

Earlier in the week, the New York Times reported that the Army is considering cutting the length of its 12-month combat tours in Iraq and Afghanistan in order to relieve the stress of duty. This could be a positive step. Special attention also needs to be paid to considering new ways to honor the service of our reservists and offer new incentives for signing up. The debt we owe our soldiers shouldn't be limited to a welcome-home parade. It begins before we send them abroad and it shouldn't end when they return home. This is a debt we must honor every day.

But consider the welcome home thousands of Guard members received when they returned stateside recently only to find they had lost their jobs while they were fighting in Iraq. Over the past 3 years, thousands of Guard members and reservists have come home to find themselves out of work.

Ron Vander Wal, a member of South Dakota Guard's 200th Engineer Company had to sue his employer just to get his old job back. Ron is now back at work, but he never should have had to go to court to get what was rightfully his.

Thousands more aren't as fortunate. And every time a soldier returns home to find that he has less than when he left to fight, we have failed that soldier. How can we ask our soldiers to fight for us overseas and then force them to fight for their jobs once they get home? Sadly, this is only the tip of the iceberg.

More than 400,000 reservists and National Guard members have been mobilized since September 11, 2001. They represent 40 percent of our forces in the region. Their bravery and professionalism have been vital to every aspect of our mission in Iraq. Many of them have been working to improve the lives and health of average Iraqis. And yet, when they return, one out of every five Guard members and Reservists—and 40 percent of junior enlisted personnel—will have no health insurance of their own. That is simply unacceptable.

This kind of neglect is regrettably reflected in our treatment of veterans, as well. Last month, I spoke to a woman from Hartford, SD, whose father served in the Navy—in Vietnam and elsewhere. Recently, her father died, and in his final months the family struggled with the VA to get the benefits he needed. This woman became quite frustrated with the VA and its ability to care for veterans. Today, this woman who loves her country and is proud of her father's service says she will advise her children against joining the military, because she feels our country just doesn't take care of its vets in their hours of greatest need.

That is intolerable. Not only is it morally wrong not to honor the service of our veterans, but it directly affects our ability to recruit the next generation of American heroes. Something needs to be done.

Let there be no doubt, the problems with the VA health system are not the fault of the doctors and nurses and the other men and women who work at VA hospitals and clinics. They are among the most talented, most dedicated health professionals in this country. But they can only do so much with the resources they are given. And from the first days of this administration, the White House has systematically tried to reduce veterans benefits, cut funding to the VA, and shortchange the healthcare of America's veterans.

Over the past 4 years, the budget for veterans health has risen far less than has the cost of delivering health care, forcing VA hospitals to meet rising demand with shrinking resources. The White House's 2005 budget deepens this trend by including less than a one-tenth of one percent funding increase, while health costs nationwide are rising at double digit rates of inflation. Overall, the White House budget falls nearly \$4.3 billion short of veterans' needs, according to the independent budget created by leading nonpartisan veterans groups.

The veterans least able to pay are being asked to pick up the difference. Over the course of the last 3 years, the amount vets have paid toward their own care has increased a staggering 340 percent, or \$561 million. And if the White House gets its way, vets would need to pick up more than a half billion dollars more of their care in 2005.

This is wrong. Americans treasure their freedom and we treasure those who have sworn to defend it. The kind of treatment our veterans and reservists are receiving defies the gratitude Americans feel in their hearts and betrays our tradition of caring for those who wore the uniform of their country.

There are two steps Congress should take immediately. First, we should pass the National Guard and Reservist Bill of Rights which I introduced earlier this month. This bill codifies a set of rights the men and women serving in our National Guard and Reserve have earned with their service to our Nation. It states that every reservist has the right to straight answers about his or her deployments, and deployments that are no longer than those of full-time soldiers; the right to the best equipment the Nation has to offer; the right to adequate, timely, and problem-free compensation; the right to child care for his or her family; the right to quality, affordable health care; the right to employment when he or she returns home; the right to education benefits; the right to a fair retirement plan; and the right to representation at the highest levels of the Department of Defense. Perhaps most important, this bill of rights would ensure that the Guard and Reserve remain attractive opportunities for Americans who want to serve their country.

Second, it is time we made good on a simple promise to veterans: If you wore the uniform of our Nation, if you fought under our flag, your health care

needs will be met for life. The full funding of veterans health care should be made mandatory under law. For too long, the VA budget has been subject to the give and take of budget politics. We need to set things straight. The funding for the VA should no longer be set by political convenience, or back-room deals, or the zero-sum game of budget politics. One thing, and one thing alone, should govern the care of our veterans; that is, the needs of our veterans.

How could we do otherwise? How could we let our country move forward and leave behind the men and women whose bravery has won our freedom and prosperity? Moreover, how could we let our children grow up believing that our Government fails to honor and repay those who risk their lives in service to the Nation.

We cannot afford to wake up one day and discover that our military lacks the manpower it needs to defend our country. The signs of an impending recruitment crisis are all around us. We should not let this Congress adjourn without taking real steps to prevent this developing problem from undermining the strength of our military for years to come. It is time to act.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

#### ORDER OF PROCEDURE

Mr. FRIST. Mr. President, very quickly, I understand the Senator from Massachusetts will be recognized shortly. I ask him, is he going to be speaking on the underlying bill?

Mr. KENNEDY. I will be speaking about issues that are included in the underlying bill.

Mr. FRIST. I will ask that following the Senator's time we be given a like amount of time to comment on whatever subject it would be. Then I encourage that we would be able to go straight to the underlying bill. We have the managers here, and I know the Senator has a statement he wants to make.

I ask unanimous consent that Senator KYL follow Senator KENNEDY, with a similar amount of time to respond on the topic, whatever it may be, and we will go straight to the bill. I want to encourage us to stay on the underlying bill.

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

The Senator from Massachusetts is recognized.

#### POLICY IN IRAQ

Mr. KENNEDY. Mr. President, I thank the leader and the leadership. I know the matters we have before us are of great importance and urgency. So is the matter about which I will address the Senate.

By any reasonable standard, our policy in Iraq is failing. We are steadily losing ground in the war. Even after

9/11, it was wrong for this President or any President to shoot first and ask questions later, to rush to war and ignore or even muzzle serious doubts by experienced military officers and experienced officials in the State Department and the CIA about the rationale and justification for the war, and the strategy for waging it.

We all know that Saddam Hussein was a brutal dictator. We have known it for more than 20 years. We are proud, very proud, of our troops for their extraordinary and swift success in removing Saddam from power.

But as we also now know beyond doubt, Saddam did not pose the kind of immediate threat to our national security that could possibly justify a unilateral, preventive war without the broad support of the international community. There was no reason whatsoever to go to war when we did, in the way we did, and for the false reasons we were given.

The administration's insistence that Saddam could provide nuclear material or even nuclear weapons to al-Qaida has been exposed as an empty threat. It should have never been used by President Bush to justify an ideological war that America never should have fought.

Saddam had no nuclear weapons. In fact, not only were there no nuclear weapons, there were no chemical or biological weapons either, no weapons of mass destruction of any kind.

Nor was there any persuasive link between al-Qaida and Saddam and the 9/11 attacks. A 9/11 Commission Staff Statement put it plainly:

Two senior bin Laden associates have adamantly denied that any ties existed between al-Qaida and Iraq. We have no credible evidence that Iraq and al-Qaida cooperated on attacks against the United States.

The 9/11 Commission Report stated clearly that there was no "operational" connection between Saddam and al-Qaida.

Secretary of State Colin Powell now agrees that there was no correlation between 9/11 and Saddam's regime. So does Secretary of Defense Donald Rumsfeld. Nevertheless, President Bush continues to cling to the fiction that there was a relationship between Saddam and al-Qaida. As the President said in his familiar Bush-speak, "The reason that I keep insisting that there was a relationship between Iraq and Saddam and al-Qaida is because there was a relationship between Iraq and al-Qaida."

That's the same logic President Bush keeps using today in his repeated stubborn insistence that the situation is improving in Iraq, and that we and the world are safer because Saddam is gone.

The President and his administration continue to paint a rosy picture of progress in Iraq. Just last Wednesday, he referred to the growing insurgency as "a handful of people." Some handfull.

Vice President CHENEY says we're "moving in the right direction," de-

spite the worsening violence. Our troops are increasingly the targets of deadly attacks. American citizens are being kidnapped and brutally beheaded.

But Secretary Rumsfeld says he's "encouraged" by developments in Iraq. Our colleague Senator LINDSEY GRAHAM doesn't buy that, and he has said so clearly: "We do not need to paint a rosy scenario for the American people."

Neither does our colleague Senator HAGEL, a Vietnam veteran and a member of the Senate Foreign Relations Committee. As he stated unequivocally last week, "I don't think we're winning . . . The fact is, we're in trouble. We're in deep trouble in Iraq."

The National Intelligence Estimate in July, although not yet made public, made this point as well—and made it with such breathtaking clarity that for the good of our country, officials leaked it to the press. The New York Times said the estimate "spells out a dark assessment of prospects for Iraq." The same Times report and other reports, the National Intelligence Estimate outlines three different possibilities for Iraq through the end of next year. The worst-case scenario is that Iraq plunges into outright civil war. The best-case scenario—the best case—is that violence in Iraq continues at current levels, with tenuous political and economic stability.

President Bush categorically rejected that analysis, saying the CIA was "just guessing." Last week, he retreated somewhat. He said he should have used "estimate" instead of "guess."

In other words, the best case scenario between now and the end of 2005 is that our soldiers will be bogged down in a continuing quagmire with no end in sight. President Bush refused to give the time of day to advice like that by the best intelligence analysts in his administration, but the American people need to hear it.

We learned in yesterday's New York Times that the President was also warned by intelligence officials before the war that the invasion could increase support for political Islam and result in a deeply divided society in Iraq, a society prone to violent internal conflict. Before the war, President Bush received a report that warned of the possible insurgency.

It is listed on the front page of the New York Times. Just to mention part of the story:

"The same intelligence unit that produced a gloomy report in July about the prospects of growing instability in Iraq warned the Bush administration about the potentially costly consequence of an American-led invasion 2 months before the war began," Government officials said Monday. The assessments predicted that an American-led invasion of Iraq would increase support for political Islam and would result in a deeply divided Iraq society prone to violent internal conflict. The assessment also said a war would increase sympathy across the Islamic world for some terrorist objectives, at least in the short run.

That is the warning this President had, but he rushed headlong into the war with no plan to win the peace. Now, despite our clear failures, the President paints a rosy picture. Look at today's national newspapers. The Washington Post, on the front page, says:

Growing Pessimism on Iraq. A growing number of career professionals within the national security agencies believe that the situation in Iraq is much worse, and the path to success much more tenuous, than is being expressed in public by top Bush administration officials. . . .

"While President Bush, Defense Secretary Donald H. Rumsfeld and others have delivered optimistic public appraisals, officials who fight the Iraqi insurgency and study it at the CIA and State Department and within the Army officer corps believe the rebellion is deeper and more widespread than is being publicly acknowledged," officials say.

People at the CIA "are mad at the policy in Iraq because it's a disaster, and they're digging the hole deeper and deeper. . . ." "Things are definitely not improving."

When is the President going to level with the American people?

In the New York Times today—these are in the last 2 days, Mr. President—on the front page it says: "Baghdad," and this is a different story:

Over the past 30 days, more than 2,300 attacks by insurgents have been directed against civilians and military targets in Iraq, in a pattern that sprawls over nearly every major population center outside the Kurdish north, according to comprehensive data compiled by a private security company with access to military intelligence reports and its own network of Iraqi informants.

The sweeping geographical reach of the attacks . . . suggests a more widespread resistance than the isolated pockets described by the Iraqi government officials.

The outlook is bleak, and it is easy to understand why. It is because the number of insurgents has gone up. The number of their attacks on our troops has gone up. The sophistication of the attacks has gone up. The number of our soldiers killed or wounded has gone up. The number of hostages seized and even savagely executed has gone up.

Our troops are under increasing fire. More than 1,000 of America's finest young men and women have been killed. More than 7,000 have been wounded. In August alone, we had 863 American casualties. Our forces were attacked an average of 70 times a day, higher than for any month since President Bush dressed up in a flight suit, flew out to the aircraft carrier, and recklessly declared, "Mission accomplished" a year and a half ago.

The President, the Vice President, the National Security Council, Secretary Rumsfeld, and other civilian leaders in the Pentagon failed to see the insurgency that took place last year and that began to metastasize like a deadly cancer. How could they have not noticed?

Perhaps because they were still celebrating their "mission accomplished."

For 2 years, terrorist cells in Iraq have been spreading like cancer. Any doctor who would let that happen to a patient would be guilty of malpractice.

In many places in Iraq today, it is too dangerous to go out even with guards. The streets are so dangerous that some parents are apparently keeping their children home from school, afraid they will be kidnapped, or worse, along the way.

The State Department does not attempt to conceal the truth about the danger, at least in its travel warnings. Its September 17 advisory states that Iraq remains very dangerous.

At the end of August, a bloody 3-week battle in Najaf ended with an agreement that U.S. troops would give up the city. Fallujah and now other cities are no-go zones for our troops, presumably to avoid even greater casualties, until after the election.

Those are not the only areas where we have lost control. Last Friday, Secretary Powell said:

We don't have government control, or government control is inadequate, in Samarra, Ramadi, Erbil and a number of other places.

We continue to use so-called precision bombing in Iraq, even though our bombs cannot tell whether it is terrorists or innocent families inside the buildings they destroy.

What is helping to unite so many Iraqi people in hatred of America is this emerging sense that America is unwilling, not just unable, to rebuild their shattered country and provide for their basic needs. Far from sharing President Bush's unrealistic rosy view, they see close up that their hopes for peace and stability are receding every day.

Inevitably, more and more Iraqis believe that attacks on American forces are acceptable, even if they would not resort to violence themselves. For every mistake we make, for every innocent Iraqi child we accidentally kill in another bombing raid, the ranks of the insurgents climb, and so does their fanatical determination to stop at nothing to drive us out.

An Army reservist described the deteriorating situation this way:

For every guerrilla we kill with a smart bomb, we kill many more innocent civilians and create rage and anger in the Iraqi community. This rage and anger translates into more recruits for the terrorists and less support for us.

The Iraqi people's anger is also fueled by the persistent blackouts, the power shortages, the lack of electricity, the destroyed infrastructure, the relentless violence, the massive lack of jobs and basic necessities and services.

By any reasonable standard, our policy is failing in Iraq. The President should level with the American people. He should take off his rose-colored glasses, understand the truth, and tell the truth. The American people and our soldiers in Iraq deserve answers to the questions they have about the war: Will President Bush come to the Presidential debate tomorrow prepared to answer the hard questions? Will he admit that we are on a catastrophic path in Iraq? Will he admit that we rushed to a \$200 billion war with no

plan to win the peace? Will he offer a concrete plan to correct our course?

We are steadily losing ground in the war. No amount of campaign spin can obscure those facts. We have to do better. November 2 is our chance. This President had his chance in Iraq. We deserve a new call, and I believe we will have it on November 2.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SMITH). The Senator from Arizona has 14 minutes 15 seconds.

#### IRAQ

Mr. KYL. Mr. President, I am going to respond to my colleague from Massachusetts. He has made a pretty vicious attack, I would say, on the President of the United States, contending that he has not leveled with the American people, that he has to begin telling the truth about what is going on in Iraq. These are very serious charges, and I would like to try to respond to them.

The Senator from Massachusetts began by a recitation of why, in his view, "the outlook is so bleak," to use his quotation, and why he concluded that "we're losing the war," another quotation from the Senator.

I see in the Senator's remarks, and others that I have heard recently, a steely determination to keep hopelessness alive. I do not think that should be the policy of the United States. The President has a much better vision about how to bring the war against militant Islam to a conclusion.

There were no constructive alternatives, as my colleagues will recall, from the comments of the Senator from Massachusetts. There were no ideas about how we could do better. It was just an attack on the President and an assertion that we are losing the war, the implications of which were left hanging.

When he said the President has this attitude of shooting first and asking questions later, then perhaps we need to recall that we have already been attacked. We did not shoot first. We were attacked viciously on 9/11 and it changed everything about our approach to the war against militant Islam.

Secondly, when the Senator from Massachusetts accuses the President of painting a rosy picture and then refers to the National Intelligence Estimate that predicted some pretty dire consequences, he forgets two things. First, President Bush has said repeatedly from the very beginning that this would be a very long and difficult conflict. He has never wavered from that. In fact, he has tried to inspire the American people to continue to persevere in this war.

One does not inspire people by wringing their hands and talking about how we are losing the war. Think about what kind of a message that sends to the troops and to the families who are sacrificing, to a mom who gets notice that her young son has been killed in

Iraq: We are losing the war. It is hopeless. The outlook is bleak.

Well, what are we fighting for? What kind of a message does it send to our allies, who some people say they could convince to come into this conflict, we are losing the war, now please come in? That is not exactly going to persuade them to come into the conflict.

Finally, and most importantly, what kind of a message does it send to the enemy to suggest that they are winning and we are losing? Major political figures in this country argue that we are losing the war. It gives confidence to the enemies. That is exactly what they want to hear. Osama bin Laden has said we are the weak horse and he is the strong horse. If we convey that message to him, we increase the possibility that he will continue to think he can win and that he will continue to engage in this fight.

We need to break his will. He is testing our will and comments such as this are not helpful to challenging the American people to continue to persevere in this contest.

The question is about the American will, and I do not think the comments we heard from the Senator from Massachusetts are going to be effective in helping to sustain that will. I rather think the approach that Winston Churchill took in World War II accentuating the positive, yes, but not ignoring the negative and challenging the British people and the people of the Allies to persevere in that war is the right approach, and that is what President Bush has tried to do.

The Senator from Massachusetts has confused a couple of issues. First, he confuses violence in Iraq with less security at home. I do not think we are less secure at home because there is violence in Iraq. In fact, one of the reasons we have not been attacked at home for over 3 years is because we have taken the fight to the enemy and we have largely been successful. We have not lost a battle in this war.

There are battles yet to be fought, and the enemy attacks us with guerilla tactics, but we can persevere and win militarily. So I do not think we should confuse the fact that there is violence in Iraq and therefore conclude we are less secure at home. That is simply not true.

Secondly, the Senator from Massachusetts alleges that there was no relationship, no connection, between the terrorists and the Saddam Hussein regime. I want to try to debunk this myth right now, so let me quote from the CIA, from the 9/11 Commission, and from George Tenet's assessment since we are going to be quoting the National Intelligence Estimate. This is what the head of the CIA, George Tenet, said:

Our understanding of the relationship between Iraq and al-Qaida is evolving and is based on sources of varying reliability. Some of the information we have received comes from detainees, including some of high rank.

We have solid reporting of senior level contacts between Iraq and al-Qaida going back a decade.