

We can do this in a few years. It is not going to break the bank. I have been there and looked at it and studied it. If we followed up on the gains we have made, we would make even more and be in a position to wrestle with these kinds of issues.

My concern is the following: First, it ought not to be on the Defense bill. It ought to come through in the regular order and in the light of day so people can have hearings and testimony, and citizens who are concerned about it on either side can have their view and their say. Secondly, we don't have the money. Estimates I have seen have indicated that this bill, amazingly, could cost the Treasury of the United States \$19.2 billion just for the first 2 years. Where are we getting that money from? We are already in record deficits, having almost doubled the debt, and will triple the debt in 8 more years. We are going to add another \$19 billion to subsidize illegal activity? In addition to that, Social Security entitlement benefits, welfare, Pell grants, student loans, all those would be added to the cost also.

Are there any funds to investigate whether someone is qualified? It may be that the average American hearing this debate says: These people came here at age 3. They should qualify for in-state tuition, even if they illegally came here. But those qualifications, coming here at that age, is not the requirement, first. No. 2, they only have to prove they have been in the country for 5 years. How do they prove it? They produce false documents. This is commonly done. How do they prove they came here at age 14, age 12? They may or may not have documents.

Do you think the FBI is going to take a document submitted to the immigration people to justify qualifications under the DREAM Act? Does anybody think the FBI is going to investigate to see if these are forged documents? Nobody is going to check this out; they don't have time. There is no money in the legislation to do so, no requirement that I can see to do so.

I know illegal immigration causes significant social and emotional problems throughout society. Some would say the way to remedy it is to not let anybody suffer any consequences as a result of violating the laws of the United States. Just don't enforce the laws. Reward the people who came in here illegally. Don't do anything about it.

Of course, on the surface that is untenable. But when you come up with a plan that simply says if you are in our country illegally, you don't qualify for in-state tuition, or you don't get subsidized student loans if you came into the country illegally, this is seen as harsh and mean spirited and should not occur. But great governments have to decide how they are going to conduct their business, and they have to decide whether we are going to end this lawlessness and have a lawful system of immigration.

This country, by the American people, has made up its mind. They have told the Congress what they want. But the arrogance, the total disrespect of the decent, honorable plea from the American people to end the lawlessness and create a system we can be proud of is surprising to me. I would think the Congress, after all we have been through, would have understood that the plea of the American people is not mean spirited. It is not unfair. It is quite legitimate and decent. We believe in immigration. We want immigrants to come to the country. We believe they should apply. We believe people who qualify should come here before people who do not qualify. That is what America is all about. That kind of legal system is one of the things that attracts people all over the world to come here. It should not be undermined.

If we do the right thing, we will reject this amendment. Hopefully, it will not even be brought up. Please, I hope it is not brought up. It is just going to cause a lot of frustration and tension on the Defense bill that ought to be focused on the men and women in harm's way and how to help them do their job better and more safely. I hope it does not come up. But if it does, it needs to be voted down. We need to tell the President, tell his Secretary of Homeland Security and his ICE department, tell Members of Congress we are tired of fooling around. Let's get busy and complete the job and create a lawful system of immigration of which we can be proud.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. GOODWIN. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

#### HONORING OUR ARMED FORCES

##### SERGEANT STEVEN DELUZIO

Mr. DODD. Madam President, it is with a heavy heart that I rise today to mark the passing and honor the service of Army National Guard soldier SGT Steven DeLuzio of South Glastonbury, CT.

Sergeant DeLuzio died August 22 during a fierce small arms attack while serving with the Vermont National

Guard in Paktika, Afghanistan. He had only 19 days left before he was due home to his family and loved ones.

Sergeant DeLuzio graduated from Glastonbury High School, where he was a born leader and active in school activities. He served as freshman class secretary and is best known for leading the Glastonbury hockey team to a State championship his senior year as cocaptain. Feeling a call to serve after the events of 9/11 he signed up to serve with the Vermont National Guard in 2004, just like his older brother, Scott. He served one tour of duty in Iraq in 2006 and was deployed to Afghanistan in March of this year.

In his too short time, Sergeant DeLuzio proved himself as a selfless and heroic soldier. Many in the small town of South Glastonbury speak of Steven as always putting family and country first. His father, Mark DeLuzio, told the local paper that "Steven is a hero and the greatest son." Due to his heroic actions on the day of his death, Steven was posthumously awarded the Bronze Star and Purple Heart.

As a tribute to such an extraordinary young man hundreds of mourners attended funeral services for Steven this past weekend at St. Patrick's church in South Glastonbury. His brother, Scott, who is currently serving in Afghanistan as well, said that Steven was "a best friend. He was more than just a brother. He was all you can ask for in a friend."

Steven DeLuzio was a man of dauntless courage and bravery. His service and his sacrifice are a credit to his parents, Mark and Diane. I know how proud they, along with the rest of their community, are of him, and I hope they know that we grieve alongside them. They, along with Steven's fiancée, Leeza Gutt, are in our hearts.

Our freedom is won and our country endures because of the selfless sacrifice of heroic young men and women such as SGT Steven DeLuzio. All of us in Connecticut and across America mourn this tragic loss, and none of us will ever forget the debt of gratitude we owe to him and his family.

#### LEGACY OF AGENT ORANGE

Mr. LEAHY. Madam President, during the Vietnam war more than 20 million gallons of herbicide known as Agent Orange, much of it containing the highly toxic chemical dioxin, were stored, mixed, handled, and sprayed by U.S. airplanes over millions of acres of forest and farmland in Vietnam. Since then, dioxin has been linked by the U.S. Institutes of Medicine to various cancers and other debilitating diseases, as well as birth defects. The International Agency for Research on Cancer and the National Institute of Environmental Health Sciences classify it as a human carcinogen.

Millions of Vietnamese citizens and U.S. military personnel were exposed,

in one way or another, to Agent Orange, and its effects have been a subject of controversy for more than three decades. Today, the U.S. Veterans Administration recognizes 12 diseases and 1 birth defect related to herbicide exposure and recently added 3 more diseases as eligible for compensation from the Federal Government.

Thanks to the efforts of U.S. veterans who suffered from the effects of dioxin, their needs have been recognized and are finally being addressed. But in Vietnam, where the government lacks the resources to either clean up the residual dioxin contamination or to adequately assist those who have suffered health problems, the legacy of Agent Orange remains a difficult and emotional subject for U.S.-Vietnamese relations.

On the one hand, the Government of Vietnam for years blamed Agent Orange for seemingly any case of birth defect in the country, no matter how farfetched. On the other hand, the U.S. Government consistently denied causation between Agent Orange and birth defects in Vietnam and refused to accept any responsibility for the alleged harm. For years, the issue remained a contentious one for our countries.

Then about a decade ago, thanks to an initiative funded by the Ford Foundation and with the participation of the U.S. Environmental Protection Agency, research was done that went a long way toward dispelling the myths about the extent of contamination, as well as identifying where the most serious threats remain. Some 28 “hot spots” of varying degrees of dioxin contamination were located where Agent Orange had been stored or handled, often resulting in extensive spills and leakage into the soil or groundwater, from where it moved up the food chain. The sites with the worst contamination are the Da Nang, Bien Hoa, and Phu Cat airports. For example, in the area of the Da Nang Airport, dioxin levels in soil, sediment, and fish were documented as 300 to 400 times higher than what is considered safe. And the contamination is passed genetically from one generation to the next.

In 2006, the same year that a Joint Advisory Committee of U.S. and Vietnamese Government agencies was established to discuss ways to address this problem, the Department of State and Foreign Operations Subcommittee, which I chair, provided \$3 million for “environmental remediation of dioxin-contaminated sites and related health activities in Vietnam” for fiscal year 2007. An additional \$3 million was provided for fiscal year 2009 and the same amount again for fiscal year 2010. The 2010 Supplemental Appropriations Act includes \$12 million for these purposes, and S. 3676, the Senate version of the fiscal year 2011 Department of State and Foreign Operations bill, which was reported by the Appropriations Committee on July 29, 2010, includes another \$15 million. Chairman FALCONE of the House Sub-

committee on Asia, the Pacific, and the Global Environment has held two hearings on the issue, and in July, Senators HARKIN and SANDERS traveled to Vietnam and visited the Da Nang site.

The Government of Vietnam also provides tens of millions of dollars for small monthly payments to persons with disabilities believed to have been caused by Agent Orange, as well as some funds for dioxin cleanup. The Ford Foundation has provided \$14 million for activities in Vietnam related to Agent Orange. These include dioxin containment at the Da Nang Airport, services and opportunities for people with disabilities in eight particularly affected provinces, and to support the work of the U.S.-Vietnam Dialogue Group on Agent Orange/Dioxin, a binational committee of scientists, educators, and policy analysts. Other U.S. philanthropic organizations, including the Gates Foundation and Atlantic Philanthropies, as well as several governments and United Nations agencies, have also contributed, while U.S. nongovernmental organizations have implemented programs to deliver services to affected people. American companies have also been exploring greater business partnerships with Vietnam and contributing to education and other efforts. The Dialogue Group's Plan of Action calls for a 10-year effort that would combine continuing U.S. and Vietnamese Government support with support from nonprofits and corporations that have business relationships in Vietnam. These would all be helpful steps.

My own interest in addressing the legacy of Agent Orange evolved from the use of the Leahy War Victims Fund in Vietnam to assist persons with disabilities, primarily victims of landmines and other unexploded ordnance left over from the war, and my efforts to address the problem of civilian casualties and to assist innocent victims of the military operations in Afghanistan and Iraq.

Since 1988, through the U.S. Agency for International Development and implementing partners, including the Vietnam Veterans of America Foundation and Vietnam Assistance for the Handicapped, the U.S. Government has provided tens of millions of dollars through the Leahy fund for medical, rehabilitation and vocational assistance, training, and equipment. However, no one knows how many of the beneficiaries of these programs may have been disabled as a result of exposure to Agent Orange, and large areas of the country still lack services for people with disabilities.

In 2007, it was Bobby Muller, the former president of Vietnam Veterans of America Foundation, who had been instrumental, indeed indispensable, in promoting postwar reconciliation and the eventual normalization of relations with Vietnam, who suggested to me that the U.S. Government needed to do something about Agent Orange. Vietnam and the United States were mak-

ing progress on so many fronts, from locating the remains of MIAs to cooperation on HIV/AIDS and expanding tourism and trade, that it made no sense for the issue of dioxin contamination to remain a sore point. I agreed that we should try to turn this contentious issue into one on which both countries could work together.

Since then, while it has taken far longer than I would have liked to develop a plan for utilizing the funds, the administration is now at the point of identifying the most cost-effective remediation technique for Da Nang, and, as I have noted, we are fortunate that in the meantime other donors have joined this effort.

We also need to look forward. In Senate Report 111-237 accompanying S. 3676, the Appropriations Committee directs USAID, in consultation with the Department of State, the Government of Vietnam, and other interested parties, to develop a multiyear plan for Agent Orange activities in Vietnam. This plan, which should reflect input from interested parties with a history of working on this issue such as the Ford Foundation and the U.S.-Vietnam Dialogue Group on Agent Orange/Dioxin, should identify the key activities for the environmental remediation and health/disability components of this effort, indicate how U.S. funding will be coordinated with and complementary to the contributions of other donors and how nongovernmental organizations, including nonprofits and businesses, can play constructive roles. It should set clear goals, benchmarks for measuring progress, and estimated costs associated with these activities. In doing so, we will not only chart our way forward, we will demonstrate to the Government of Vietnam and its people that we intend to continue to play a central role in this effort.

To that end, I want to emphasize the importance of the health component. While the soil and sediment remediation is critical and has received the most attention, it would be hard to overstate the importance the Vietnamese give to addressing the needs of people who have been harmed. While it may not be possible to definitively diagnose Agent Orange as the cause of a person's disability, the plan should include surveys or other steps to locate people who suffer from disabilities that may have been caused by dioxin, so they can be helped. An expanded involvement by nonprofit organizations, businesses, and philanthropies remains key to this humanitarian effort, and there is no longer any reason for hesitancy on the part of U.S. companies in Vietnam in supporting such work.

After a tragic war that left deep scars in both Vietnam and the United States, we have become partners on a wide range of issues. We still have our differences, particularly concerning human rights, but we want to make progress in whatever ways we can. The legacy of Agent Orange, for years an issue that divided us, is now one that is bringing us together.

## RETIREMENT SECURITY

Mr. KOHL. Madam President, I rise today as chairman of the Special Committee on Aging to talk about retirement security in America. In recent years, workers have seen their savings take a hit, with many wondering whether they will ever be able to retire. The current retirement income deficit—in other words, the gap between what Americans will need in retirement and what they will actually have—is \$6.6 trillion, according to the nonpartisan Center for Retirement Research at Boston College. Now more than ever, we need to strengthen our Nation's pension and 401(k) systems so that Americans can protect the retirement savings they work a lifetime to earn.

In doing so, we must recognize that today's retirement savings vehicles look a lot different than they did a generation ago. Our current system increasingly places the responsibility for saving on the individual, meaning that people have to make retirement decisions on their own because many employers are not doing it for them. That is why the Aging Committee is working to give people more guidance, more tools, and more protection.

Many Americans are increasingly relying on 401(k)-type defined contribution savings plans to fund their retirement. Having a 401(k) requires an individual to make several proactive decisions, including the decision to save, how much to save, how to invest their savings, whether to take loans out, and how to make their savings last through retirement. The committee's focus has been on helping participants make better decisions. After all, a person should not have to be a financial planning expert in order to plan for a secure retirement.

We are discovering that the best system would have certain automatic features, such as automatic enrollment with escalating contribution rates and target date funds that adjust automatically, combined with options to opt out for those who want to create their own portfolio. We are pushing for more retirement coverage through ideas like better target date funds that are designed in the best interests of participants.

We are collaborating with the Department of Labor on many of these issues and also introducing our own bills in some cases. Senator TOM HARKIN and I introduced a bill to require the disclosure of 401(k) fees to participants. A small difference in fees, compounded over a lifetime, can make a huge difference in overall savings. I commend the Labor Department for recently issuing regulations that will bring greater transparency and disclosure of 401(k) fees and make it easier for employers to ensure that their plans' fees are reasonable, and I look forward to reviewing the Department's participant fee disclosure regulations when they are issued this fall. Senators BINGAMAN, ISAKSON, and I have intro-

duced the Lifetime Income Disclosure Act, which would have 401(k) statements translate the balance into a potential stream of retirement income. This will help participants save and plan for an adequate retirement. I am also working with my colleagues to ensure that oversight of the Pension Benefit Guaranty Corporation, the entity that insures the pensions of more than 44 million workers and retirees, is strengthened.

Of course, we cannot talk about retirement security without talking about Social Security. The Aging Committee recently released a report that lays all the options on the table for making it secure over the long term. We also must make sure that those who rely on it the most are protected. Finally, one of the most important ways to have a secure retirement is to work longer. We are focused on the removal of barriers to working past retirement age for those who choose to do so. Our efforts will keep people in the labor force and encourage employers to offer the benefits and flexibility many are looking for later in life.

In closing, I would like to applaud the many advocacy groups that are striving to create a universal, secure, and adequate pension system. Their efforts to bring necessary attention to the important issue of retirement security are appreciated. Together we will continue our work to improve retirement security for all Americans.

Mr. HARKIN. Madam President, I rise today to speak out in support of Retirement USA's "Wake Up, Washington!" Month and to wake up my colleagues to the looming retirement crisis in this country. The public has already woken up. A recent survey found that 92 percent of adults aged 44 to 75 believe there is a retirement crisis in America. Now it is time for Congress to address this crisis before it is too late.

We are already seeing the beginnings of the retirement crisis. Just look at all of the older Americans forced to delay retirement or go back into the workforce because of the economic downturn. If we do not change course, it is going to get much worse.

Next year, the first baby boomers will turn 65, and it is clear that many are not prepared for retirement. According to the Employee Benefit Research Institute, nearly one-half of them are at risk of not having sufficient retirement resources to pay for basic retirement expenditures and uninsured healthcare costs.

The picture is not any better for the rest of American workers. Thirty-one percent of workers do not have any retirement savings at all, and 43 percent of workers have less than \$10,000. If those numbers are not sobering enough, the Center for Retirement Research at Boston College calculated America's retirement income deficit for Retirement USA. They estimate that the gap between what people need for retirement and what they actually have is \$6.6 trillion. That is a scary number.

There simply is no question that retirement is getting less and less secure in this country. In the past, people relied on the "three-legged stool" of retirement security—private pensions, personal savings, and Social Security—but that stool has gotten awfully wobbly. Over 40 percent of workers lack access to any employer-sponsored retirement plan at all, the rising cost of living and stagnant wages are making it tougher for people to save, and our Social Security system is under attack.

It used to be that many workers could rely on defined benefit pensions. Those plans are one of the best ways to ensure that workers have a secure retirement because they provide a predictable, guaranteed source of income that workers can count on for the duration of their lives. But, unfortunately, the traditional defined benefit pension is an endangered species. The number of employers offering these plans has fallen drastically over the past three decades. Now, less than 20 percent of workers in the private sector have the security of a defined benefit pension.

The vast majority of employees with any retirement plan at all just have a 401(k), but those plans do not provide real retirement security. They leave workers exposed to the constant risk that the plans' investments will perform poorly. Look at what has happened to people's 401(k)s over the past few years. Billions of dollars of retirement savings have just evaporated, and lots of workers—especially people getting close to retirement—saw any chance they had of retiring vanish overnight. 401(k)s also do not provide workers with guaranteed lifetime income like traditional pension plans. That means that workers and their families are forced to bear the risk that they will outlive their retirement savings.

Plus, in these troubled economic times, families are facing unprecedented challenges and saving for retirement just is not an option for many. Wages have been stagnant for years, yet the cost of living keeps going up. People are working harder and longer than ever before, but they still cannot seem to meet the costs of basic everyday needs, like education, transportation, and housing, let alone save enough to support them in their old age.

For many Americans, the only retirement security they have is Social Security, but that, too, is under siege. There are those that want to privatize the system, cut back benefits, and raise the retirement age. They say that everyone should just work longer and that retirement is a "luxury." Clearly, those people do not swing a hammer for a living. They do not toil in our corn fields or work on our oil rigs. For Americans who work in these physically demanding jobs, working longer simply is not an option. A lifetime of hard work takes its toll, and at some point, a person just cannot do it anymore.