the U.N. resolution. They told us how they were fired at again and again and again. Saddam Hussein was firing at U.S. planes daily. Provocation? I can't think of another provocation. It's a matter of fact, we should have gone to war when President Clinton said he was about ready to go to war in 1998.

For more than a decade, Saddam's Iraq steadfastly ignored the will of the United Nations and the civilized world and ignored no fewer than 17 U.N. resolutions.

I could continue with the list, but the point is the same: To say that Saddam Hussein is not responsible for his fate and Iraq's current status and did nothing to provoke that change is ludicrous. It is plainly untrue.

Let me conclude by saying this: The tone of the debate on Iraq must change. With our troops under daily attack, we cannot make Iraq a political football in an election year or any year.

Representative JIM MARSHALL, a freshman Democrat from Georgia, wrote a compelling column in the Washington Post last October. The title of his column was "Don't Play Politics on Iraq." A decorated Army Ranger who served in Vietnam, Congressman MARSHALL was right then and he is right today. His observations were wise then and even wiser today: Don't play politics on Iraq.

Let me quote from that article Congressman MARSHALL wrote:

Many in Washington view the contest for the presidency and the control of Congress as a zero-sum game without external costs or benefits. Politicians and activists in each party reflexively celebrate, spread and embellish the news bad for the opposition. But to do that now with regard to Iraq harms our troops and our effort. Concerning Iraq, this normal political tripe can impose a heavy external cost.

I continue with the article written by Congressman MARSHALL:

For now, responsible Democrats should carefully avoid using the language of failure. It is false. It endangers our troops and our effort. It can be unforgivably self-fulfilling.

That Congressman gets it. He really gets it. You do not play politics on Iraq. You do not play politics with national security. You do not play politics with the defense of this country. You do not play politics with troops deployed. You do not let seeking partisan advantage drive a wedge between Americans when troops are in harm's way.

I urge our colleagues to end this divisive practice of using the floor of this Senate and this issue on Iraq to bash the administration to try to score political points. We can do better than that. For those who persist on this practice, reflect on Congressman MARSHALL's words: It endangers our troops and our effort. It is simply wrong, election year or not. Those who irresponsibly endanger or use Iraq for partisan advantage should be warned: You must understand and take responsibility for

the message you send to the enemies of freedom, democracy, and liberty through the world.

This country should be united when we have troops abroad. We should be united when we have people trying to assist Iraqis to find freedom and defeat the terrorists who persist to bring the war on terrorism to Iraq after we won the war against Saddam Hussein. I urge my colleagues to follow Congressman MARSHALL's injunction: Do not play politics anymore on Iraq.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Without objection, the quorum call is rescinded and the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 7:04 p.m., recessed subject to the call of the Chair and reassembled at 7:06 p.m. when called to order by the Presiding Officer (Mr. TALENT).

The PRESIDING OFFICER. In my capacity as a Senator from the State of Missouri, I suggest the absence of a quorum.

The clerk will call the roll.

The assistant 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.

NATIONAL MINORITY CANCER AWARENESS WEEK

Mr. DASCHLE. Mr. President, last week was National Minority Cancer Awareness Week, an annual event for the past 18 years. Though we have been monitoring disparities in cancer for nearly two decades, the gap in some cancer mortalities has widened rather than narrowed.

One of the most important reasons for this disparity is poor access to health care. People who do not get mammograms, colon exams, and Pap tests on schedule are more likely to be diagnosed with cancer at a later stage of the disease, when survival rates are lower. And why don't they get these necessary tests on time? Members of racial and ethnic minority groups are more likely to be poor, have lower education levels, and less likely to have health coverage or a source of primary care.

Recently, I told the story of a young Indian girl who was misdiagnosed with heartburn at an under-funded Indian Health Service clinic. It turned out that she really had stomach cancer that had already spread and was, therefore, untreatable. I will remind you that this is not some rare exception.

For Native Americans and other minority communities across the country, the miracles of modern medicine—and sometimes even the most basic primary care—are beyond their reach.

The disparities within our health care system have reached a crisis point, and the consequences for America's minority communities are staggering.

Overall, African Americans are more likely to develop cancer than persons of any other racial or ethnic group.

Cervical cancer incidence in Hispanic women has been consistently higher at all ages than for other women.

Only 52 percent of American Indian/Alaska Native women aged 40 years and older have had a recent mammogram.

American Indians and Alaska Natives have the poorest survival rate from all cancers combined when compared to other racial and ethnic groups.

I am grateful that National Minority Cancer Awareness Week causes us to reflect on these facts. America faces few more important or complex challenges than building a world-class health care system for everyone, regardless of race, income, or geography.

There are no quick fixes. The factors that have led to these inequities in our health system are complex and inter-related.

Minorities are far less likely to have health insurance or a family doctor, making regular preventive visits less likely. And many of those who do have insurance report having little or no choice in where they seek care.

Minority communities are more frequently exposed to environmental risks, such as polluted industrial areas, cheap older housing with lead paint, or asbestos-laden water pipes.

For Hispanics, Native Americans, and others who do not speak English as a first language, the lack of translators and bilingual doctors makes it more difficult to communicate with doctors and nurses.

The Native American community has been forced to cope with a system suffering from decades of neglect and underfunding of the Indian Health Service. The IHS has consistently grown at a far slower rate than the rest of the HHS budget, and at only a fraction of health care inflation.

America is obligated, by statute and by treaty, to provide health care for American Indians—a commitment the U.S. Government made to the Indian people in exchange for their lands. America is not honoring that commitment. The White House's budget this year included only \$2.1 billion for IHS clinical services. That is more than 60 percent below the bare minimum needed to provide basic health care for people already in the IHS system.

The problems run still deeper. Even when minorities and white Americans have roughly the same insurance coverage, the same income, the same age and the same health conditions, minorities receive less aggressive and less effective care than whites.

The racial and ethnic disparities in our health care system are not merely minority issues or health care issues. They are moral issues. A health care system that provides lesser treatment for minorities offends every American principle of justice and equality.

The Republican Leadership has promised to address these issues.

After seeing no action for almost a year, House and Senate Democrats, led by the House Minority Caucuses, introduced the Healthcare Equality and Accountability Act of 2003.

This legislation would reduce health disparities and improve the quality of care for racial and ethnic minorities. There are several elements of this bill that would specifically address minority cancer rate reduction. I would like to highlight four particularly important issues.

First, this bill will provide adequate funding for the Indian Health Service—so that we can finally stop the shameful underfunding of Indian health needs.

Second, it will provide funds to increase cancer prevention and treatment programs. This includes the development of screening guidelines for minority populations for chronic diseases, including prostate, breast, and colon cancer.

Third, this bill will provide funding through the Health Research and Services Administration, the Indian Health Service, and the National Cancer Institute for patient navigators. Patient navigators work in underserved communities to bring individuals into the health care system sooner, so they can learn about preventing and detecting diseases—especially cancer—before they become ill. Patient navigators also help individuals overcome language and cultural barriers to setting up appointments and understanding their doctors' instructions. Patient navigators can also be important resources to individuals living in rural areas, since they often have to travel outside their communities to receive certain health services. The American Cancer Society notes that "Patient navigator programs offer a low-cost, tangible fix in a part of our health care system that is broken, giving hope to millions of medically underserved individuals, saving lives and reducing health care costs."

The last item I would like to highlight in this bill is the focus on improved health literacy, the degree to which individuals can obtain, process, and understand basic health information. The bill will provide funds to support programs that remove language and cultural barriers. Just two weeks ago, the Institute of Medicine released its report on health literacy and recommended that "Government and private funders should support the development and use of culturally appropriate new measures of health literacy."