



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 147

WASHINGTON, WEDNESDAY, OCTOBER 17, 2001

No. 140

## Senate

The Senate met at 10 a.m. and was called to order by the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska.

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, whom to know is to love and whom to love is to serve, we ask for a fresh empowering of Your Spirit today. Renew in us the excitement of being partners with You in bringing Your best for America. We are here by Your divine appointment. Therefore, we need not fear; You will supply exactly what we need each hour of this day. Replenish our enthusiasm. May we do old duties with new delight. Revive our expectation. You have plans for us and the power to accomplish them. Regenerate our hope.

Make us hopeful people who expect great strength from You and attempt great strategies for You. Fill this Chamber with Your presence and each Senator and all of us privileged to be a part of the Senate family. Replenish our inner wells with Your peace that passes understanding. We claim Your promise through Isaiah, *Fear not, for I am with you; be not dismayed, for I am your God, I will strengthen you, yes, I will help you, I will uphold you with My righteous right hand.* Amen.

### PLEDGE OF ALLEGIANCE

The Honorable E. BENJAMIN NELSON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 17, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. NELSON of Nebraska thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

### TERRORISM IN THE OFFICE OF SENATOR DASCHLE

Mr. REID. Mr. President, I certainly do not have all the details, but we do know that more than 20 people in Senator DASCHLE's office have been infected with anthrax. The tests have come back positive.

Senator DASCHLE had a meeting at the White House early this morning, and he has been meeting with his staff since he came back. I have not had an opportunity to speak with him. My heart goes out to Senator DASCHLE. I have spent a great deal of time with him and know what a caring person he is and how much he cares about his staff. I spend a great deal of time with his staff as a result of working with him on matters relating to the activities of the Senate. He has a wonderful staff. Sometimes I feel they are my staff. I am very close to Senator DASCHLE's staff.

I can imagine the heartbreak he is experiencing as a result of these people going through this personal turmoil as a result of working for him. I know I

speak for the entire Senate when I say that our thoughts and our prayers go out to Senator DASCHLE personally, his lovely wife Linda, and his entire staff that this will be of short duration. We have been told the sickness they have will be of short duration. Certainly, the medicine that is available will cure the problems that are present. We are fortunate we do have the medicine available to do this.

My thoughts cannot contemplate the evil nature of such an act on innocent people working in Senator DASCHLE's office opening mail, answering constituent mail, doing those activities that one does working for a public servant. A lot of them are very young.

This is a tremendously evil act. I hope these people will be brought to justice; that the full weight of this Government will be used to search out these people who would perpetrate this evil through this diabolical scheme they engendered. I do not know what satisfaction they get out of doing such acts.

We are the greatest country in the history of the world. We are far from perfect, but certainly we are going to overcome this. It is a very small setback, and we will proceed stronger than ever.

Again, my heart is overwhelmed today with a feeling of anxiety and sadness for the majority leader of the Senate for the burden he has recognizing that because he is who he is, people in his office are sick. I know him and know how much heartache this causes him.

### MEASURE PLACED ON CALENDAR—H.R. 2646

Mr. REID. Mr. President, I understand H.R. 2646 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S10779

A bill (H.R. 2646) to provide for the continuation of agricultural programs through fiscal year 2011.

Mr. REID. Mr. President, I object to any further proceedings.

The ACTING PRESIDENT pro tempore. Under the rule, the bill will be placed on the calendar.

Mr. REID. Mr. President, my friend from Wyoming is in the Chamber. If he has some remarks, he can certainly proceed; otherwise, I am going to ask we go into a quorum call at this time. We are going to shortly recess until after the 10:30 a.m. briefing.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I thank the Senator from Nevada for his remarks this morning. Certainly we all have very strong feelings and sympathy for what is happening. My office happens to be one of the offices that is closed as well. I have a strong feeling about what is happening as well.

Mr. President, we should just go into a quorum call and go to our 10:30 a.m. meeting without further ado.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 10:10 a.m., recessed subject to the call of the Chair and reassembled at 12:12 p.m. when called to order by the Presiding Officer (Mr. TORRICELLI).

The PRESIDING OFFICER. The Senator from Nevada.

#### UNANIMOUS CONSENT AGREEMENT—CLOTURE VOTE

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote which was scheduled for 11 o'clock today be set for 10 o'clock next Tuesday morning. This request has been cleared by the minority leader and the majority leader.

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

#### ORDER OF BUSINESS

Mr. REID. Mr. President, also, I would like to inform Senators that this afternoon, at around 1 o'clock, 2 o'clock—we don't know the exact time; we are trying to work that out, and we will shortly—we will move on the Interior conference report. We do not know if we will need a vote on a motion to

proceed to it. That is a nondebatable motion. So if we do, we will do that and then move right to approving the conference report.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Mr. President, having said that, and having told Senators what is in store, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 12:13 p.m., recessed subject to the call of the Chair and reassembled at 1:32 p.m., when called to order by the Presiding Officer (Mr. REID).

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DASCHLE. Thank you, Mr. President.

#### PROCEEDING UNDER UNUSUAL CIRCUMSTANCES

Mr. DASCHLE. Mr. President, as I did yesterday, I think it might be helpful if I report to our Senate colleagues and to the extended Senate family about circumstances now over the last 24 hours.

Let me say, I have been especially appreciative, again, of the services provided to the Senate, especially by our extraordinary Sergeant at Arms and our Secretary of the Senate, who have just done an outstanding job of responding to the many challenges that we have faced over the last few days, especially.

I thank Secretary Tommy Thompson for his great cooperation, the Department of Health and Human Services, the Capitol Police for their work, and, finally—and certainly it should have been at the top of the list, if I was listing anybody—our distinguished Republican leader. Senator LOTT has been there shoulder to shoulder with me on every one of these occasions and over the course of the last couple of days. Our partnership is strong, but our friendship is even stronger. And that could not be in greater evidence than it has been over the last couple of days.

We will have a vote this afternoon on the Interior appropriations conference report. That conference report will come over to the Senate sometime this afternoon. As my colleagues probably know, the conference report is currently being debated in the House. Obviously, I am quite sure it will be adopted. Once it is, and once it is sent over to us, there will be a rollcall vote on the Interior appropriations conference report this afternoon.

There will also be a vote on the conference report on the military construction appropriations bill tomorrow. We do not know the time yet. We will certainly notify our colleagues. In part, we do not know the time because I am not sure what the House schedule is; that also will be a piece of business that we will take up.

It is my hope that we may be able to take up nominations as well. I will be

consulting with the Republican leader and with my chairs in regard to the degree to which Executive Calendar matters could be considered and, hopefully, voted upon either today or tomorrow.

So we have a good deal of business that we will be conducting. Again, one of the reasons why is because of the outstanding job that all of our service personnel have provided in accommodating our schedule, as we have continued to work through the immediate challenge that we have faced with the anthrax experience.

Mr. President, I could not be more proud of my staff for the way they have conducted themselves, for the attitude they have reflected at every step of the way, the professionalism they demonstrated on Monday, and the attitude and the degree to which they have taken each one of these moments in stride.

We have had a good number of discussions and consultations and meetings with members of my staff. It is now at a point where I think we can say that 31 members of my staff, and a certain number of Capitol Police, were found to have tested positive as a result of the nasal swab that was administered to them a couple of days ago.

A positive result on a nasal swab simply means they were exposed to the anthrax bacteria. Not one incident of infection has been recorded or reported. There is a huge difference between exposure—as is revealed by the nasal swab, if it is positive—and the actual infection itself. Antibiotics were administered immediately, even though we did not know the results of the nasal swabs, whether they were going to be positive or negative. And because of the early access to the antibiotics, the overwhelming advice I am now being given by all health care personnel is that each of my staff members will be OK. I am gratified to hear that, I am gratified to repeat that, and I will continue to emphasize that fact as we go forward.

In part because of the limited exposure, in part because of the opportunity to be administered the antibiotic quickly, in part because of the professional response all the way through this process, we are very confident about our ability to provide for the needs of each of my staff, with every expectation—I would say 100-percent expectation—that they will be treated successfully. So we feel very good about the current circumstances involving treatment and involving the response to the antibiotics already shown by members of the staff.

As many of our colleagues know, the exposure was limited, at this point, to two locations: My office in the Hart Building, Room 509; and the mail room in the Dirksen Building. There is no evidence currently that anyone in the mail room has been exposed to the point where they would receive a positive nasal swab, although we will be getting those test results back in the coming days. About 1,400 people were

provided with the nasal swab yesterday. The results of those swabs will not be provided for at least 24 hours.

Let me also add that we have been working in close concert with the Centers for Disease Control. Russell 325 will be our information center for the balance of the afternoon.

There is a meeting ongoing in SC-5 for senior members of all Senate staff. Chiefs of staff and office managers are certainly welcome. I am quite sure most people have been made aware. We will provide ongoing information in a myriad of additional ways, both technologically as well as telephonically. We will provide that information as we deem it important to share.

Again, let me emphasize three things: First, I believe very confidently that we have, as a result of the outstanding work done by all of those professionals who have been on the scene, dealt with this incident in as successful a manner as is possible. I repeat that I am very grateful I can say today that the health care professionals have indicated that my staff will be not only OK but perfectly healthy as a result of the actions that have been taken. We will be closing the offices, the Senate offices: Russell, Dirksen, and Hart, for the next couple of days in order to accommodate the environmental research that will be required to ensure that whatever additional material there may be could be found, if there is some.

We have no indication there is any additional information that would lead us to believe it is not confined to the mail room as well as to my office, but we are going to do a sweep of the area. In order to accommodate that sweep successfully, those three buildings will be closed. It is strictly precautionary. I emphasize, there is no evidence to suggest we are doing anything other than what we should to ensure that we can open, with all the confidence that I expect we will have, on Monday morning.

We will use the time we have available to us just to ensure that we have checked the entire complex of office space so we can open on Monday without fear of any further exposure.

Finally, let me emphasize, we will be in constant contact with every office all the way through the course of the next several days. Of course, we will be in session today and tomorrow. That, too, will facilitate our ability to communicate with all Senators.

I thank all colleagues for their great cooperation. We had a good meeting this morning, as we did yesterday, on both sides of the aisle. There were excellent questions. I am proud of our Senators for the leadership they are providing and proud of our Senators for the attitude they take back to their offices and to their States. I am proud of our Senators for the way they have conducted themselves under these unusual circumstances.

I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Virginia.

Mr. WARNER. Madam President, may I say to our distinguished majority leader that having been a part of that meeting for well over an hour this morning, which you and Senator LOTT and other leaders conducted, we all were given a full opportunity to express our views, but throughout, we recognized the enormous pressure that you, as our leader, have been under because of the hit on your personal office staff.

Throughout that meeting and indeed throughout these days, you have stood with enormous personal courage and have won, if it were possible, even greater admiration than we had, from those of us who serve in this institution.

This is my 23rd year to be privileged to be a Senator. I have served under several majority leaders, assistant majority leaders, Republican leaders and Democratic leaders, all kinds and types, but you will be remembered in the annals of the history of this institution for the courage, personal and professional, that you have exhibited.

I thank you also for working with Senator LOTT and others in striking the proper balance, the obligation we have to our staffs, those who are visiting the Capitol, the infrastructure that serves us, balancing the need to give them adequate protection and at the same time enabling the Senate to continue to function.

As I said this morning, our Nation is at war. We have men and women of the Armed Forces in harm's way at this very moment carrying out the orders of our proud and strong Commander in Chief, the President. It is important, as they read about this chapter in the Congress, that they believe we are showing commensurate courage in facing the unknown. That is important. Indeed, the world will be observing us.

I commend my distinguished leader and the Republican leader and others. In the days to come, we will face the situation, and we are fortunate to have an extra group of experts coming in to advise all of us.

I thank the majority leader very much.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I join my colleague from Virginia in saluting Senator DASCHLE for his leadership at this moment in the history of the Senate. He and Senator LOTT, on a bipartisan basis, called together the Members of the Senate for the second straight day to the Senate dining room to discuss the situation on Capitol Hill. I think the decision that has been made for the Senate is the right decision.

I watched some of the television press reports, and I don't think they quite understand what is happening. So there is clarification, to this point, we have found that some 31 people on Capitol Hill have been exposed to anthrax, though there is no evidence of infection. Many others have been tested on

a precautionary basis. I have invited my staff and other Members have as well; if they think this is something they would like to do, they are perfectly welcome to it, if they think they might have come in contact with anthrax that was mailed to Senator DASCHLE's office. Although this is a cause of some concern, it takes literally thousands of these spores to cause the kind of infection that would have to be treated.

The precautions that are being taken are the right precautions. To have the press characterize this, as some television stations have, as an evacuation of Capitol Hill is just plain wrong.

What is going to happen tomorrow in the Senate office buildings, the Hart Building, in which Senator DASCHLE's office is located, and the two other buildings, Russell and Dirksen, is that we will bring in environmental survey crews which will literally test those buildings to find out if there is any evidence of contamination. The equipment that is being used takes up some space and involves some processing. The decision was made—the right decision—to ask the staff tomorrow to vacate those three office buildings. In the meantime, in the Capitol Building, we will be in business in the Senate. We will be debating issues and voting on them, as we should.

Some of the reports in the press really haven't come to grips with the reality of what we face and how we are reacting. Some have asked, are you overreacting? The honest answer is: The leaders are trying to be as careful as possible for the thousands of people who work here, for the visitors, for the college students who come to volunteer. We are being as careful as possible. Secondly, it is our good fortune this is not a regular occurrence so we don't exactly have a protocol to follow. We are going to be developing one by this experience so we will know what should and should not be done and can give advice after this experience to others. That is valuable. It will help in our public health effort to deal with anthrax or any other threats of bioterrorism.

I remind those who are following this occurrence—and it has been said and should be repeated every time we speak—this anthrax, again, even if you were exposed to it, can be successfully treated with antibiotics so that people should have no fear of losing their lives because of this exposure. Basic treatment by antibiotics can make certain that you don't have any serious outcome because of an infection.

This morning the Secretary of Health and Human Services, Tommy Thompson, former Governor of Wisconsin, testified before the Committee on Governmental Affairs. His testimony was excellent. His agency, along with the Food and Drug Administration and the Centers for Disease Control, is trying to envision what needs to be done to protect America. Since September 11, we have a feeling of vulnerability.

Our leaders in Washington, the Senate and the House, and with the President and his administration, are trying to envision those needs to make America's peace of mind return.

I am happy they are ordering the necessary immunizations, the necessary antibiotics, so that if there is a public health need, we will be there.

They are also going to invest in State and local public health sources so we can respond quickly to any questions that are raised. This is a time of testing for America, but it is a time when we will rise to the occasion and pass this test. This country was hit hard on September 11. Because of that, many of us have seen in our churches and synagogues and temples more and more people looking for spiritual guidance. We have seen families come closer together, with a stronger feeling of patriotism. All of this reaches to the spirit of this country, our values and principles.

We will withstand this test and survive. When it is all over, America will have the peace of mind of knowing we have led a global effort to fight terrorism. Whether in the Middle East or homegrown here in the United States, it is all despicable and cowardly. Frankly, we should be the leaders and join our coalition in the successful battle against it. What we are going through on Capitol Hill will be remembered, I am sure, for a long time. I hope what is also remembered is the determination of men and women in the House and Senate, Democrats and Republicans, to stand up proudly and fight for this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Madam President, my colleague from Illinois and the majority leader from South Dakota, Senator DASCHLE, have just spoken about the challenges that have been presented to the Senate, our Capitol, and to our Nation, beginning with the heinous acts of mass murder committed by sick, deranged terrorists on the date of September 11 and continuing now to the actions of some demented people who would send letters with spores of anthrax in those letters.

It is important, as Senator DASCHLE indicated a few minutes ago, because we now have a 24-hour news cycle in which things move very rapidly and reporting takes place at a very rapid pace, for us to sort out what is and what is not happening as a result of these terrorist attacks, specifically about what is happening on Capitol Hill with anthrax having been put in a letter addressed to the majority leader.

There is not an evacuation of the U.S. Capitol Building; there is not an evacuation of Senate offices. What is happening is a thoughtful, deliberate approach to respond to this set of challenges. Senator DASCHLE and Senator DURBIN both said—and I think it is important to underscore—that those who have been identified as having been ex-

posed to anthrax by the swab testing that has been done, are not at this point infected by that exposure. They have simply been exposed. It is important to underscore that there are antibiotics available to deal with that exposure if it becomes an infection. That is important for people to understand. And the medical authorities have visited with a joint session of Republicans and Democrats this morning here in the Capitol and have gone over that information in some depth.

It is not the case that spores of anthrax have been found all over this building. That is not the case at all. The reports we have at this point in time are that spores of anthrax were discovered in a limited area, and the law enforcement authorities and leadership of the Senate have taken actions that would attempt to make certain they don't spread beyond that area, and that we take the precautions necessary for human health and also to make sure the environmental situation in buildings is assured.

I want to, as I describe this, say how proud I am of Senator DASCHLE, Senator LOTT, and others, who in most cases have worked nearly around the clock; especially, I am proud of Dr. Eisold and the Sergeant at Arms, the Secretary of the Senate, and so many others, most of whom have had very little sleep because they have been trying to respond to this issue. The Centers for Disease Control team, folks from the NIH and Health and Human Services, are all here.

Also let me say how much I have appreciated for some long while the work of the law enforcement authorities on Capitol Hill. These men and women have been working 12 hours a day and, in most cases, 6 days a week every single day for the last month. They are the first responders; they are the ones who put themselves in harm's way. We all should spend some time thinking about what they do for us and the sacrifice they make for their country.

It is very important, as Senator DASCHLE indicated, for people not to panic. This is not a cause to panic. This is a letter that had some anthrax attached to it. All of the things we know about this anthrax, all that we know about the exposure, and all that we know about the ability to treat that exposure, should it become an illness from that bacteria, would lead us to believe it is not at all cause to panic.

Is this a point of some concern? Is it worrisome that all of this happened? Of course. We would be fools to deny that this is a troublesome incident. Of course it is. It is probably not unexpected that those terrorists who wish to cause chaos in our country and damage and inflict injury on innocent humans would try to do that in our Nation's Capital and in the symbol of our Government here in the Senate or the House. But the response is not to be frightened. The response is to be thoughtful and careful and take the necessary steps to make certain we

protect the folks who work here and make certain we not allow this to happen again.

This is quite a remarkable country in which we live. We have faced a lot of challenges in many significant ways. Our country is a country that has split the atom, spliced genes, learned how to clone animals, invented great silicon chips, plastics, and learned how to build airplanes and how to fly them, built rockets, and flew to the Moon. We invented the telephone. We invented the television. We invented computers. We cured polio and smallpox. We survived a civil war. We survived a great depression. We beat back the fascism of Hitler.

Through it all, this is the freest country on the face of the Earth, with the strongest economy, providing the most opportunity for the most citizens anywhere. That is not an accident. It is because through it all, through all of the challenges, all the tough times as well as the good times, the center of the American people—the broad center that thinks through things in a clear way and uses inherent common sense in deciding how to respond and when to respond—has largely governed our behavior as a country. That broad center, I am sure, in this country feels as I do as a result of the September 11 tragedies; it feels the rage and anger that there are sick, twisted people who would do that. They believe as I do, I am sure, when I see the kinds of terrorist activities such as I saw in Florida and New York and now on Capitol Hill, with the use of anthrax as a weapon of terror—I am sure they feel anger and rage.

It is also the case that there are men and women in our Armed Forces who are in harm's way today because we have called on them once again to take action against those who would undermine the basic freedoms in our country.

So what is important today, not just with respect to this incident on Capitol Hill and all the wonderful young men and women—and in some cases older men and women—is that they are here because they are proud to be here; they are proud of their public service. It is important for all of us to understand that this country stands together. This country stands tall in the face of challenges.

I said yesterday it is interesting that changes occurred in this Chamber. In this Chamber of the Senate, for so long we had so much pettiness. There was so much pettiness in our politics. That is now gone—and good riddance, as far as I am concerned. But that pettiness led us to believe on every single issue, at every intersection, there was an "our side" and a "their side." We have, it seems to me, in meeting these challenges, understood now that there is only one side and that is "our side." That is the side that we all stand on together. It is not mine and yours, or us and them; it is just our side together. That is the way we will respond to the

incident that has occurred on Capitol Hill. It is the way America will respond to the broader threat of terrorism that exists around the world. It is the way the American people have responded for two centuries—to build a beacon of hope and opportunity for the rest of the world. It shall remain that way as long as we have the kind of leadership and capabilities that exist in this country, to say to the rest of the world it is worth the fight to preserve our freedom; it is worth that fight.

So let me end as I began, by thanking my colleague, Senator DASCHLE, for his leadership. Our thoughts have been with his staff as they have worked through this challenging period, and our thoughts are also with the literally thousands of men and women who come to this Capitol to serve with us in the House and in the Senate who do that because they want to be involved in public service and are proud of it. We say to them, don't be unnerved by this; we are proud you are here and that you have stayed through this period. We thank you for your public service.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I rise, too, to applaud the leadership given to us in the last several days by Senator DASCHLE and Senator LOTT.

Thirty years ago, I did not serve in this body; I served as a naval flight officer on the other side of the world, in a war that was not popular in this country. Those of us who served took our cues from those who served in this body with respect to the strength and support for our efforts from the American people and from our elected officials. The signals we received were not always encouraging ones.

It is important today that those who are serving our country on the other side of the world in this war, flying in F-14s, helicopters, dropping food from C-17s, dropping munitions from B-52s and B-1s, special forces at work, the sailors and airmen and soldiers—it is important that we send to them, not just by our words but by our deeds today, a very clear message: There is a time for fear and there is a time for resolve. This is a time for resolve. Our resolve is being tested, and it is critically important that we meet that test. And we will.

We are endeavoring to strike a balance, whether it is in Senator DASCHLE's office, Senate office buildings, the Capitol, or the House office buildings, to make sure we are being vigilant and careful and that we are mindful of their health and welfare. And we are. At the same time, let's remember we have a lot of work to do—not next year or the year after that; we have a lot of work to do this year. We have appropriations bills to pass to meet the needs of our Nation. We have compromises to hammer out on terrorism legislation, airport security, and rail security. We have legislation

that is in conference on education, raising the achievement level of our students, and making sure there is a Patients' Bill of Rights that is fair to everybody in this country. We need to hammer out those compromises.

We need an energy policy. We haven't had one in my adult life and, frankly, we need one now more than ever. We have plenty to do. The idea that some might suggest it is time for us to take leave from this place and go back to our States for a while is just absolutely the wrong approach to take. We need to stay here and stay on the job.

There are some differences between the facts and the fiction being spread about what is happening on Capitol Hill. Others have spoken to it, and I want to mention it as well. Secretary Thompson told me this morning that we received lab test results of the substance opened up in the mail in Senator DASCHLE's office, and we got those results about 3 o'clock this morning. The bad news is that it is anthrax.

The idea that somehow this is weapons grade is not correct. That is just not true. This is a substance that is susceptible to penicillin. This is a substance that is susceptible to Ciprofloxacin, just as other anthrax materials are susceptible. It can be treated.

Let's take a worst case scenario. There have been reports that the ventilation system of the Hart Building is somehow contaminated with anthrax. That is just not so. Let's assume for a moment it is. Let's assume for a moment that everyone who works there, including Senators, has been exposed to anthrax, which is not true either. As it turns out, maybe 20 or 30 people have been exposed—not infected but exposed.

If we had all been exposed and if, indeed, the ventilation system was chock full of anthrax—and it is not—what do we do about it? We simply take the antibiotics that kill the bacteria. That is what we do.

Keep in mind, anthrax is something for which we can be vaccinated. If we come down with an illness, we can take antibiotics that will cure it. If I contract an illness related to anthrax, it does not mean to suggest Senator DORGAN or anybody else is going to become sick. It is not communicable. We not only need to keep this in mind in the Senate and on Capitol Hill, but the American people need to know. This is something we can contain, and this is something we can control. We have to stay calm, we have to stay cool, we have to be collected, and we are going to do that.

The rest of the country is watching us to see how we respond in this time of duress. Certainly our military men and women around the world are watching us to see how we respond in this time of duress, during this threat to our Nation's Capitol. I presume whoever is sending these materials our way is watching us as well. They must be amused by the response they see from some.

The response we need to send to the terrorists, those who would do us harm, as well as to our troops, soldiers, sailors, and airmen around the world, and the rest of the American people is that we will make sure that the people who work here are protected and are safe, but at the same time we are committed to doing and completing our Nation's business.

Madam President, I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. CARPER. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CORZINE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

#### DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—CONFERENCE REPORT

Mr. BYRD. Madam President, it is a pleasure to join my colleague from Montana, the distinguished Ranking Member of our Interior appropriations subcommittee, in bringing before the Senate the conference report on H.R. 2217, the Fiscal Year 2002 Interior and Related Agencies Appropriations Act.

This is the first of the thirteen annual appropriations bills to have reached this stage of the process. Let me say parenthetically, however, that the Committee on Appropriations reported the bill on July 12—3 months and 5 days ago. So it has been a long time in ripening to this point. This conference report is, in my opinion, a well-crafted bill. It is never an easy task to work out the many disagreements between House and Senate versions of an appropriations bill, and this year was no exception. But each and every one of the 1,330 items before the conferees was worked out in a way that balanced the views of each chamber and the resources available to the conferees.

I will not go into great detail with respect to all the particulars of the conference agreement, but shall point out a few highlights. First, to those who have a special interest in natural resource conservation, this conference report lives up to our previous commitment by fully funding the conservation spending category established in Title VIII of last year's Interior Appropriations bill. Through this spending category, the managers were able to fund key conservation activities including \$428 million for Federal land acquisition; \$229 million for State programs such as wildlife and wetland conservation programs; and \$184 million for Federal infrastructure improvements in our national parks, forests, refuges, and on other public lands. In addition,

the conference report devotes \$11 million to Civil War battlefields preservation, an important commitment to honoring our national heritage and understanding the history of this great country.

The conference report also restores the \$36 million in environmental clean-up work conducted through the Abandoned Mine Reclamation Fund which the administration had unwisely proposed to cut. These funds will be used for high priority abandoned mine clean-up projects which address serious health and safety concerns.

For our colleagues from the West, I am pleased to report that the conference agreement continues the Congressional commitment to protect the public and our natural resources from fire danger by providing \$2.2 billion to the Forest Service and the Department of the Interior for wildland firefighting. This is an increase of \$300 million above the President's request.

The bill also includes \$2.8 billion for critically needed Indian health care and \$2.2 billion for Indian education and economic development. Within these amounts, \$86 million is targeted specifically for the construction of new hospitals and health clinics, while more than \$290 million is to be used for school construction and repair.

The conference report includes over \$930 million for cultural institutions and programs funded through the Interior subcommittee, including the Smithsonian Institution, the National Gallery of Art, the Kennedy Center, and the National Endowment for the Arts and Humanities.

The conference committee paid special attention to the needs of the National Park Service, providing an increase of \$85 million over the fiscal year 2001 appropriation for basic operations of the national park system. In addition, the conference report contains \$366 million for Park Service construction, with the vast majority of these projects representing backlogged maintenance and infrastructure improvements in the National Parks.

Finally, I would like to point out that this conference report contains much needed funding for the important energy research programs overseen by the Department of Energy, specifically in the area of fossil energy research and development. I am very proud of the fact that the conferees provided \$150 million for continuation of the Clean Coal Technology program, which I first started in 1985 and which has proven to be one of the most successful public/private partnerships ever undertaken by the Federal Government. I am pleased we were able to restore the nearly \$100 million in basic energy research funding that the administration had proposed to cut. I told the Secretary of Energy that I believed those cuts to be unwise—and I earlier urged the President not to make those cuts—and that if I had anything to do with it—and I did, of course—they would not stand. For the good of the Nation and

our energy security, I am glad that I was able to keep my word.

Before yielding the floor to my distinguished colleague from Montana for any comments he may wish to make, let me say again publicly what a pleasure it was to have CONRAD BURNS as the Ranking member of the Interior subcommittee and to work with him and his able staff throughout this year. This has been a journey of hope and pleasure for me as we have developed this bill during the several months of working with Senator BURNS. The dedication to duty displayed by Senator BURNS, the willingness to cooperate in a bipartisan fashion, and his always gracious manner have made my work infinitely easier, and I thank him for his support in crafting this bill.

I thank his staff and I thank my own staff, along with Peter Kiefhafer, for their excellent work.

I urge my colleagues to support this conference report.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. I join my friend from West Virginia in asking the Senate to support the Interior and related agencies conference report. This has been sort of a labor of love. It has been 3 months of putting this piece of legislation together and many hours of off-the-floor negotiations not only between my chairman and everybody who serves on this subcommittee but also in the conference with the House.

This conference agreement fits within the broader fiscal limitations with which the Congress and the President have agreed. To remain within these limits, we had to reduce many projects and programs below levels provided by the Senate bill. Likewise, many priorities established in the House were reduced so the conference agreement would conform to the subcommittee's conference allocation.

The final product does not contain 100 percent of what everybody wanted; nor does it have 100 percent for one individual. I assure my colleagues Senator BYRD has included me and my staff in all negotiations and that the Senate's interests have been treated fairly.

There are two specific items I will address before proceeding. I am pleased that the conference report provided a \$10 million increase in payments in lieu of taxes, PILT. These funds are a vital source of funding for schools and other basic Government services in rural communities that have large public land acreage. While I hoped we would preserve the entire increase provided in the Senate bill, the amount provided in the conference agreement is a significant step forward and moves us closer reaching the authorizing funding level of the PILT program.

With regard to the funds for the wildland firefighting and related programs, the conference agreement contains just over \$2.23 billion. The year before last and last year were terrible years for fires, as was this past sum-

mer, although it was not as devastating as the year before. Congress has still made a commitment to the national fire plan. We were unable to fully fund all the needs of the national fire plan, but nonetheless the commitment is there. We had to make extremely tough choices, balancing the need for rehabilitation and restoration of lands already burned and the need to prevent and suppress future fires.

We have also taken the opportunity to direct the Department of Agriculture and the Interior to work more closely together in implementing the national fire plan, while giving us a better understanding of the land's long-term funding and what it needs. I believe this will move us much closer toward having a fire plan that can be fully implemented.

Finally, I thank Senator BYRD for his courtesy shown throughout the process. There are 3 C's in committee work: cooperation, courtesy, and consideration. Usually we get our work done pretty expeditiously. It has been a difficult year on many fronts, but from the Senate transition to the events of last month, Senator BYRD and I have worked well together to produce a final bill that deserves the Senate support.

I thank his staff and my own. Ryan Thomas and Bruce Evans have done yeoman's work on this bill as it has moved its way not only through the Senate but also through the conference.

It is strange indeed to have an Interior and related agencies bill to be the first appropriations bill to be sent to the President. I can remember when this bill was unbelievably contentious. It is the off-the-floor agreements and negotiations made that help bring a product to the floor. It just about has the approval of the total Senate. That is a testament to Senator BYRD's leadership as chairman of this subcommittee. Again, I urge my colleagues to support this conference agreement.

Mr. BYRD. We are told in the Scripture: A word fitly spoken is like apples of gold in pictures of silver.

The words by CONRAD BURNS, my distinguished colleague, have been fitly spoken. Again, I thank him.

Mr. REID. Madam President, on behalf of Senator DASCHLE and this Senator from Nevada, I express our appreciation to the chairman of the Appropriations Committee not only for bringing the bill to the floor today but for your persistence, your wisdom, and your legislative abilities. You have worked very hard on all appropriations bills, this one in particular. We extend our appreciation to you for that.

More generally, this is the first appropriations bill. There couldn't be one more timely and one that should be recognized than the one these two Senators put together. Senator BURNS said he can remember when the bill was contentious. It is still contentious. But this is what legislation is all about. I was so happy to go to that conference

committee. We spent just a little bit of time there. It was resolved quickly. That is what good legislation is all about.

The example that was set I hope I can follow. Senator DOMENICI and I are working on energy and water and hope to have a conference that is even shorter than the one on the Interior bill. We hope to be able to do that. We were going to do it tomorrow but the House is going out today and we will not be able to do that. Hopefully, it will be Monday or Tuesday.

I have a great feeling for this bill. The Senator from West Virginia will remember when I first came here I had the honor, when you were so heavily involved in your duties being the Democratic leader, of conducting the subcommittee hearings on this bill. I learned a lot about this subcommittee as a result of sitting there for those hours of hearings to arrive at a point where we had a bill that could be brought to the Senate floor. Conducting those hearing was one of the biggest learning processes I ever went through. It was a great honor.

I will not belabor the point other than to say if someone picked up a dictionary and looked at the word "wisdom," Senator BYRD's name would be right there. And of course it would be there with "legislator." But in capital letters, if you flipped open the dictionary and came to the word "Senator," ROBERT BYRD of West Virginia would be right there.

So it is appropriate that the first bill that we have worked so hard to get out of the appropriations process is one that has been engineered by the Senator from West Virginia.

I also extend my appreciation to the Senator from Montana, with whom it has been easy to work. He understands the legislative process and has really been a pleasure to work with.

I ask unanimous consent the Senate now proceed to the conference report accompanying H.R. 2217, the Department of the Interior appropriations bill; that the Senate vote immediately on adoption of the conference report with no intervening action; and that upon adoption of the conference report, the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Madam President, I reserve the right to object just for the purpose of responding to the distinguished majority whip and his glowing references to my work.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. May I say this. Darius the Great was once having lunch. Someone presented Darius the Great with a huge pomegranate at this luncheon. And it was opened. There were quite a number of seeds in it. Darius said, "Had I as many men like Megabazus as there are seeds in this pomegranate, it would please me better than to be lord of Greece."

So let me just say, using those words by Darius, I have been around the Senate here quite a while and I have seen several whips. I have had the pleasure—or perhaps the misfortune, I should say—of being whip myself here for several years beginning in 1971. But I was not as good a whip as Senator REID. I won't say anything about the other whips, but I will just use myself. Senator REID is an excellent assistant majority leader. He is always on the floor. That is how I gained my fame as whip—I stayed on the floor, watched the floor. There is where I learned the rules, where I learned the precedents.

This man is a man who, if I may do a little bragging, was cut in my own image in that he stays on the floor. He works this floor. He is always to be counted upon. He is here to help every Senator. Many are the time agreements that are made possible by his assiduous attention to his duties on the floor.

Majority Leader DASCHLE can be very grateful for the fact that he has been given this very excellent man, HARRY REID of Nevada, to work and to assist him, Mr. DASCHLE, as the whip.

I pay my compliments to Mr. REID. I thank him for his great work.

Let me just now end my remarks by saying we hope that next week we can complete the work on this floor on the energy and water appropriation bill, the legislative branch appropriation bill, the VA-HUD appropriation bill, and the Treasury appropriations bill. We are finally making some headway.

I thank my colleagues, and of course the good Lord most of all, and our staff for the fact that we have been able to begin making some progress on the action and passage of the Appropriations conference reports.

I yield the floor.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2217), "making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes," having met, have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, and the Senate agree to the same, signed by all of the conferees on the part of both Houses.

(The report is printed in the House proceedings of the RECORD of October 11, 2001.)

Mr. CONRAD. Madam President, I rise to offer the Budget Committee's official scoring for the conference report for H.R. 2217, the Interior and Related Agencies Appropriations Act for Fiscal year 2002.

The conference bill provides \$19.12 billion in nonemergency discretionary budget authority, which will result in new outlays in 2002 of \$11.908 billion.

When outlays from prior-year budget authority are taken into account, discretionary outlays for the Senate bill total \$18.017 billion in 2002. Of that total, \$1.32 billion in budget authority and \$1.029 billion in outlays falls under the new cap for conservation spending. The remaining amount counts against the general purpose cap for discretionary spending. The conference report is within the Appropriations Committee's 302(b) allocations for budget authority and outlays for both general purpose and conservation spending.

In addition, the Senate bill provides new emergency spending authority of \$400 million in 2002 for federal firefighting activities, which will result in new outlays of \$289 million. Per section 314 of the Congressional Budget Act, as amended, I have adjusted the committee's 302(a) allocation by the amount of this designated emergency funding. The amount of emergency funding included in the report is consistent with the bipartisan agreement reached earlier this month between the President and congressional appropriators.

H.R. 2217 is the first conference report to reach the Senate floor. Twelve more remain after its adoption. It is important that the Senate act quickly and pass this important legislation that will provide vital funding for managing our nation's natural resources, supporting better and more efficient use of our energy supplies, and meeting our commitments to Native American tribes.

I ask for unanimous consent that a table displaying the budget committee scoring of this bill be inserted in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### H.R. 2217, INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

(Spending comparisons—Conference Report (in millions of dollars))

|  | General<br>pur-<br>pose | Con-<br>serva-<br>tion | Manda-<br>tory | Total  |
|--|-------------------------|------------------------|----------------|--------|
| Conference report:                     |                         |                        |                |        |
| Budget Authority .....                 | 17,800                  | 1,320                  | 59             | 19,179 |
| Outlays .....                          | 16,988                  | 1,029                  | 77             | 18,094 |
| Senate 302(b) allocation: <sup>1</sup> |                         |                        |                |        |
| Budget Authority .....                 | 17,800                  | 1,376                  | 59             | 19,235 |
| Outlays .....                          | 16,988                  | 1,030                  | 77             | 18,095 |
| President's request:                   |                         |                        |                |        |
| Budget Authority .....                 | 16,827                  | 1,256                  | 59             | 18,142 |
| Outlays .....                          | 16,425                  | 832                    | 77             | 17,334 |
| House-passed:                          |                         |                        |                |        |
| Budget Authority .....                 | 17,621                  | 1,320                  | 59             | 19,000 |
| Outlays .....                          | 16,789                  | 1,031                  | 77             | 17,897 |
| Senate-passed:                         |                         |                        |                |        |
| Budget Authority .....                 | 17,386                  | 1,320                  | 59             | 18,765 |
| Outlays .....                          | 16,736                  | 1,029                  | 77             | 17,842 |
| SENATE-REPORTED BILL COMPARED<br>TO—   |                         |                        |                |        |
| Senate 302(b) allocation: <sup>1</sup> |                         |                        |                |        |
| Budget Authority .....                 |                         | -56                    |                | -56    |
| Outlays .....                          |                         | -1                     |                | -1     |
| President's request:                   |                         |                        |                |        |
| Budget Authority .....                 | 973                     | 64                     |                | 1,037  |
| Outlays .....                          | 563                     | 197                    |                | 760    |
| House-passed:                          |                         |                        |                |        |
| Budget Authority .....                 | 179                     |                        |                | 179    |
| Outlays .....                          | 199                     | -2                     |                | 197    |
| Senate-passed:                         |                         |                        |                |        |
| Budget Authority .....                 | 414                     |                        |                | 414    |
| Outlays .....                          | 252                     |                        |                | 252    |

<sup>1</sup> For enforcement purposes, the budget committee compares the conference report to the Senate 302(b) allocation.

Notes: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions. The conference report includes \$400 million in general purpose emergency funding for federal firefighting activities. Prepared by SBC Majority Staff, 10-17-01.



Mr. McCAIN. Mr. President, I thank the managers for their work in completing this important appropriations bill which funds the Federal agencies governing land management, energy, forestry and Native American programs. In this time of extraordinary national, and fiscal, urgency to respond to domestic threats, I appreciate that their jobs have not been easy and I am thankful for their work.

This Interior appropriations bill funds many important programs that help to protect the nation's natural resources, national parks, endangered animals and forest lands, as well as health and education programs for Native Americans. A portion of energy conservation funding for the Department of Energy is also included in this bill. I am supportive of these programs and their important part to preserve the character and quality of America's most special places.

What I find disturbing is that many of these programs, such as the National Park Service and the Fish and Wildlife Service, still experience enormous backlogs of maintenance and repair work because these agencies are not able to spend important Federal funding on the Nation's highest priorities. Instead, the appropriators have earmarked this funding for their own priorities, without a fair and merit-based review.

This year's final Interior appropriations bill includes \$343 million in earmarks, much of which is either unrequested or unauthorized spending. While this amount is less than the bill passed earlier this year in the Senate, it is still an extraordinarily high amount of Federal spending that should be directed toward the most urgent priorities for the agencies included in this bill. It is a critical time for our nation, and we should expend Federal dollars prudently to allow Federal agencies to carry out their management responsibilities.

I will support the passage of this year's Interior bill, despite my objections to the extraneous porkbarrel spending that is included. I believe, especially in this heightened time of American resolve to protect our homelands, that it is our highest obligation to ensure that we spend taxpayer dollars wisely. Unfortunately, as evidenced by the \$343 million in porkbarrel spending in this bill, we are clearly failing in fully upholding our obligations to protect natural resources and meet trust obligations to Native Americans. As we consider the remaining appropriations bills for this fiscal year, I hope that my colleagues will exercise fiscal constraint in porkbarrel spending.

The list of objectionable provisions I identified in H.R. 2217 is available on my Senate web site.

Mrs. FEINSTEIN. Madam President, I would like to speak for a moment about Section 128 of the Interior Appropriations conference report.

In its original form, Section 128 repealed language from last year's Omni-

bus Indian Advancement Act, language that circumvented the Indian Gaming Regulatory Act's commonsense protections and regulatory safeguards against the inappropriate siting of Class III, Nevada-style casinos.

Late last year, a one-paragraph provision was attached to the Omnibus Indian Advancement Act granting land in trust to a single Indian tribe, the Lytton band, and permitting them to move forward on plans to establish a Nevada-style gaming establishment in San Pablo, CA, on a site that is not part of and is not adjacent to land traditionally held by the Lytton band of Indians. In fact, this site is in a major urban area just outside of San Francisco, neither in nor near the Lytton band's reservation. This was done without regard to Federal laws currently in place to regulate the siting of such a casino. Now, language that would have originally repealed that granting of land in trust merely states that the Lytton band must follow the Code of Federal Regulations for Class III gaming, which they would have had to follow anyway.

I have serious reservations about the expansion of Class III gaming in urban areas, and I am particularly against off-reservation gambling. These off-reservation casinos cause counties additional costs in public and local services, often intrude in residential areas, and are increasingly causing local concerns ranging from traffic congestion to additional crime.

Currently, California has 109 separate and independent tribal governments, of which 46 have operational casinos. Three more casinos are currently under construction. Additionally, 20 tribes have compacts with the state and are proposing casinos, and 10 more are in negotiations with the Governor for a tribal state compact for Class III gaming. Finally, 54 more tribes are petitioning or involved in congressional acts to be federally recognized to promote a casino.

Circumventing the processes for Federal recognition of tribal governments and for granting land into trust presents a variety of serious and critical multi-jurisdictional issues—issues which can negatively affect the lives of ordinary citizens and deprive local government of their political power to protect those whom they govern. The Indian Gaming Regulatory Act has provided this Nation with a fair and balanced approach to Indian casinos by facilitating tribal plans for economic recovery without compromising a multitude of factors that should be taken into account when deciding on the siting of such a large, Nevada-style casino. IGRA works. It is a fair process that should be followed.

Mr. REID. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The Question is on agreeing to the conference report.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. LIEBERMAN) is necessarily absent.

Mr. NICKLES. I announce that the Senator from Nebraska (Mr. HAGEL) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 3, as follows:

[Rollcall Vote No. 304 Leg.]

#### YEAS—95

|          |            |             |
|----------|------------|-------------|
| Akaka    | Durbin     | McCain      |
| Allard   | Edwards    | McConnell   |
| Allen    | Ensign     | Mikulski    |
| Baucus   | Enzi       | Miller      |
| Bennett  | Feingold   | Murkowski   |
| Biden    | Feinstein  | Murray      |
| Bingaman | Fitzgerald | Nelson (FL) |
| Bond     | Frist      | Nelson (NE) |
| Boxer    | Graham     | Nickles     |
| Breaux   | Gramm      | Reed        |
| Bunning  | Grassley   | Reid        |
| Burns    | Gregg      | Rockefeller |
| Byrd     | Harkin     | Santorum    |
| Campbell | Hatch      | Sarbanes    |
| Cantwell | Helms      | Schumer     |
| Carnahan | Hollings   | Sessions    |
| Carper   | Hutchinson | Shelby      |
| Chafee   | Hutchison  | Smith (NH)  |
| Cleland  | Inhofe     | Smith (OR)  |
| Clinton  | Inouye     | Snowe       |
| Cochran  | Jeffords   | Specter     |
| Collins  | Johnson    | Stabenow    |
| Conrad   | Kennedy    | Stevens     |
| Corzine  | Kerry      | Thomas      |
| Craig    | Kohl       | Thompson    |
| Crapo    | Kyl        | Thurmond    |
| Daschle  | Landrieu   | Torricelli  |
| Dayton   | Leahy      | Voinovich   |
| DeWine   | Levin      | Warner      |
| Dodd     | Lincoln    | Wellstone   |
| Domenici | Lott       | Wyden       |
| Dorgan   | Lugar      |             |

#### NAYS—3

|      |           |         |
|------|-----------|---------|
| Bayh | Brownback | Roberts |
|------|-----------|---------|

#### NOT VOTING—2

|       |           |
|-------|-----------|
| Hagel | Lieberman |
|-------|-----------|

The conference report was agreed to.

#### VOTE EXPLANATION

• Mr. LIEBERMAN. Mr. President, at the time of the vote on the Interior appropriations conference report on October 17, 2001, I was unable to vote because I was attending the funeral of Mrs. Margaret Ann Aitcheson, mother of Mrs. Tipper Gore. If I was present, I would have voted in favor of the conference report. I note that because that report passed by a vote of 95–3, my absence had no effect on the outcome of the vote.●

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

The PRESIDING OFFICER (Mr. JOHNSON). Pursuant to the order of October 2, 2001, the Senate, having received a message from the House on S. 1438, disagrees to the House amendment, agrees to a request for a conference with the House on the disagreeing votes of the two Houses, and



the Chair appoints Mr. LEVIN, Mr. KENNEDY, Mr. BYRD, Mr. LIEBERMAN, Mr. CLELAND, Ms. LANDRIEU, Mr. REED, Mr. AKAKA, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mrs. CARNAHAN, Mr. DAYTON, Mr. BINGAMAN, Mr. WARNER, Mr. THURMOND, Mr. MCCAIN, Mr. SMITH of New Hampshire, Mr. INHOFE, Mr. SANTORUM, Mr. ROBERTS, Mr. ALLARD, Mr. HUTCHINSON, Mr. SESSIONS, Ms. COLLINS, and Mr. BUNNING conferees on the part of the Senate.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. LEAHY. Mr. President, will the Senator from Nevada yield?

Mr. REID. I am happy to yield to my friend, the chairman of the Judiciary Committee.

#### JUDICIARY COMMITTEE MEETING NOTICE

Mr. LEAHY. Mr. President, for the notice of Members, the Senate Judiciary Committee had originally been scheduled to meet tomorrow for a markup. We have about 14 or 15 nominations on the list, ranging from U.S. attorneys to Federal judges—actually more than that. I forget the exact number. The Dirksen Building in which we were scheduled to meet is going to be closed, as will the Russell and Hart Buildings.

For those Senators who may have an interest, I am arranging for a meeting room off the Senate Chamber, probably in the President's room. We will start the meeting about halfway through the vote, whenever we have the vote, which I understand now is sometime between 12 and 12:30. I have talked to a number of Senators. This seems to be the most convenient way because we don't know where else we will get a meeting room.

Senators on the Judiciary Committee should plan, if they possibly can, to vote here relatively early, when the rollcall starts. Come to the room. We will make sure somebody is here to tell them where it is going to be. Obviously, if somebody wants to debate something, they can. We will try to move those nominations out as quickly as possible.

Having heard the travel plans of some Senators, we may try to get them moved out prior to or within the same amount of time as the rollcall vote. I urge Senators to get over there and make a quorum. As soon as we have a quorum, we will start moving.

For several Senators who have inquired, mostly from the other side of the aisle, who have judges up for nomination hearings tomorrow—I know the Senators from Alabama and Oklahoma and others do—we are going forward with those hearings. Senator SCHUMER, the distinguished senior Senator from New York, will be chairing. Again, I think we may have arranged a room right back here.

Mr. REID. Will the Senator yield?

Mr. LEAHY. Yes.

Mr. REID. Even though all the office buildings where hearings are normally

held will be closed tomorrow, the committee is going to go ahead and find someplace to hold the hearing anyway; is that what the Senator from Vermont is saying?

Mr. LEAHY. Mr. President, I am going to do that. I am trying to do it in a relatively compressed amount of time, while some Senators are still around. There are a lot of judges on that list. Two Senators from each State will want to introduce them, plus those that are on the agenda.

The distinguished majority leader has helped us in finding space in the Capitol to do it. We are also going to try to finish the terrorism bill, if we can. We are trying to juggle all that. I ask Senators to please show up on time when we start because there is going to be only so much of a window. If people don't show up, if we can't get a quorum, we can't go forward. I picked this time when everybody has to show up for a vote anyway, the best time to get a quorum, and we will go on with the others so that my staff and I can get back to finishing up the work of the terrorism bill.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

#### ORDER OF BUSINESS

Mr. DASCHLE. Mr. President, for the information of all colleagues, I know there has been some question about when we ought to have the vote tomorrow. To accommodate the most number of Senators, we are going to set the vote for 11 o'clock. That will be the only vote for the day, and it will be on the military construction appropriations conference report. We will accommodate Senators who wish to speak about other matters in morning business both before and after that vote.

The Senate will come in around 10 o'clock, and we will spend at least an hour in discussion on the conference report, or in morning business, and then we will set the vote for 11 o'clock.

The next vote will occur at approximately 10 o'clock on Tuesday. We will not be in session on Friday or Monday. I thank my colleagues.

Mr. REID. Will the leader yield?

Mr. DASCHLE. Yes.

Mr. REID. Mr. President, it is my understanding that on this side of the aisle Senator DORGAN worked very hard on a policy luncheon. The Senator is still going to have that, is that right?

Mr. DORGAN. Mr. President, we are intending to have a Democratic policy luncheon at 12:30 tomorrow. Following the vote and other intervening morning business, Members on our side will be invited to the policy committee luncheon where we will be talking about a range of issues dealing with the Middle East.

Mr. DASCHLE. Mr. President, I also made mention earlier today about making alternative space available for public meetings. I know some Senators

and some of our committees had hoped to be able to conduct their business, and because we are not going to be conducting business out of the three Senate buildings, we are acquiring other space for the next 2 days. Senators are encouraged to call the Secretary of the Senate or the Sergeant at Arms for information about that space. There will be rooms available. In fact, I can say we have already allocated a number of rooms, and they will be allocated on a first come, first served basis.

We will be sure that every committee or every Senator who may seek additional space for whatever purpose can be accommodated. That will not be a problem. So I just encourage you to contact the Secretary of the Senate or the Sergeant at Arms and we will address that as well—I should also say the Rules Committee. Senator DODD has already been working on accommodating Senators and would also have space available. Please contact the Rules Committee as well and we will be able to take care of any needs Senators may have.

Mr. LEAHY. If the leader will yield—so I won't leave any question—I had a meeting and markup in the Judiciary at 12. If the vote is going to be at 11, we will start that meeting of the Judiciary Committee—I understand it will be in the President's room. It will probably start about 11:05, 11:10.

Again, I urge Senators to show up and make a quorum because I have talked to enough Republicans and Democrats and it is going to be hard to have a quorum much beyond the end of that vote. So, please, I urge Senators to be there at 11:05, 11:10. Vote in the beginning in the well and then come on in and we can get 12, 14, 15 nominations, ranging from U.S. attorneys to judges, out of there.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I want to tell our colleague, the chairman of the Judiciary Committee, we will make sure he has Members available for a quorum because we want to get many of these nominations reported out of committee. I appreciate his cooperation both in having the executive session to report those nominees and also in having the hearings tomorrow. I hope we will have many more in the remaining weeks. I thank him very much for his accommodation.

Mr. LEAHY. I appreciate that. If the Senator will yield for this comment, I assume the Capitol will stay open. God forbid it would not, because after that we will run out of rooms. But the distinguished majority leader and the Secretary of the Senate have helped us in getting rooms. Senator SCHUMER is delaying his departure to help move some of these. We will do our best.

Again, I urge everybody to be on time because the pressure is going to be on. We want to let a lot of the staff who won't otherwise have to be around have a chance to go home. I think their families need them at this time.

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

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

#### HUMANITARIAN CRISIS IN AFGHANISTAN

Mr. WELLSTONE. Mr. President, I decided today is the day I want to speak to the Senate. Tomorrow I am going to submit a resolution, and then I want to make this resolution an amendment and have a vote on it at the first opportunity. The focus is on the humanitarian crisis in Afghanistan. It will be a resolution that will be constructive, positive, and outline some of the steps that this administration and we as a nation can take to make sure hundreds of thousands, perhaps millions, of people do not starve to death in Afghanistan.

The problem is twofold. The reports are that there are about 7.5 million people who will starve to death if we do not get food assistance to them. Some of the Afghan people are going to be able to get to refugee camps in Pakistan. The problem there is the conditions in the refugee camps. The conditions are deplorable, and we are going to have to do much more to make sure people are provided food assistance and some health care.

The second problem is the elderly, the infirm, and the poorest people of Afghanistan are not going to be able to leave. This needs to be discussed on the floor of the Senate, and the Senate needs to focus on this issue. I am also trying to get the administration to focus much more on this as well.

The truth of the matter is that the air drops that have been much discussed at best may help 1 percent, probably more like one-half of 1 percent of the people, many of whom are women and children.

We will not be able to get food to people unless we do it through truck convoys and deliver it to them directly. If we do not get the food to the people in Afghanistan—we are talking about the people who are the poorest of the poor of the world who had nothing to do with the terrorist attacks against the people in our country—if we do not get the food to them in the next 4 weeks, then we are going to see in Afghanistan a humanitarian crisis of unthinkable proportions. We are going to see many innocent people starve to death.

There are two problems. The first problem is this is not what we are about as a nation. It is inconsistent with our values to not make every effort possible to get the food to people and, second, it is a matter of our national interest because if, in fact, the people in the Near East and South Asia

associate or see a direct linkage between our military action and then large numbers of people starving to death in Afghanistan, it will only create a tremendous amount of bitterness and ill will. There is absolutely no question about it.

I have always said that the use of force is something we have to do. It should be directed at the people who committed this act of mass murder in our country. We should do everything we know how to make sure innocent people do not lose their lives.

The truth is, I worry about that, but there are going to be a lot more innocent people who lose their lives through starvation than probably through this bombing campaign. We could be talking about hundreds of thousands, some say millions, of people.

The resolution contains a number of items, but one I want to focus on—and I think we need to pay very close attention to—is what the NGOs, the non-governmental organizations, organizations such as Doctors Without Borders, tell us because these are the people who have been in the trenches. They know what it is like to try to deliver food assistance. They are saying we have to figure out a way that the military action, which some have called for an end to—that is not what I am calling for as a Senator. Others have argued what we have to do, at the very least, is coordinate the military action, the bombing, with the truck convoys; otherwise, the truck convoys will not go in because they could mistakenly be bombed.

I am not sure our Government would want them to go in because we do not want them mistakenly bombed. We have to figure out some way to have agreed-upon safe corridors where people who are delivering the food through truck convoys will be able to get the food to many people in Afghanistan who are suffering, the likes of which we would never want anybody we know or love to suffer.

I talk about this today because we have not had that much focus on it. I will have a resolution tomorrow. I will try to write a piece. I will try to talk about this as much as I can to people in the country. It would be a terrible mistake for our Government, for this administration—and I think we need more clarity from the administration about how we are going to get the food to the people in Afghanistan.

The President has talked about how children have committed money and clothes to the children of Afghanistan. That is fine and good, but the truth is that will not address this humanitarian crisis, nor will the air drops.

We have to make sure the people get the food. If we do not do this the right way, if we do not get this job done, if we do not deliver the food to people there, then there is going to be massive starvation. That is unacceptable. That is unacceptable.

I am quite sure there is no support from the Taliban. They are not helpful.

It is a complicated problem, but this should be a first priority of our policy right now when it comes to the United States of America and the role we play in Afghanistan, the role we play in the Near East, the role we play in South Asia, the role we play in the world.

We cannot let innocent people starve to death. We must make every effort to make sure that does not happen, and I think to date we have not made that kind of concerted effort.

The only other thing I want to do, because I know we are about to finish, is to thank the majority leader, the minority leader, the Presiding Officer, and Senators for making sure we continue with our work. It goes down on the record so I will just say it one time.

I am no big deal at all, but I am very lucky to be a Senator from Minnesota. I am a first-generation American. My father fled persecution from Ukraine, Russia. I do not think I can ever remember a day or a period of time when I have been more emotional when I look at the Capitol. I think the work of democracy should proceed. We do not always do it as well as we should, but the work of democracy should proceed. I am glad we are in session today. I am glad we are going to be in session tomorrow. I think it is important we do so.

My hopes and prayers go to all who have been exposed to anthrax. I feel within me people will be all right, but my hopes and prayers go to everyone.

I yield the floor.

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

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

#### EXEMPLARY LEADERSHIP

Mr. REID. Mr. President, before we go out, I wanted to take a minute. We started the day in the Senate by my talking about Senator DASCHLE, the majority leader, and the difficult situation in which he found himself when a number of his employees tested positive for anthrax.

As the day draws to a close, I want on behalf of the entire Senate to express our appreciation, the Senate's appreciation, for Senator DASCHLE and how he has handled the day. It has been a remarkable period of leadership.

I have been involved in government most all my adult life, but his performance—and I say that in a most positive way—has been just exemplary today in the briefing we held down on the first floor today, with all the Senators, with Senator DASCHLE leading that discussion, with all of the personnel of the Senate there assembled, and his actions in reminding us we are Senators, that we are leaders, and we should act

accordingly. Senator DASCHLE has had a lot of fine moments. But that was one of his finest. I am very proud of him. As I say, I speak for the entire Senate regarding how he has handled himself through this very difficult time. He has a burden when he doesn't have anthrax in his office. But pile that on his shoulders and it is a difficult situation.

Like the TOM DASCHLE we all know, he came through with flying colors. I say to my friend, the Presiding Officer, who is Senator DASCHLE's fellow Senator from the State of South Dakota, I am sure I speak for you and every person in South Dakota, when I say how fortunate they are to have this fine man representing them in the Senate.

#### CHANGES TO THE 2002 APPROPRIATIONS COMMITTEE ALLOCATION AND BUDGETARY AGGREGATES

Mr. CONRAD. Mr. President, section 314 of the Congressional Budget Act, as amended, requires the chairman of the Senate Budget Committee to adjust the budgetary aggregates and the allocation for the Appropriations Committee by the amount of appropriations designated as emergency spending pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. The conference report to H.R. 2217, the Interior and Related Agencies Appropriations Act, provides \$400 million in designated emergency funding in 2002 for wildland fire management. That budget authority will result in new outlays in 2002 of \$289 million.

Pursuant to section 302 of the Congressional Budget Act, I hereby revise the 2002 allocation provided to the Senate Appropriations Committee in the concurrent budget resolution in the following amounts.

Pursuant to section 311 of the Congressional Budget Act, I hereby revise the 2002 budget aggregates included in the concurrent budget resolution in the following amounts.

Mr. President, I ask unanimous consent to print tables 1 and 2 in the RECORD, which reflect the changes made to the committee's allocation and to the budget aggregates.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—REVISED ALLOCATION FOR APPROPRIATIONS COMMITTEE, 2002  
(In millions of dollars)

|                                     | Budget authority | Outlays |
|-------------------------------------|------------------|---------|
| Current Allocation:                 |                  |         |
| General Purpose Discretionary ..... | 547,091          | 537,234 |
| Highways .....                      |                  | 28,489  |
| Mass Transit .....                  |                  | 5,275   |
| Conservation .....                  | 1,760            | 1,232   |
| Mandatory .....                     | 358,567          | 350,837 |
| Total .....                         | 907,418          | 923,067 |
| Adjustments:                        |                  |         |
| General Purpose Discretionary ..... | 400              | 289     |
| Highways .....                      |                  |         |
| Mass Transit .....                  |                  |         |
| Conservation .....                  |                  |         |
| Mandatory .....                     |                  |         |

TABLE 1.—REVISED ALLOCATION FOR APPROPRIATIONS COMMITTEE, 2002—Continued

(In millions of dollars)

|                                     | Budget authority | Outlays |
|-------------------------------------|------------------|---------|
| Total .....                         | 400              | 289     |
| Revised Allocation:                 |                  |         |
| General Purpose Discretionary ..... | 547,491          | 537,523 |
| Highways .....                      |                  | 28,489  |
| Mass Transit .....                  |                  | 5,275   |
| Conservation .....                  | 1,760            | 1,232   |
| Mandatory .....                     | 358,567          | 350,837 |
| Total .....                         | 907,818          | 923,356 |

TABLE 2.—REVISED BUDGET AGGREGATES, 2002

(In millions of dollars)

|  | Budget authority | Outlays   | Surplus |
|--|------------------|-----------|---------|
| Current allocation: Budget Resolution .....      | 1,515,366        | 1,481,255 | 187,410 |
| Adjustments: Emergency funds, firefighting ..... | 400              | 289       | —289    |
| Revised allocation: Budget Resolution .....      | 1,515,766        | 1,481,544 | 187,121 |

Prepared by SBC Majority staff on 10-17-01.

#### CONFERENCE REPORT FOR H.R. 2904, THE MILITARY CONSTRUCTION APPROPRIATIONS ACT FOR FISCAL YEAR 2002

Mr. CONRAD. Mr. President, I rise to offer the Budget Committee's official scoring for the conference report for H.R. 2904, the Military Construction Appropriations Act for Fiscal Year 2002.

The conference bill provides \$10.5 billion in discretionary budget authority, all classified as defense spending, which will result in new outlays in 2002 of \$2.678 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the Senate bill total \$9.19 billion in 2002. The conference report is within the Appropriations Committee's 302(b) allocations for budget authority and outlays. It has met its targets without the use of any emergency designations.

Given the tragic events of last month, it is imperative that the Senate immediately clear this bill, which provides critical resources to our military for new construction and family housing. In addition, I urge my colleagues to act quickly to complete Senate action on the foreign operations, Agriculture, District of Columbia, and Labor and Health and Human Services bills, all of which have been completed by the Senate Appropriations Committee and passed by the House. Mr. President, it is time that the Senate return to the historic bipartisanship that it displayed in the immediate aftermath of the September 11 attacks, stop any further delays, and complete our work on the 13 regular appropriations bills for 2002.

I ask for unanimous consent that a table displaying the budget committee scoring of this bill be inserted in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 2904, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2002

(Spending comparisons—Conference Report (in millions of dollars))

|  | General purpose | Mandatory | Total  |
|--|-----------------|-----------|--------|
| Conference report:                     |                 |           |        |
| Budget Authority .....                 | 10,500          |           | 10,500 |
| Outlays .....                          | 9,190           |           | 9,190  |
| Senate 302(b) allocation: <sup>1</sup> |                 |           |        |
| Budget Authority .....                 | 10,500          |           | 10,500 |
| Outlays .....                          | 9,284           |           | 9,284  |
| President's request:                   |                 |           |        |
| Budget Authority .....                 | 9,972           |           | 9,972  |
| Outlays .....                          | 9,165           |           | 9,165  |
| House-passed:                          |                 |           |        |
| Budget Authority .....                 | 10,500          |           | 10,500 |
| Outlays .....                          | 9,202           |           | 9,202  |
| Senate-passed:                         |                 |           |        |
| Budget Authority .....                 | 10,500          |           | 10,500 |
| Outlays .....                          | 9,253           |           | 9,253  |
| SENATE-REPORTED BILL COMPARED TO—      |                 |           |        |
| Senate 302(b) allocation: <sup>1</sup> |                 |           |        |
| Budget Authority .....                 |                 |           |        |
| Outlays .....                          | (94)            |           | —94    |
| President's request:                   |                 |           |        |
| Budget Authority .....                 | 528             |           | 528    |
| Outlays .....                          | 25              |           | 25     |
| House-passed:                          |                 |           |        |
| Budget Authority .....                 |                 |           |        |
| Outlays .....                          | (12)            |           | —12    |
| Senate-passed:                         |                 |           |        |
| Budget Authority .....                 |                 |           |        |
| Outlays .....                          | (63)            |           | (63)   |

<sup>1</sup> For enforcement purposes, the budget committee compares the conference report to the Senate 302(b) allocation.

Notes: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions. Prepared by SBC Majority Staff, 10-17-01.

#### COMMENDATION OF FAITH BASED ORGANIZATIONS' RESPONSE TO TERRORISM

Mr. SANTORUM. Mr. President, the terrorist attacks of September 11, 2001, forever changed the United States, but caused particular devastation in Washington, D.C., Pennsylvania, and New York City.

Husbands and wives lost their spouses, brothers and sisters lost siblings; parents lost children and children lost parents.

From this unspeakable grief, numerous individuals were motivated by their faith in God to heal and redeem this terrible tragedy.

On this day, October 17, 2001, we and our colleagues in the United States Senate recognize the efforts of the following individuals, and their organizations and congregations, and the ten of thousands of others whose good works are motivated by their faith in God and love for their fellow man:

Rev. A.R. Bernard and the Christian Cultural Center;

Rev. Richard Del Rio and Abounding Grace Ministries;

Mr. Joe Holland and the Christian Renaissance Corporation;

Mr. Tom Jones and World Vision;

Pastor Donna Keyes and the Glad Tidings Tabernacle; and

Rev. Marcos Rivera and the Primitive Christian Church.

#### SITUATION OF WOMEN AND CHILDREN IN AFGHANISTAN

Mr. DODD. Mr. President, I would like to take a brief moment to draw my colleagues' attention to the horrific situation facing women and children in Afghanistan. As we heard at a Senate Foreign Relations Committee

hearing last week on the Humanitarian Crisis in Afghanistan, Afghanistan is a country that has been in crisis for years. Indeed, there was concern even as far back as 1997, when I sponsored a resolution that passed the Senate, but was not acted upon in the House, that condemned the Taliban for its treatment of women and children and urged the President to be vigilant in monitoring this situation.

When a country faces such hardships as severe drought, military action, and oppressive leadership, women and children are always the first to suffer. Save the Children, the international relief organization headquartered in my home State of Connecticut, has been working to improve conditions in Afghanistan for years, and has identified several important ways in which we can help Afghanistan rebuild. I have said before that we need to increase mutual understanding between the Afghan and American people, and a recent Save the Children op-ed seems to agree. Nilgun Ogun, the deputy director of Save the Children Programs in Afghanistan and Pakistan, writes that the education of young girls is key to reducing anti-American sentiment in the region, and I tend to agree. As we struggle to determine the best way to help the Afghan people rebuild, we should be mindful of the important contributions of organizations such as Save the Children, and we should listen to their experienced voices. I urge my colleagues to read the following article, and to begin to think about the important task of rebuilding civil society in war-ravaged Afghanistan. I ask unanimous consent that the Op-ed from Save the Children be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Hartford Courant, Oct. 14, 2001]

TO SAVE AFGHANISTAN, EDUCATE THE GIRLS  
(By Nilgun Ogun)

I have recently returned from a four-year post as deputy director in Pakistan and Afghanistan for Save the Children, which has been working in the area for almost 20 years. Where some people see devastation and despair, I see hope. I see it in the children who, if given education and health care, may restore economic and social stability to the Afghan people.

It will not be easy. Afghanistan is one of the world's poorest countries, ranking 169th out of 175 countries on a list of socioeconomic indicators reported by the United Nations.

Here are some grim facts: One out of every four children doesn't live past the age 5; more than 40 percent of children die of preventable causes; school enrollment is desperately low; and in addition to being at war for the past two decades, the country is suffering through one of the worst droughts in memory.

The Bush administration is to be commended for allocating emergency funding and humanitarian assistance to the beleaguered citizens of Afghanistan, who are in need of immediate and substantial food aid and medical supplies. However, the real hope for the Afghan people lies with investment in long-term development to help them rebuild their society.

Nowhere is this investment more critical than in education and, in particular, the education of young Afghan girls and women.

Why is educating girls so important? It produces the most consistent and dramatic results. An educated girl is more likely to postpone marriage and childbirth, which in turn leads to improved child survival and well-being. She will provide better health care and nutrition for herself and her family. And she will encourage education for her children. Educated women are also better prepared to help financially support their families.

In 1995, when Save the Children first began its education program at the refugee camps in Balochistan near the Afghan border, the population was approximately 120,000, mostly women and children. Only 5,000 children were enrolled in any kind of schooling and, of these, barely 600 were girls.

Nevertheless, in cooperation with U.N. agencies and other non-governmental organizations, we managed to train a staff of teachers and establish several primary schools. Enrollment is up now by 400 percent, and includes nearly 8,000 girls.

To reach older girls who had not yet received any education and who, by tradition, are not permitted to travel any distance alone, Save the Children initiated home-based schools. There, in the homes of the children's parents or teachers—which are nothing more than mud huts—we teach older girls how to read and do math and how to improve health and nutrition practices.

These children, who barely have a roof over their heads and still wonder daily where their next meal will come from, now have hope for the future. They want to be doctors, teachers and engineers. They have role models of caring community leaders. They have the incentive and the ability to take care of their health needs, which will ensure that their children have a better chance for survival and healthy, productive lives.

Although these days are filled with anxiety, it is important to remain focused on the future and how we can work to make it more peaceful and secure. Now, more than ever, is the time for the government and private citizens to increase their investment in long-term development, including education programs, to help rebuild a stable society in Afghanistan, as well as throughout the developing world.

#### TRIBUTE TO MASTER SERGEANT EVANDER ANDREWS

Mr. CRAIG. Mr. President, today I wish to pay tribute to a wonderful man, Master Sergeant Evander Andrews, whose life was cut short on October 10, 2001, while in the service of his country. He was on deployment and became the first casualty of Operation Enduring Freedom, paying the ultimate sacrifice in our Nation's war on international terrorism. He was an active duty Air Force member with the 366th Civil Engineering Squadron from Mountain Home Air Force Base. Master Sergeant Andrews loved the Air Force, working on heavy equipment, and riding in the cab of an 18-wheeler. But, his family and faith were his true compass and the most important things in his life. He will forever be remembered in the hearts and minds of a loving family, the Mountain Home Air Force Base community, the 366th Civil Engineering Squadron, and many loyal friends.

Evander, or Andy, as he was affectionately known, was a devoted husband and good father, born to Odber and Mary Andrews. He grew up in Solonn, ME, which was little more than a country store, tack shop, old hotel, gas station and cemetery, but a great place to grow up. Andy's three sisters, Carol, Tara and Dulci, remember that he was especially close to his father, who was a farmer, but also worked as a mechanic. His dad taught him to fix engines and other big equipment and how to ride motorcycles. Andy was a strongly built young man, on the quiet side, and everyone thought he would become a farmer. But, after graduation from Carrabec High School in 1983, he left the family farm to join the Air Force and experience the world. He met his wife, Judy, in 1987, at Fort Leonard Wood, MO, where Andy was an instructor for construction equipment operators, and she was a student at Central Missouri State University. After Judy's graduation from college, they married in 1990 and two years later left Missouri for Mountain Home Air Force Base. Andy and Judy were married for 11 years and have four beautiful children. Their oldest child is Ethan, age 9, followed by Leah age 6, Courtney, age 4, and Mackenzie, age 2. I know they will miss their father very much, and always remember him for the joy and commitment that he had for the church and strong family values that he shared with them all. Everyone will remember his passion for working on vehicles, and his compassion for people. He was the kind of guy that would give you the shirt back off his back, and was always there for you if you needed help, especially if it involved fixing your car. He was truly loved by everyone he touched.

In the Air Force, Master Sergeant Andrews was the Chief of the Pavements Repair Team, operating a multitude of huge vehicles. He felt at home around heavy equipment, knew how to do every job in the shop, and was willing to teach others, just as his father had once taught him. He was always volunteering, especially if a road trip was required. He loved driving those 18-wheelers, but was willing to ride shotgun, in order to show others what he knew best.

Master Sergeant Andrews truly was a great person who was moved to defend a great Nation and bring peace and security to the world. Rest assured, this war on terrorism will be won and the United States will continue to lead the world in protecting freedom. And it will be because of military members like Master Sergeant Andrews who bravely did what they believed in and accomplished what needed to be done. He was a thorough professional who was dedicated to his country and his duties as an Air Force Civil Engineering Non-commissioned Officer.

Master Sergeant Andrews will be buried at Arlington National Cemetery on 22 October 2001. It is about halfway between his and Judy's families, who

were the absolute love and joy of his life.

I am very proud to recognize Master Sergeant Andrews and tell him and his family: Thank you from a grateful Nation.

#### HELPING DOCTORS TALK TO PATIENTS ABOUT GUN VIOLENCE

Mr. LEVIN. Mr. President, public health professionals have an important role to play in the fight against gun violence. We need doctors and nurses to help educate their patients on the dangers associated with owning a firearm. Toward that end, Physicians for Social Responsibility has produced a booklet called "Counseling Patients on Gun Violence Prevention: A Pocket Guide for Physicians and Nurses". The booklet provides advice to medical professionals in talking to patients about risks related to keeping a gun in their homes. The booklet makes an important contribution to the effort to reduce gun violence and I urge health professionals to read the booklet, share copies with their colleagues and talk about these issues with their patients. The booklet can be downloaded from the Physicians for Social Responsibility's web site or people can contact Physicians for Social Responsibility to request copies.

#### ANTI-TERRORISM LEGISLATION

Mr. WYDEN. Mr. President, I wish to explain to my colleagues the reasons for my objection to a unanimous consent request for the Senate to take up the anti-terrorism legislation, the Anti-Terrorism Act of 2001, H.R. 2975, passed by the House of Representatives on October 12, 2001. My public explanation is consistent with the commitment I have made to explain publicly any so-called "holds" that I may place on legislation.

I regret that I must object to any Senate action on the House-passed measure at this point. I do so because the national anti-terrorism legislation is in grave danger of being rendered useless. The Senate-passed anti-terrorism bill included an important, bipartisan provision, the Professional Standards for Government Attorneys Act of 2001, authored by Judiciary Chairman LEAHY, Ranking Member HATCH and myself and supported by the Administration, the FBI and the Department of Justice. This provision corrected an immediate and severe impediment to the undercover investigations that must be employed to shut down terrorism in our Nation. The House failed to include this provision, which is section 501 of the Senate's anti-terrorism bill, that will untie the hands of Federal prosecutors in Oregon, allowing them to supervise undercover and other covert enforcement techniques. For more than a year now, the so-called McDade law has prohibited prosecuting attorneys working at the State and Federal levels in Oregon

from advising and conducting law enforcement undercover investigations on narcotics, child sex abuse, prostitution, organized crime, housing discrimination and consumer fraud. Without advice of counsel, law enforcement operatives cannot conduct wiretaps, sting operations or infiltrate dangerous criminal or terrorist operations. If the Senate does not insist on this language, it will be an engraved invitation to terrorists and criminals to set up shop in Oregon with little fear of detection or apprehension through undercover or covert methods. This would endanger not just the people of Oregon, but all Americans.

I do not believe the Senate should allow the security of every American to be jeopardized. As I stated on the floor of the United States Senate yesterday, I do not want to find six months from now that terrorists have made their homes in Oregon because this body failed in its resolve to shut them down in every State in our country. I regret having to take this action but I believe that leaving one State vulnerable makes each State in this country vulnerable.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred January 15, 2000 in Elmwood Park, N.J. After days of anti-gay taunts and threats, a classmate beat a 16-year-old gay student at Memorial High School in Elmwood Park. The teen's face was bruised and cut from being tackled and repeatedly punched in the face and body.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

#### REPORT ON A DRAFT OF PROPOSED LEGISLATION ENTITLED "FREEDOM TO MANAGE ACT OF 2001"—MESSAGE FROM THE PRESIDENT—PM 47

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Appropriations.

*To the Congress of the United States:*

I am pleased to transmit for immediate consideration and prompt enactment the "Freedom to Manage Act of

2001." This legislative proposal would establish a procedure under which the Congress can act quickly and decisively to remove those structural barriers to efficient management imposed by law and identified by my Administration.

This proposal is part of the "Freedom to Manage" initiative outlined in the "President's Management Agenda" issued in late August. The initiative includes additional legislative proposals, to be transmitted separately, that would give Federal agencies and managers the tools to more efficiently and effectively manage the Federal Government's programs by: (1) providing Federal managers with increased flexibility to manage personnel; (2) giving agencies the responsibility to fund the full Government share of the accruing cost of all retirement and retiree health care benefits for Federal employees; and (3) giving agencies greater flexibility in managing and disposing of property assets.

In transmitting the Freedom to Manage Act, I am asking the Congress to join with my Administration in making a commitment to reform the Federal Government by eliminating obstacles to its efficient operations. Specifically, the Freedom to Manage Act would establish a process for expedited congressional consideration of Presidential proposals to eliminate or reduce barriers to efficient Government operations through the repeal or amendment of laws that create obstacles to efficient management or the provision of new authority to agencies.

The Freedom to Manage Act would provide that if the President transmits to the Congress legislative proposals relating to the elimination or reduction of barriers to efficient Government operations, either through repeal or amendment of current law or the provision of new authority, special expedited congressional procedures would be used to consider these proposals. If a joint resolution is introduced in either House within 10 legislative days of the transmittal containing the President's legislative proposals, it would be held in committee for no more than 30 legislative days. It would then be brought to the floor of the House very quickly after committee action is completed for a vote under special procedures allowing for limited debate and no amendments. Finally, a bill passed in one House could then be brought directly to the floor of the other House for a vote on final passage.

As barriers to more efficient management are removed, the Nation will rightly expect a higher level of performance from its Federal Government. Giving our Federal managers "freedom to manage" will enable the Federal Government to improve its performance and accountability and better serve the public. I urge the Congress to give the Freedom to Manage Act 2001 prompt and favorable consideration so we can work together in the

coming months to implement needed and overdue reforms.

GEORGE W. BUSH.  
THE WHITE HOUSE, October 17, 2001.

REPORT ON THE CONTINUATION  
OF EMERGENCY WITH RESPECT  
TO SIGNIFICANT NARCOTICS  
TRAFFICKERS CENTERED IN CO-  
LOMBIA—MESSAGE FROM THE  
PRESIDENT—PM 48

The PRESIDING OFFICER laid be-  
fore the Senate the following message  
from the President of the United  
States, together with an accompanying  
report; which was referred to the Com-  
mittee on Banking, Housing, and  
Urban Affairs.

*To the Congress of the United States:*

Section 202(d) of the National Emer-  
gencies Act, 50 U.S.C. 1622(d) provides  
for the automatic termination of a na-  
tional emergency unless, prior to the  
anniversary date of its declaration, the  
President publishes in the *Federal Reg-  
ister* and transmits to the Congress a  
notice stating that the emergency is to  
continue in effect beyond the anniver-  
sary date. In accordance with this pro-  
vision, I have sent the enclosed notice  
to the *Federal Register* for publication,  
stating that the emergency declared  
with respect to significant narcotics  
traffickers centered in Colombia is to  
continue in effect for 1 year beyond Oc-  
tober 21, 2001.

The circumstances that led to the  
declaration on October 21, 1995, of a na-  
tional emergency have not been re-  
solved. The actions of significant nar-  
cotics traffickers centered in Colombia  
continue to pose an unusual and ex-  
traordinary threat to the national se-  
curity, foreign policy, and economy of  
the United States and to cause unpar-  
alleled violence, corruption, and harm  
in the United States and abroad. For  
these reasons, I have determined that  
it is necessary to maintain economic  
pressures on significant narcotics traf-  
fickers centered in Colombia by block-  
ing their property or interests in prop-  
erty that are in the United States or  
within the possession or control of  
United States persons and by depriving  
them of access to the United States  
market and financial system.

GEORGE W. BUSH.  
THE WHITE HOUSE, October 16, 2001.

THE PERIODIC REPORT ON THE  
NATIONAL EMERGENCY WITH  
RESPECT TO SIGNIFICANT NAR-  
COTICS TRAFFICKERS CENTERED  
IN COLOMBIA—MESSAGE FROM  
THE PRESIDENT—PM 49

The PRESIDING OFFICER laid be-  
fore the Senate the following message  
from the President of the United  
States, together with an accompanying  
report; which was referred to the Com-  
mittee on Banking, Housing, and  
Urban Affairs.

*To the Congress of the United States:*

As required by section 401(c) of the  
National Emergencies Act, 50 U.S.C.

1641(c), and 204(c) of the International  
Emergency Economic Powers Act, 50  
U.S.C. 1703(c), I transmit herewith a 6-  
month periodic report on the national  
emergency with respect to significant  
narcotics traffickers centered in Co-  
lombia that was declared in Executive  
Order 12978 of October 21, 1995.

GEORGE W. BUSH.  
THE WHITE HOUSE, October 16, 2001.

MESSAGE FROM THE HOUSE

At 2:07 p.m., a message from the  
House of Representatives, delivered by  
Mr. Hays, one of its reading clerks, an-  
nounced that the House has passed the  
following bills and joint resolution, in  
which it requests the concurrence of  
the Senate:

H.R. 863. An act to provide grants to ensure  
increased accountability for juvenile offend-  
ers.

H.R. 1552. An act to extend the moratorium  
enacted by the Internet Tax Freedom Act  
through November 1, 2003, and for other  
purposes.

H.R. 2261. An act to designate the facility  
of the United States Postal Service located  
at 2853 Candler Road in Decatur, Georgia, as  
the "Earl T. Shinhoster Post Office."

H.R. 2272. An act to amend the Foreign As-  
sistance Act of 1961 to provide for debt relief  
to developing countries who take action to  
protect critical coral reef habitats.

H.R. 2336. An act to make permanent the  
authority to redact financial disclosure  
statements of judicial employees and judi-  
cial officers.

H.R. 2454. An act to redesignate the facili-  
ty of the United States Postal Service lo-  
cated at 5472 Crenshaw Boulevard in Los An-  
geles, California, as the "Congressman Ju-  
lian C. Dixon Post Office."

H.R. 2716. An act to amend title 38, United  
States Code, to revise, improve, and consoli-  
date provisions of law providing benefits and  
services for homeless veterans.

H.R. 2876. An act to designate the facility  
of the United States Postal Service located  
in Harlem, Montana, as the "Francis  
Bardanouve United States Post Office Build-  
ing."

H.R. 3004. An act to combat the financing  
of terrorism and other financial crimes, and  
for other purposes.

H.J. Res. 69. A joint resolution making fur-  
ther continuing appropriations for the fiscal  
year 2002, and for other purposes.

The message also announced that the  
House has agreed to the following con-  
current resolutions, in which it re-  
quests the concurrence of the Senate:

H. Con. Res. 217. A concurrent resolution  
recognizing the historic significance of the  
50th anniversary of the alliance between  
Australia and the United States under the  
ANZUS Treaty, recognizing the strong sup-  
port provided by Australia to the United  
States in the aftermath of the terrorist at-  
tacks on September 11, 2001, including joint-  
ly invoking Article IV of the ANZUS Treaty,  
which commits both countries to act to meet  
a common danger, and reaffirming the im-  
portance of economic and security coopera-  
tion between the United States and Aus-  
tralia.

H. Con. Res. 248. A concurrent resolution  
expressing the sense of the Congress that  
public schools may display the words "God  
Bless America" as an expression of support  
for the Nation.

H. Con. Res. 251. A concurrent resolution  
providing for a conditional adjournment of

the House of Representatives and a condi-  
tional recess or adjournment of the Senate.

The message further announced that  
the House has passed the following bill,  
without amendment:

S. 1465. An act to authorize the President  
to exercise waivers of foreign assistance re-  
strictions with respect to Pakistan through  
September 30, 2003, and for other purposes.

The message also announced that the  
House has agreed to the report of the  
committee of conference on the dis-  
agreeing votes of the two Houses on  
the amendment of the Senate to the  
Bill (H.R. 2217) making appropriations  
for the Department of the Interior and  
related agencies for the fiscal year end-  
ing September 30, 2002, and for other  
purposes.

The message further announced that  
the House has agreed to the report of  
the committee of conference on the  
disagreeing votes of the two Houses on  
the amendment of the Senate to the  
bill (H.R. 2904) making appropriations  
for military construction, family hous-  
ing, and base realignment and closure  
for the Department of Defense for the  
fiscal year ending September 30, 2002,  
and for other purposes.

The message also announced that  
pursuant to the National Foundation  
on the Arts and the Humanities Act of  
1965 (20 U.S.C. 955(b)), as amended by  
section 346(e) of Public Law 105-83, the  
Speaker appoints the following Mem-  
bers of the House of Representatives to  
the National Council on the Arts: Mr.  
BALLENGER of North Carolina and Mr.  
McKEON of California.

The message further announced that  
the House insists upon its amendment  
to the bill (S. 1438) to authorize approp-  
riations for fiscal year 2002 for mili-  
tary activities of the Department of  
Defense, for military construction, and  
for defense activities of the Depart-  
ment of Energy, to prescribe personnel  
strengths for such fiscal year for the  
Armed Forces, and for other purposes,  
and ask a conference with the Senate  
on the disagreeing votes of the two  
Houses thereon, and appoints the fol-  
lowing Members to be the managers of  
conference on the part of the House:

From the Committee on Armed Serv-  
ices, for consideration of the Senate  
bill and the House amendment, and  
modifications committed to con-  
ference: Messrs. STUMP, HUNTER, HAN-  
SEN, WELDON of Pennsylvania, HEFLEY,  
SAXTON, McHUGH, EVERETT, BARTLETT  
of Maryland, McKEON, WATTS of Okla-  
homa, THORNBERRY, HOSTETTLER,  
CHAMBLISS, SKELTON, SPRATT, ORTIZ,  
EVANS, TAYLOR of Mississippi, ABER-  
CROMBIE, MEEHAN, UNDERWOOD, ALLEN,  
and SNYDER.

From the Permanent Select Com-  
mittee on Intelligence, for considera-  
tion of matters within the jurisdic-  
tion of that committee under clause 11  
of rule X: Messrs. GROSS, BEREUTER,  
and Ms. PELOSI.

From the Committee on Education  
and the Workforce, for consideration of  
secs. 304, 305, 1123, 3151, and 3157 of the  
Senate bill, and secs. 341, 342, 509, and



584 of the House amendment, and modifications committed to conference: Messrs. CASTLE, ISAKSON, and GEORGE MILLER of California.

From the Committee on Energy and Commerce, for consideration of secs. 314, 316, 601, 663, 3134, 3141, 3143, 3152, 3153, 3159, 3171-3181, and 3201 of the Senate bill, and secs. 601, 3131, 3132, and 3201 of the House amendment, and modifications committed to conference: Messrs. Tauzin, Barton, and Dingell.

From the Committee on Government Reform, for consideration of secs. 564, 622, 803, 813, 901, 1044, 1047, 1051, 1065, 1075, 1102, 1111-1113, 1124-1126, 2832, 3141, 3144, and 3153 of the Senate bill, and secs. 333, 519, 588, 802, 803, 811-819, 1101, 1103-1108, 1110, and 3132 of the House amendment, and modifications committed to conference: Messrs. BURTON, WELDON of Florida, and WAXMAN: Provided, That Mr. DAVIS of Virginia is appointed in lieu of Mr. WELDON of Florida for consideration of secs. 803 and 2832 of the Senate bill, and secs. 333 and 803 of the House amendment, and modifications committed to conference: Provided further, That Mr. HORN is appointed in lieu of Mr. WELDON of Florida for consideration of secs. 811-819 of the House amendment, and modifications committed to conference.

From the Committee on House Administration, for consideration of secs. 572, 574-577, and 579 of the Senate bill, and sec. 552 of the House amendment, and modifications committed to conference: Messrs. NEY, MICA, and HOYER.

From the Committee on International Relations, for consideration of secs. 331, 333, 1201-1205, 1211-1218 of the Senate bill, and secs. 1011, 1201, 1202, 1205, 1209, title XIII, and sec. 3133 of the House amendment, and modifications committed to conference: Messrs. HYDE, GILMAN, and LANTOS.

From the Committee on the Judiciary, for consideration of secs. 821, 1066, and 3151 of the Senate bill, and secs. 323 and 818 of the House amendment, and modifications committed to conference: Messrs. SENSENBRENNER, SMITH of Texas, and CONYERS.

From the Committee on Resources, for consideration of secs. 601, 663, 2823, and 3171-3181 of the Senate bill, and secs. 601, 1042, 2841, 2845, 2861-2863, 2865, and title XXIX of the House amendment, and modifications committed to conference: Messrs. GIBBONS, RADANOVICH, and RAHALL: Provided, That Mr. UDALL of Colorado is appointed in lieu of Mr. RAHALL for consideration of secs. 3171-3181 of the Senate bill, and modifications committed to conference.

From the Committee on Science, for consideration of secs. 1071 and 1124 of the Senate bill, and modifications committed to conference: Messrs. BOEHLERT, SMITH of Michigan, and HALL of Texas: Provided, That Mr. EHLERS is appointed in lieu of Mr. SMITH of Michigan for consideration of sec. 1124 of the Senate bill, and modifications committed to conference.

From the Committee on Small Business, for consideration of secs. 822-824 and 1068 of the Senate bill, and modifications committed to conference: Messrs. MANZULLO, COMBEST, and Ms. VELÁZQUEZ.

From the Committee on Transportation and Infrastructure, for consideration of secs. 563, 601, and 1076 of the Senate bill, and secs. 543, 544, 601, 1049, and 1053 of the House amendment, and modifications committed to conference: Messrs. YOUNG of Alaska, LOBIONDO, and Ms. BROWN of Florida: Provided, That Mr. PASCRELL is appointed in lieu of Ms. BROWN of Florida for consideration of sec. 1049 of the House amendment, and modifications committed to conference.

From the Committee on Veterans' Affairs, for consideration of secs. 538, 539, 573, 651, 717, and 1064 of the Senate bill, and sec. 641 of the House amendment, and modifications committed to conference: Messrs. SMITH of New Jersey, BILIRAKIS, and FILNER.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 863. An act to provide grants to ensure increased accountability for juvenile offenders; to the Committee on the Judiciary.

H.R. 2261. An act to designate the facility of the United States Postal Service located at 2853 Candler Road in Decatur, Georgia, as the "Earl T. Shinhoster Post Office"; to the Committee on Governmental Affairs.

H.R. 2272. An act to amend the Foreign Assistance Act of 1961 to provide for debt relief to developing countries who take action to protect critical coral reef habitats; to the Committee on Foreign Relations.

H.R. 2336. An act to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers; to the Committee on Governmental Affairs.

H.R. 2454. An act to redesignate the facility of the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles, California, as the "Congressman Julian C. Dixon Post Office Building"; to the Committee on Governmental Affairs.

H.R. 2876. An act to designate the facility of the United States Postal Service located in Harlem, Montana, as the "Francis Baranov United States Post Office Building"; to the Committee on Governmental Affairs.

H.R. 3004. An act to combat the financing of terrorism and other financial crimes, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 217. Concurrent resolution recognizing the historic significance of the fiftieth anniversary of the alliance between Australia and the United States under the ANZUS Treaty, paying tribute to the United States-Australia relationship, reaffirming the importance of economic and security cooperation between the United States and Australia, and welcoming the state visit by Australian Prime Minister John Howard; to the Committee on Foreign Relations.

H. Con. Res. 248. Concurrent resolution expressing the sense of the Congress that public schools may display the words "God Bless

America" as an expression of support for the Nation; to the Committee on the Judiciary.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2646. An act to provide for the continuation of agricultural programs through fiscal year 2011.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2716. An act to amend title 38, United States Code, to revise, improve, and consolidate provisions of law providing benefits and services for homeless veterans.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1550: A bill to provide for rail safety and security assistance.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HOLLINGS for the Committee on Commerce, Science, and Transportation.

\*Phillip Bond, of Virginia, to be Under Secretary of commerce for Technology.

\*John H. Marburger, III, of New York, to be Director of the Office of Science and Technology Policy.

\*Coast Guard nominations beginning Rear Adm. (lh) James C. Olson and ending Rear Adm. (lh) Kenneth T. Venuto, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 21, 2001.

\*Coast Guard nominations beginning Capt. Dale G. Gabel and ending Capt. David B. Peterman, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on October 9, 2001.

\*Coast Guard nomination of Capt. Duncan C. Smith III.

\*Coast Guard nomination of Capt. Stephen W. Rochon.

Mr. HOLLINGS. Mr. President, for the Committee on Commerce, Science, and Transportation, I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

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

Coast Guard nominations beginning Bryon Ing and ending Joseph E. Vorbach, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on October 3, 2001.

By Mr. KENNEDY for the Committee on Health, Education, Labor, and Pensions.

\*Eugene Scalia, of Virginia, to be Solicitor for the Department of Labor.

By Mr. KERRY for the committee on Small Business and Entrepreneurship.

\*Thomas M. Sullivan, of Massachusetts, to be Chief Counsel for Advocacy, Small Business Administration.



\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. SNOWE:

S. 1559. A bill to amend the Ports and Waterways Safety Act to provide that certain information be provided before a vessel arrives in United States waters; to the Committee on Commerce, Science, and Transportation.

By Mr. AKAKA:

S. 1560. A bill to strengthen United States capabilities in environmental detection and the monitoring of biological agents; to the Committee on Health, Education, Labor, and Pensions.

By Mr. AKAKA (for himself and Mr. ROCKEFELLER):

S. 1561. A bill to strengthen the preparedness of health care providers within the Department of Veterans Affairs and community hospitals to respond to bioterrorism; to the Committee on Veterans' Affairs.

By Mr. SANTORUM:

S. 1562. A bill to amend title 39, United States Code, with respect to cooperative mailings; to the Committee on Governmental Affairs.

By Mrs. HUTCHISON (for herself, Mr. MILLER, and Mrs. FEINSTEIN):

S. 1563. A bill to establish a coordinated program of science-based countermeasures to address the threats of agricultural bioterrorism; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COCHRAN (for himself, Mr. FRIST, and Mr. LEAHY):

S.J. Res. 26. Providing for the appointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

#### ADDITIONAL COSPONSORS

S. 28

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 28, a bill to guarantee the right of all active duty military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections.

S. 122

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 122, a bill to prohibit a State from determining that a ballot submitted by an absent uniformed services voter was improperly or fraudulently cast unless that State finds clear and convincing evidence of fraud, and for other purposes.

S. 145

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 145, a bill to amend title 10, United States Code, to increase to parity with

other surviving spouses the basic annuity that is provided under the uniformed services Survivor Benefit Plan for surviving spouses who are at least 62 years of age, and for other purposes.

S. 154

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 154, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to ensure uniform treatment by States of Federal overseas absentee ballots, to amend titles 10 and 18, United States Code, and the Revised Statutes to remove the uncertainty regarding the authority of the Department of Defense to permit buildings located on military installations and reserve component facilities to be used as polling places in Federal, State, and elections for public office, and for other purposes.

S. 281

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 281, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 321

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 321, a bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the Medicaid program for such children, and for other purposes.

S. 470

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 470, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act, the Soldiers' and Sailors' Civil Relief Act of 1940 to ensure that each vote cast by such voter is duly counted, and for other purposes.

S. 535

At the request of Mr. BINGAMAN, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Mississippi (Mr. COCHRAN), and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 535, a bill to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional Medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Cancer Prevention and Treatment Act of 2000.

S. 727

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 727, a bill to provide grants for cardiopulmonary resuscitation (CPR) training in public schools.

S. 808

At the request of Mr. COCHRAN, his name was added as a cosponsor of S.

808, a bill to amend the Internal Revenue Code of 1986 to repeal the occupational taxes relating to distilled spirits, wine, and beer.

S. 885

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 885, a bill to amend title XVIII of the Social Security Act to provide for national standardized payment amounts for inpatient hospital services furnished under the Medicare program.

S. 905

At the request of Mr. HARKIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 905, a bill to provide incentives for school construction, and for other purposes.

S. 932

At the request of Mr. HARKIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 932, a bill to amend the Food Security Act of 1985 to establish the conservation security program.

S. 960

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 960, a bill to amend title XVIII of the Social Security Act to expand coverage of medical nutrition therapy services under the Medicare program for beneficiaries with cardiovascular diseases.

S. 1300

At the request of Mr. SANTORUM, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1300, a bill to amend the Internal Revenue Code of 1986 to encourage foundational and corporate charitable giving.

S. 1478

At the request of Mr. SANTORUM, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 1478, a bill to amend the Animal Welfare Act to improve the treatment of certain animals, and for other purposes.

S. 1500

At the request of Mr. KYL, the names of the Senator from Hawaii (Mr. INOUE) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 1500, a bill to amend the Internal Revenue Code of 1986 to provide tax and other incentives to maintain a vibrant travel and tourism industry, to keep working people working, and to stimulate economic growth, and for other purposes.

S. 1541

At the request of Ms. COLLINS, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1541, a bill to provide for a program of temporary enhanced unemployment benefits.

S. 1546

At the request of Mr. ROBERTS, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1546, a bill to provide additional funding to combat bioterrorism.

S. CON. RES. 66

At the request of Mr. STEVENS, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. Con. Res. 66, a concurrent resolution to express the sense of the Congress that the Public Safety Officer Medal of Valor should be awarded to public safety officers killed in the line of duty in the aftermath of the terrorist attacks of September 11, 2001.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE:

S. 1559. A bill to amend the Ports and Waterways Safety Act to provide that certain information be provided before a vessel arrives in United States waters; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce the Transparent Sea Act of 2001.

The Coast Guard is a multi-mission agency charged with maintaining our national defense and the safety of our citizens. This is an extraordinary time in our Nation's history and we need to act now and provide the Coast Guard with all of the tools and information necessary to protect our Nation's waterways. This bill allows the Coast Guard to gather vital information about incoming vessels before they reach our ports. This allows them to be pro-active and prevent potential threats from reaching our shores. The sum total of all of our available resources and knowledge must be brought to bear in the defense of our country.

Specifically, my bill would authorize the Coast Guard to obtain the information needed to achieve a greater awareness of possible maritime threats. The bill requires vessels to submit to the Coast Guard prearrival messages not later than 96 hours prior to entering U.S. waters, or such time as deemed necessary by the Secretary of Transportation. This will provide the Coast Guard time to thoroughly examine the information, including the name and flag-country of the vessel, a detailed crew and passenger list, the vessel's cargo, and the port the vessel last departed from. Such a database allows the Coast Guard to track patterns and identify potential problems. The Coast Guard could then deny entry to any vessel that does not meet the notification or listing requirements and intercept any vessels that may pose a threat.

The American people place very high expectations on the Coast Guard. It is incumbent upon us to provide them with the information they need to fulfill those expectations. The Transparent Sea Act of 2001 has the support of the Coast Guard and I look forward to moving the bill to the Senate floor at the earliest opportunity.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1559

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Transparent Sea Act of 2001".

#### SEC. 2. PREARRIVAL MESSAGES FROM VESSELS DESTINED TO UNITED STATES PORTS.

Section 4(a)(5) of the Ports and Waterways Safety Act (33 U.S.C. 1223(a)(5)) is amended by striking paragraph (5) and inserting the following:

"(5)(A) may require the receipt of prearrival messages from any vessel destined for a port or place subject to the jurisdiction of the United States, not later than 96 hours before the vessel's arrival or such time as deemed necessary under regulations promulgated by the Secretary to thoroughly examine all information provided, which shall include with respect to the vessel—

"(i) the route and name of each port and each place of destination in the United States;

"(ii) the estimated date and time of arrival at each port or place;

"(iii) the name of the vessel;

"(iv) the country of registry of the vessel;

"(v) the call sign of the vessel;

"(vi) the International Maritime Organization (IMO) international number or, if the vessel does not have an assigned IMO international number, the official number of the vessel;

"(vii) the name of the registered owner of the vessel;

"(viii) the name of the operator of the vessel;

"(ix) the name of the classification society of the vessel;

"(x) a general description of the cargo on board the vessel;

"(xi) in the case of certain dangerous cargo—

"(I) the name and description of the dangerous cargo;

"(II) the amount of the dangerous cargo carried;

"(III) the stowage location of the dangerous cargo; and

"(IV) the operational condition of the equipment under section 164.35 of title 33 of the Code of Federal Regulations;

"(xii) the date of departure and name of the port from which the vessel last departed;

"(xiii) the name and telephone number of a 24-hour point of contact for each port included in the notice of arrival;

"(xiv) the location or position of the vessel at the time of the report;

"(xv) a list of crew members onboard the vessel including with respect to each crew member—

"(I) the full name;

"(II) the date of birth;

"(III) the nationality;

"(IV) the passport number or mariners document number; and

"(V) the position or duties;

"(xvi) a list of persons other than crew members onboard the vessel including with respect to each such person—

"(I) the full name;

"(II) the date of birth;

"(III) the nationality; and

"(IV) the passport number; and

"(xvii) any other information required by the Secretary; and

"(B) any changes to the information required by subparagraph (A), except changes in the arrival or departure time of less than six hours, must be reported as soon as prac-

ticable but not less than 24 hours before entering the port of destination.

The Secretary may deny entry of a vessel into the territorial sea of the United States if the Secretary has not received notification for the vessel in accordance with paragraph (5)."

By Mr. AKAKA:

S. 1560. A bill to strengthen United States capabilities in environmental detection and the monitoring of biological agents; to the Committee on Health, Education, Labor, and Pensions.

By Mr. AKAKA (for himself and Mr. ROCKEFELLER):

S. 1561. A bill to strengthen the preparedness of health care providers within the Department of Veterans Affairs and community hospitals to respond to bioterrorism; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, I rise to introduce two separate but related bills that address the crucial issue of our national preparedness for acts of bioterrorism. I plan to introduce a third bill next week. As we have learned firsthand over the past two weeks, bioterrorism preparedness is a topic where we have a considerable set of available resources combined with an urgent need for additional legislative action. The Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services held hearings in July to learn what the Federal Government is doing to better prepare our communities for acts of bioterrorism.

This morning, the Committee and Subcommittee held a joint hearing. We heard from Health and Human Services Secretary Tommy Thompson on the government's role in lateral coordination of response efforts between federal agencies and vertical coordination of efforts with the local and State agencies that are the first to respond to acts of bioterrorism. All our witnesses provided excellent testimony on the progress in national bioterrorism preparedness since the September 11 terrorist attacks on America.

The bills I introduce today address a set of key issues in our national response to acts of terrorism. First, I am sponsoring legislation to increase funding for research and development of new technologies to detect the use of biological weapons against this nation. Second, I am offering a bill with Senator ROCKEFELLER to strengthen cooperation between the hospital network of the Department of Veterans Affairs and community healthcare workers across the Nation. And, third, I will introduce a measure next week to establish stronger safeguards for our Nation's agricultural system and protection of our crops and livestock from agricultural terrorism.

The first piece of legislation, the Biological Agent Environment Detection Act, authorizes appropriations totaling \$40 million to support research and development of technologies to detect organisms in the air, water, and food

that cause disease in humans, livestock, and crops. This mirrors the President's request of \$40 million to support early detection surveillance to identify potential bioterrorism agents, announced by Secretary Thompson at today's hearing. Funds are necessary to encourage cooperative research agreements between the Federal Government, industry, and academic laboratories. The anthrax events of the past two weeks underscore the need for new detection methods and information-gathering systems. These funds will also support ongoing efforts to develop satellite-based remote sensing technologies to identify weather patterns that contribute to the spread of infectious disease and biological or chemical attacks. Finally, this funding is necessary to support the rigorous testing, verification, and calibration of new biological detection technologies.

The second piece of legislation, sponsored with my friend from West Virginia, Senator ROCKEFELLER, will provide the Department of Veterans Affairs with additional funds to develop training programs with community health care providers. We need to enhance the cooperation between crucial elements of our health care system included in the National Medical Disaster System. These increased funds will support expanded use of existing telecommunications systems to implement a telemedicine training program for VA staff and their community public health counterparts. Remote regions of our Nation need the assurance that local public health responders will have the training and information they need to protect and treat citizens in instances of biological terrorism.

The third bill, the Biosecurity Agriculture Terrorism Act, will enhance Federal efforts to prepare for and respond to acts of agricultural terrorism or naturally-occurring agricultural epidemics by prioritizing efforts, authorizing funding and establishing new policy guidelines. Planning, training, and communication are three cornerstones of the preparedness and mitigation measures that will support the people who initially respond to any agricultural terrorism incident. This bill tasks the Federal Emergency Management Agency to create an emergency response function for agricultural disaster within the Federal Response Plan. This would result in having response and recovery plans in effect in the unfortunate event of an actual agricultural terrorism incident.

Together, these three bills will make significant and necessary contributions to the urgent task of protecting our Nation from all forms of bioterrorism. We can discourage and detect the manufacture, distribution, and use of biological weapons. We can use the existing emergency communication infrastructure, emergency response training programs, and community partnerships within the 173 VA hospitals across the Nation to train both VA staff and local health care providers for bioterrorism

response. And, we can protect our national agriculture industry from attack with biological agents. I strongly encourage my colleagues' support as we move forward with this legislation.

By Mr. SANTORUM:

S. 1562. A bill to amend title 39, United States Code, with respect to cooperative mailings; to the Committee on Governmental Affairs.

Mr. SANTORUM. Mr. President, today I am introducing legislation that will protect the right of charities, faith-based organizations, and other nonprofit groups to use the nonprofit mail rate for their fundraising activities.

The legislation clarifies ambiguities in the Postal Reorganization Act of 1970, PRA, which established a nonprofit mail rate for charities. In recent years, the United States Postal Service, USPS, has increasingly applied PRA regulations that disqualify nonprofits from entering into agreements with commercial printing and mailing businesses to produce and administer mailings. Because of this misapplication, the USPS has been forcing charities to pay the full commercial rate on some fundraising letters merely because they hire third parties to print and prepare them. The result is a 40 percent increase in postal costs for these charities.

My legislation would allow charities and faith-based organizations to share ownership of their mailing with commercial printing and mailing businesses and still qualify for the nonprofit mailing rate. In effect, it would permit charities to mail at nonprofit rates whether they prepare the mailing themselves or hire someone else to do it for them since the purpose of the mailing remains a nonprofit one. Representative DAN BURTON has introduced similar bipartisan legislation in the House of Representatives as H.R. 1169.

It is important to point out that this bill maintains existing federal law that prohibits unauthorized parties from using the nonprofit rate to sell goods or services by mail. Moreover, the legislation does not limit the USPS' authority to enforce any other section of federal postal law. The USPS has been consulted as a part of the development of the legislation.

This legislation will enable charities, churches, synagogues, educational, advocacy, and other nonprofit organizations to negotiate the best agreements they can for their fundraising programs. The net result will be lower fundraising costs and more funds being available for nonprofits to serve others. I urge my colleagues in the Senate to join me in support of this initiative.

By Mrs. HUTCHISON (for herself, Mr. MILLER, and Mrs. FEINSTEIN):

S. 1563. A bill to establish a coordination program of science-based countermeasures to address the threats of agricultural bioterrorism; to the Com-

mittee on Agriculture, Nutrition, and Forestry.

Mrs. HUTCHISON. Mr. President, I rise today to introduce, along with my colleagues Senators COCHRAN, MILLER, and FEINSTEIN, the Agricultural Bioterrorism Countermeasures Act of 2001.

Due to the growing concerns about threats aimed at America's food supply and vital agricultural economies, I am introducing this legislation to identify, prepare for, and respond to such bioterrorist threats to our farms, ranches, livestock, poultry, crops, and food processing, packaging, and distribution facilities and systems.

As we continue the fight against terrorism, it is critical that we dedicate sufficient resources to bioterrorism, a growing threat which has the potential of putting the safety of the U.S. food supply at risk. The United States currently boasts the world's safest and most abundant and affordable food supply, which benefits our citizens and helps bolster our economy. Clearly, it would be devastating for the public to lose confidence in the safety of our food. We, as a Nation, must respond by developing the technology and implementing the countermeasures necessary to identify and quickly control these risks.

The potential threat of bioterrorism to the U.S. population and to our food supply has been recognized over the years, from the cold war to the gulf war. During the cold war, it was known that the former Soviet Union had a bio-weapons program that included bioagents aimed at agriculture, while during the gulf war our own soldiers have shown evidence of possible use of biological weapons. Meanwhile, in Japan, terrorists have already tried once to use chemical and bioagents on the subways. In addition, the recent outbreaks of foot and mouth disease in Europe and "mad-cow disease" have increased public awareness and concern about exotic diseases that may affect the public through agricultural infection.

The Agriculture Bioterrorism Countermeasures Act of 2001 will authorize the U.S. Department of Agriculture, USDA, to strengthen its capacities to identify, prepare for, and respond to a bioterrorist threat including an attack on the United States' food supply and agriculture. This bill will expand the capacity of the USDA to enhance inspection capability, implement new information technology, and develop methods for rapid detection and identification of plant and animal disease.

This legislation will also strengthen America's research and development capacity by promoting collaboration between organizations that are addressing the use of agricultural bioterrorism, such as the federal government, universities, and private sector. The USDA will establish a Consortium for Countermeasures Against Agricultural Bioterrorism to form long-term programs of research and development to enhance the biosecurity of U.S. agriculture. America's institutes of higher

education that have a demonstrated expertise in animal and plant disease research, strong linkages with diagnostic laboratories, and strong coordination with state cooperative extension programs will provide the resources and expertise that will prove invaluable in the war on agricultural bioterrorism.

Protecting our agriculture is critical to my home state. Food production and agriculture make up some of Texas' largest and most diverse economies. Countless amounts of food products, grains, livestock, and poultry travel across our 1200 mile border with Mexico and through our ports of the Gulf of Mexico. We—along with other major agriculture states included Mississippi, Georgia and California—are vulnerable to a bioterrorist attack. However, we will also serve as the first lines of defense for our entire country.

To protect our food supply, our citizens, and our economy, I urge my colleagues to support the Agricultural Bioterrorism Countermeasures Act of 2001.

By Mr. COCHRAN (for himself, Mr. FRIST, and Mr. LEAHY):

S.J. Res. 26. Providing for the appointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

Mr. COCHRAN. Mr. President, today I am submitting a Senate Joint Resolution appointing a citizen regent to the Board of Regents of the Smithsonian Institution. I am pleased that my fellow Smithsonian Institution Regents, Senators FRIST and LEAHY are cosponsors.

The Smithsonian Institution Board of Regents recently recommended the following distinguished individual for appointment to a six year term effective December 8, 2001: Patricia Q. Stonesifer of Washington.

I ask unanimous consent that a copy of her biography be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PATTY STONESIFER, CO-CHAIR AND PRESIDENT, BILL AND MELINDA GATES FOUNDATION

Patty Stonesifer leads the foundation's mission to improve access to advances in global health and learning for all people as we move into the 21st century.

She serves on the Board of the Vaccine Fund, launched in 1999 to address the need for vaccines among the world's poorest countries, as well as on the Board of the African Comprehensive HIV/AIDS Partnership, a multi-sectoral approach to slowing the spread of AIDS in Botswana. Stonesifer served as an official member of the U.S. delegation to the United Nations General Assembly Special Session on AIDS.

In addition to her responsibilities with the foundation, Stonesifer is an active community volunteer, donating both time and resources to a number of regional nonprofit organizations, and serves on the board of directors of the YWCA of King County and the Seattle Foundation. She is also on the board of directors of Amazon.com and Viacom Inc.

Prior to being asked by Bill and Melinda Gates to launch the work of the Gates Learning Foundation in 1997, Stonesifer held a senior vice president position at Microsoft and ran her own management consulting firm, working with such corporations as Dream Works SKG.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1903. Mr. REID (for Mr. BINGAMAN) proposed an amendment to the bill S. 1097, to authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of the Great Smoky Mountains National Park.

SA 1904. Mr. REID (for Mr. THOMAS) proposed an amendment to the bill S. 1105, to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, and for other purposes.

## TEXT OF AMENDMENTS

SA 1903. Mr. REID (for Mr. BINGAMAN) proposed an amendment to the bill S. 1097, to authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of the Great Smoky Mountains National Park; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. PERMITS FOR EXISTING NATURAL GAS PIPELINES.

(a) IN GENERAL.—The Secretary of the Interior may issue rights-of-way permits for natural gas pipelines that exist as of September 1, 2001 within the boundary of Great Smoky Mountains National Park.

(b) TERMS AND CONDITIONS.—A permit issued under subsection (a) shall be—

(1) issued consistent with laws and regulations generally applicable to utility rights-of-way within units of the National Park System; and

(2) subject to any terms and conditions that the Secretary deems necessary.

### SEC. 2. PERMITS FOR PROPOSED NATURAL GAS PIPELINES.

(a) IN GENERAL.—The Secretary of the Interior may issue rights-of-way permits for natural gas pipelines within the boundary of Great Smoky Mountains National Park that are proposed to be constructed across—

(1) the Foothills Parkway;

(2) the Foothills Parkway Spur between Pigeon forge and Gatlinburg; and

(3) the Gatlinburg Bypass.

(b) TERMS AND CONDITIONS.—A permit issued under subsection (a) shall be—

(1) issued consistent with laws and regulations generally applicable to utility rights-of-way within units of the National Park System; and

(2) subject to any terms and conditions that the Secretary deems necessary, including—

(A) provisions for the protection and restoration of park resources that are disturbed by pipeline construction; and

(B) assurances that construction and operation of the pipeline will not adversely affect Great Smoky Mountains National Park.

SA 1904. Mr. REID (for Mr. THOMAS) proposed an amendment to the bill S. 1105, to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Grand Teton National Park Land Exchange Act".

### SEC. 2. DEFINITIONS.

As used in this Act:

(1) The term "Federal lands" means public lands as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)).

(2) The term "Governor" means the Governor of the State of Wyoming.

(3) The term "Secretary" means the Secretary of the Interior.

(4) The term "State lands" means lands and interest in lands owned by the State of Wyoming within the boundaries of Grand Teton National Park as identified on a map titled "Private, State & County Inholdings Grand Teton National Park", dated March 2001, and numbered GTNP/0001.

### SEC. 3. ACQUISITION OF STATE LANDS.

(a) The Secretary is authorized to acquire approximately 1,406 acres of State lands within the exterior boundaries of Grand Teton National Park, as generally depicted on the map referenced in section 2(4), by any one or a combination of the following:

(1) donation;

(2) purchase with donated or appropriated funds; or

(3) exchange of Federal lands in the State of Wyoming that are identified for disposal under approved land use plans in effect on the date of enactment of this Act under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) that are of equal value to the State lands acquired in the exchange.

(b) In the event that the Secretary or the Governor determines that the Federal lands eligible for exchange under subsection (a)(3) are not sufficient or acceptable for the acquisition of all the State lands identified in section 2(4), the Secretary shall identify other Federal lands or interests therein in the State of Wyoming for possible exchange and shall identify such lands or interests together with their estimated value in a report to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the House of Representatives. Such lands or interests shall not be available for exchange unless authorized by an Act of Congress enacted after the date of submission of the report.

### SEC. 4. VALUATION OF STATE AND FEDERAL INTERESTS.

(a) AGREEMENT ON APPRAISER.—If the Secretary and the Governor are unable to agree on the value of any Federal lands eligible for exchange under section 3(a)(3) or State lands, then the Secretary and the Governor may select a qualified appraiser to conduct an appraisal of those lands. The purchase or exchange under section 3(a) shall be conducted based on the values determined by the appraisal.

(b) NO AGREEMENT ON APPRAISER.—If the Secretary and the Governor are unable to agree on the selection of a qualified appraiser under subsection (a), then the Secretary and the Governor shall each designate a qualified appraiser. The two designated appraisers shall select a qualified third appraiser to conduct the appraisal with the advice and assistance of the two designated appraisers. The purchase or exchange under section 3(a) shall be conducted based on the values determined by the appraisal.

(c) APPRAISAL COSTS.—The Secretary and the State of Wyoming shall each pay one-half of the appraisal costs under subsections (a) and (b).

### SEC. 5. ADMINISTRATION OF STATE LANDS ACQUIRED BY THE UNITED STATES.

The State lands conveyed to the United States under section 3(a) shall become part

of Grand Teton National Park. The Secretary shall manage such lands under the Act of August 25, 1916 (commonly known as the "National Park Service Organic Act") and other laws, rules, and regulations applicable to Grand Teton National Park.

#### SEC. 6. AUTHORIZATION FOR APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary for the purposes of this Act.

### NOTICES OF HEARINGS/MEETINGS

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a nomination hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, October 25, at 9:30 a.m. in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the nomination of Michael Smith to be an Assistant Secretary of Energy (Fossil Energy).

Those wishing to submit written statements on this subject should address them to the Committee on Energy and Natural Resources, Attn: Sam Fowler, United States Senate, Washington, D.C. 20510.

For further information, please call Sam Fowler at 202/224-4103.

#### SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources on Thursday, October 18, beginning at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, D.C. has been postponed. This hearing has not been rescheduled.

The purpose of the hearing was to receive testimony on the investigative report of the Thirtymile Fire and the prevention of future fire fatalities.

For further information, please contact Kira Finkler (202) 224-8164 or Shelley Brown (202) 224-5915 of the Committee staff.

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs be authorized to meet during the Session of the Senate on October 17, 2001 to conduct a hearing on the nominations of Dr. Susan Schmidt Bies, of Tennessee, to be a member of the Board of Governors of the Federal Reserve System; and Mr. Mark W. Olson, of Minnesota, to be a member of the Board of Governors of the Federal Reserve System.

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

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, October 17, 2001, at 9:30 a.m. on pending committee business, including Rail Security.

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

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, October 17, 2001, at 9:30 a.m. to conduct a hearing to consider the following nominations: William W. Baxter to be a member of the Board of Directors of the Tennessee Valley Authority; Kimberly Terese Nelson to be an Assistant Administrator of the Office of Environmental Information, U.S. Environmental Protection Agency; and Steven A. Williams to be Director of the United States Fish and Wildlife Service, U.S. Department of the Interior.

The hearing will be held in room 406 of the Senate Dirksen Building.

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

#### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, October 17, 2001, at 9:30 a.m. for a hearing entitled "Federal Efforts to Coordinate and Prepare the United States for Bioterrorism: Are They Adequate?"

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

#### COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 17, 2001, at 2:30 p.m. to hold a nomination hearing.

Nominees: Mr. Brian Carlson, of Virginia, to be Ambassador to the Republic of Latvia; Mr. Joseph DeThomas, of Pennsylvania, to be Ambassador to the Republic of Estonia; Ms. Bonnie McElveen-Hunter, of North Carolina, to be Ambassador to the Republic of Finland; Mr. John Ordway, of California, to be Ambassador to the Republic of Armenia; Mr. John Palmer, of Mississippi, to be Ambassador to the Republic of Portugal; and Mr. Clifford Sobel, of New Jersey, to be Ambassador to the Kingdom of the Netherlands.

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

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, October 17, 2001, at 2:30 p.m. to hold a closed hearing.

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

#### SUBCOMMITTEE ON IMMIGRATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on

the Judiciary Subcommittee on Immigration be authorized to meet to conduct a hearing on Wednesday, October 17, 2001, at 10:30 a.m. in Dirksen 226 on "Effective Immigration Controls To Deter Terrorism."

Panel I: Mary Ryan, Assistant Secretary of State for Consular Affairs, Department of State, Washington, DC; Mr. Lino Gutierrez, Assistant Secretary of State for Western Hemisphere Affairs, Department of State, Washington, DC; Mr. James Ziglar, Commissioner, Immigration and Naturalization Service, Washington, DC.

Panel II: Ms. Jeanne Butterfield, Executive Director, American Immigration Lawyer's Association, Washington, DC; Dr. Demetrios Papademetriou, Co-Director, Migration Policy Institute, Washington, DC; Mr. Richard Norton, Executive Director, International Biometric Industry Association, Fairfax, VA.

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

### ESTABLISHING A MEMORIAL TO HONOR TOMAS G. MASARYK

Mr. REID. I ask unanimous consent that the Senate now proceed to the consideration of H.R. 1161 which is being held at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1161) to authorize the American Friends of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 1161) was read the third time and passed.

### TO AUTHORIZE COMMEMORATIVE WORK TO HONOR PRESIDENT JOHN ADAMS AND FAMILY

Mr. REID. I ask consent that the Senate proceed to the immediate consideration of Calendar No. 179, H.R. 1668.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1668) to authorize the Adams Memorial Foundation to establish commemorative work on Federal land in the District of Columbia and its environs to honor former President John Adams and his family.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent the bill be read three times, passed, the motion to reconsider be laid upon the table, and any statements relating thereto appear at the

proper place in the RECORD as if given, with no intervening action or debate.

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

The bill (H.R. 1668) was read the third time and passed.

#### THE CALENDAR

Mr. REID. I ask consent that the Senate proceed en bloc to the consideration of the following calendar numbers: Calendar No. 171, No. 172, No. 173, No. 174, No. 175, No. 176, No. 177, and No. 178.

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

Mr. REID. I ask unanimous consent that the following amendments be considered and agreed to en bloc: with respect to Calendar No. 174, S. 1097, the Bingaman amendment, No. 1903; and Calendar No. 175, S. 1105, the Thomas amendment, No. 1904; and the motions to reconsider be laid on the table en bloc.

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

Mr. REID. I further ask unanimous consent any committee amendments, where applicable, be agreed to; the bills, as amended, where applicable, be read three times, passed, and the motions to reconsider be laid on the table en bloc; any statements relating to these matters be printed in the RECORD at the appropriate place as if read; and that the consideration of these items appear separately in the RECORD with no intervening action or debate.

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

#### FORT CLATSOP NATIONAL MEMORIAL EXPANSION ACT OF 2001

The Senate proceeded to consider the bill (S. 423) to amend the Act entitled "An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes," which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 423

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Fort Clatsop National Memorial Expansion Act of 2001".

#### SEC. 2. FINDINGS.

The Congress finds the following:

(1) In 1805, the members of the Lewis and Clark Expedition built Fort Clatsop at the mouth of the Columbia River near Astoria, Oregon, where they spent 106 days waiting for the end of winter and preparing for their journey home. The Fort Clatsop National Memorial was created by Congress in 1958 for the purpose of commemorating the culmination, and the winter encampment, of the Lewis and Clark Expedition following its successful crossing of the North American

continent, and is the only National Park Service site solely dedicated to the Lewis and Clark Expedition.

(2) The 1995 General Management Plan for the Fort Clatsop National Memorial, prepared with input from the local community, calls for the addition of lands to the memorial to include the trail used by expedition members to travel from the fort to the Pacific Ocean and to include the shore and forest lands surrounding the fort and trail to protect their natural settings.

(3) The area near present day McGowan, [Washington] Washington, known as "Station Camp", where Lewis and Clark and the Corps of Discovery camped after reaching the Pacific Ocean, performed detailed surveying, and conducted the historic "vote" to determine where to spend the winter, is of undisputed national significance.

(4) The National Park Service and State of Washington should identify the best alternative for adequately and cost effectively protecting and interpreting the "Station Camp" site.

(5) Expansion of the Fort Clatsop National Memorial would require Federal legislation because the size of the memorial is currently limited by statute to 130 acres.

(6) Congressional action to allow for the expansion of Fort Clatsop for both the trail to the Pacific and, possibly, the Station Camp site would be both timely and appropriate before the start of the national bicentennial celebration of the Lewis and Clark Expedition planned to take place during the years 2004 through 2006.

#### ISEC. 3. ACQUISITION OF LANDS FOR FORT CLATSOP NATIONAL MEMORIAL.

[The Act entitled "An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes", approved May 29, 1958 (Chapter 158; 72 Stat. 153), is amended—

["(a) by inserting in section 2 "(a)" before "The Secretary".

["(b) by inserting in section 2 a period, ".", following "coast" and by striking the remainder of the section.

["(c) by inserting in section 2 the following new subsections:

["(b) The Memorial shall also include the lands depicted on the map entitled 'Fort Clatsop Boundary Map' numbered and dated '405-80016-CCO-June-1996'. The area designated in the map as a 'buffer zone' shall not be developed but shall be managed as a visual buffer between a commemorative trail that will run through the property, and contiguous private land holdings.

["(c) The total area designated as the Memorial shall contain no more than 1,500 acres."

["(d) by inserting at the end of section 3 the following:

["(b) Such lands included within the newly expanded boundary may be acquired from willing sellers only, with the exception of corporately owned timberlands.".]

#### SEC. 3. ACQUISITION OF LANDS FOR FORT CLATSOP NATIONAL MEMORIAL.

The Act entitled "An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes", approved May 29, 1958 (Public Law 85-435; 72 Stat. 153) is amended—

(1) in section 2, by inserting "(a)" before "The Secretary",

(2) in section 2, by striking "coast" and all that follows through the end of the section and inserting "coast.";

(3) in section 2, by adding the following new subsections:

["(b) The Memorial shall also include the lands depicted as 'Addition Lands' on the map entitled 'Fort Clatsop Boundary Map' numbered and dated '405-80026A-CCO-June 1996'. The

area designated in the map as the 'Buffer Zone' shall not be developed, but shall be managed as a visual buffer.

["(c) The total area for the Memorial shall not exceed 1,500 acres.".

(4) in section 3, by inserting "(a)" before "Within".

(5) by inserting at the end of section 3 the following:

["(b) Such lands included within the boundary as depicted on the map referenced in section 2(b) may be acquired only from willing sellers, with the exception of corporately-owned timberlands.".

#### SEC. 4. AUTHORIZATION OF STUDY OF STATION CAMP.

The Secretary of the Interior shall conduct a study of the area known as "Station Camp" near McGowan, [Washington, to determine its] Washington, as well as the Megler Rest Area and Fort Canby State Park, to determine their suitability, feasibility, and national significance, for inclusion into the National Park System. The study shall be conducted in accordance with section 8 of Public Law 91-383 (16 U.S.C. 1a-5).

The committee amendments were agreed to.

The bill (S. 423) was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 423

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Fort Clatsop National Memorial Expansion Act of 2001".

#### SEC. 2. FINDINGS.

The Congress finds the following:

(1) In 1805, the members of the Lewis and Clark Expedition built Fort Clatsop at the mouth of the Columbia River near Astoria, Oregon, where they spent 106 days waiting for the end of winter and preparing for their journey home. The Fort Clatsop National Memorial was created by Congress in 1958 for the purpose of commemorating the culmination, and the winter encampment, of the Lewis and Clark Expedition following its successful crossing of the North American continent, and is the only National Park Service site solely dedicated to the Lewis and Clark Expedition.

(2) The 1995 General Management Plan for the Fort Clatsop National Memorial, prepared with input from the local community, calls for the addition of lands to the memorial to include the trail used by expedition members to travel from the fort to the Pacific Ocean and to include the shore and forest lands surrounding the fort and trail to protect their natural settings.

(3) The area near present day McGowan, Washington, known as "Station Camp", where Lewis and Clark and the Corps of Discovery camped after reaching the Pacific Ocean, performed detailed surveying, and conducted the historic "vote" to determine where to spend the winter, is of undisputed national significance.

(4) The National Park Service and State of Washington should identify the best alternative for adequately and cost effectively protecting and interpreting the "Station Camp" site.

(5) Expansion of the Fort Clatsop National Memorial would require Federal legislation because the size of the memorial is currently limited by statute to 130 acres.

(6) Congressional action to allow for the expansion of Fort Clatsop for both the trail to the Pacific and, possibly, the Station Camp site would be both timely and appropriate before the start of the national bicentennial celebration of the Lewis and Clark



Expedition planned to take place during the years 2004 through 2006.

### SEC. 3. ACQUISITION OF LANDS FOR FORT CLATSOP NATIONAL MEMORIAL.

The Act entitled "An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes", approved May 29, 1958 (Public Law 85-435; 72 Stat. 153) is amended—

(1) in section 2, by inserting "(a)" before "The Secretary";

(2) in section 2, by striking "coast" and all that follows through the end of the section and inserting "coast";

(3) in section 2, by adding the following new subsections:

"(b) The Memorial shall also include the lands depicted as 'Addition Lands' on the map entitled 'Fort Clatsop Boundary Map' numbered and dated '405-80026A-CCO-June 1996'. The area designated in the map as the 'Buffer Zone' shall not be developed, but shall be managed as a visual buffer.

"(c) The total area for the Memorial shall not exceed 1,500 acres."

(4) in section 3, by inserting "(a)" before "Within";

(5) by inserting at the end of section 3 the following:

"(b) Such lands included within the boundary as depicted on the map referenced in section 2(b) may be acquired only from willing sellers, with the exception of corporately-owned timberlands."

### SEC. 4. AUTHORIZATION OF STUDY OF STATION CAMP.

The Secretary of the Interior shall conduct a study of the area known as "Station Camp" near McGowan, Washington, as well as the Megler Rest Area and Fort Canby State Park, to determine their suitability, feasibility, and national significance, for inclusion into the National Park System. The study shall be conducted in accordance with section 8 of Public Law 91-383 (16 U.S.C. 1a-5).

### RANCHO CORRAL DE TIERRA GOLDEN GATE NATIONAL RECREATIONAL AREA BOUNDARY ADJUSTMENT ACT OF 2001

The Senate proceeded to consider the bill (S. 941) to revise the boundaries of the Golden Gate National Recreational Area in the State of California, to extend the term of the advisory commission for the recreation area, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic).

S. 941

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act of 2001".

#### SEC. 2. GOLDEN GATE NATIONAL RECREATION AREA, CALIFORNIA.

(a) BOUNDARY ADJUSTMENT.—Section 2(a) of Public Law 92-589 (16 U.S.C. 460bb-1(a)) is amended—

(1) by striking "The recreation area shall comprise" and inserting the following:

"(1) IN GENERAL.—The recreation area shall comprise"; and

(2) by striking "The following additional lands are also" and all that follows through the [period at the end] *period at the end of the paragraph* and inserting the following:

"(2) ADDITIONAL LAND.—In addition to the land described in paragraph (1), the recreation area shall include—

"(A) the parcels numbered by the Assessor of Marin County, California, 119-040-04, 119-040-05, 119-040-18, 166-202-03, 166-010-06, 166-010-07, 166-010-24, 166-010-25, 119-240-19, 166-010-10, 166-010-22, 119-240-03, 119-240-51, 119-240-52, 119-240-54, 166-010-12, 166-010-13, and 119-235-10;

"(B) land and water in San Mateo County generally depicted on the map entitled 'Sweeney Ridge Addition, Golden Gate National Recreation Area', numbered NRA GG-80,000-A, and dated May 1980;

"(C) land acquired under the Golden Gate National Recreation Area Addition Act of 1992 (16 U.S.C. 460bb-1 note; Public Law 102-299);

"(D) land generally depicted on the map entitled 'Additions to Golden Gate National Recreation Area', numbered NPS-80-076, and dated July 2000/PWR-PLRPC; and

"(E) land generally depicted on the map entitled 'Rancho Corral de Tierra Additions to the Golden Gate National Recreation Area', [numbered NPS-80,079, and dated May 2001.] *numbered NPS-80,079A and dated July 2001.*

"(3) ACQUISITION AUTHORITY.—The Secretary may acquire land described in [paragraph (1) or (2)] *paragraph 2(E)* only from a willing seller."

(b) EXTENSION OF TERM OF ADVISORY COMMISSION.—Section 5(g) of Public Law 92-589 (16 U.S.C. 460bb-4(g)) is amended by striking "thirty years after the enactment of this Act" and inserting "on December 31, [2022"] *2012*".

The committee amendments were agreed to.

The bill (S. 941) was ordered to be engrossed for a third reading, was read the third time and passed; as follows:

S. 941

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act of 2001".

#### SEC. 2. GOLDEN GATE NATIONAL RECREATION AREA, CALIFORNIA.

(a) BOUNDARY ADJUSTMENT.—Section 2(a) of Public Law 92-589 (16 U.S.C. 460bb-1(a)) is amended—

(1) by striking "The recreation area shall comprise" and inserting the following:

"(1) IN GENERAL.—The recreation area shall comprise"; and

(2) by striking "The following additional lands are also" and all that follows through the period at the end of the paragraph and inserting the following:

"(2) ADDITIONAL LAND.—In addition to the land described in paragraph (1), the recreation area shall include—

"(A) the parcels numbered by the Assessor of Marin County, California, 119-040-04, 119-040-05, 119-040-18, 166-202-03, 166-010-06, 166-010-07, 166-010-24, 166-010-25, 119-240-19, 166-010-10, 166-010-22, 119-240-03, 119-240-51, 119-240-52, 119-240-54, 166-010-12, 166-010-13, and 119-235-10;

"(B) land and water in San Mateo County generally depicted on the map entitled 'Sweeney Ridge Addition, Golden Gate National Recreation Area', numbered NRA GG-80,000-A, and dated May 1980;

"(C) land acquired under the Golden Gate National Recreation Area Addition Act of

1992 (16 U.S.C. 460bb-1 note; Public Law 102-299);

"(D) land generally depicted on the map entitled 'Additions to Golden Gate National Recreation Area', numbered NPS-80-076, and dated July 2000/PWR-PLRPC; and

"(E) land generally depicted on the map entitled 'Rancho Corral de Tierra Additions to the Golden Gate National Recreation Area', numbered NPS-80,079A and dated July 2001.

"(3) ACQUISITION AUTHORITY.—The Secretary may acquire land described in paragraph 2(E) only from a willing seller."

(b) EXTENSION OF TERM OF ADVISORY COMMISSION.—Section 5(g) of Public Law 92-589 (16 U.S.C. 460bb-4(g)) is amended by striking "thirty years after the enactment of this Act" and inserting "on December 31, 2012".

### PU'UHONUA O HONAUNAU NATIONAL HISTORICAL PARK ADDITION ACT OF 2001

The bill (S. 1057) to authorize the addition of lands to Pu'uhonua o Honaunau National Historical Park in the State of Hawaii, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1057

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Pu'uhonua o Honaunau National Historical Park Addition Act of 2001".

#### SEC. 2. ADDITIONS TO PU'UHONUA O HONAUNAU NATIONAL HISTORICAL PARK.

The first section of the Act of July 26, 1955 (69 Stat. 376, ch. 385; 16 U.S.C. 397), is amended—

(1) by striking "That when" and inserting "SECTION 1. (a) When"; and

(2) by adding at the end thereof the following new subsections:

"(b) The boundaries of Pu'uhonua o Honaunau National Historical Park are hereby modified to include approximately 238 acres of lands and interests therein within the area identified as 'Parcel A' on the map entitled 'Pu'uhonua o Honaunau National Historical Park Proposed Boundary Additions, Ki'ilae Village', numbered PUHO-P 415/82,013 and dated May, 2001.

"(c) The Secretary of the Interior is authorized to acquire approximately 159 acres of lands and interests therein within the area identified as 'Parcel B' on the map referenced in subsection (b). Upon the acquisition of such lands or interests therein, the Secretary shall modify the boundaries of Pu'uhonua o Honaunau National Historical Park to include such lands or interests therein."

#### SEC. 3. AUTHORIZATIONS OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

### RIGHT-OF-WAY PERMITS FOR NATURAL GAS PIPELINES WITHIN THE BOUNDARY OF THE GREAT SMOKY MOUNTAINS NATIONAL PARK

The Senate proceeded to consider the bill (S. 1097) to authorize the Secretary of the Interior to issue right-of-way permits for natural gas pipelines within the boundary of the Great Smoky



Mountains National Park, with an amendment (No. 1903).

(The amendment can be found in today's RECORD under "Amendments Submitted and Proposed.")

The amendment was agreed to.

The bill (S. 1097), as amended, was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 1097

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. NATURAL GAS PIPELINES WITHIN THE BOUNDARY OF THE GREAT SMOKY MOUNTAINS NATIONAL PARK.**

(a) PERMIT FOR NATURAL GAS PIPELINES.—

(1) AUTHORIZATION.—The Secretary of the Interior may issue right-of-way permits for natural gas pipelines that are—

(A) within the boundary of the Great Smoky Mountains National Park (as of the date of enactment of this Act);

(B) not otherwise authorized by Federal law; and

(C) not subject to valid rights of property ownership.

(2) CONDITIONS.—A permit issued under paragraph (1) shall be subject to any terms and conditions that the Secretary determines necessary.

(b) PERMIT FOR PROPOSED NATURAL GAS PIPELINES.—

(1) AUTHORIZATION.—The Secretary may issue right-of-way permits for natural gas pipelines within the boundary of the Great Smoky Mountains National Park that are proposed for construction in—

(A) the Foothills Parkway;

(B) the Foothills Parkway Spur between Pigeon Forge and Gatlinburg; and

(C) the Gatlinburg Bypass.

(2) CONDITIONS.—A permit issued under paragraph (1) shall be subject to any terms and conditions that the Secretary determines necessary, including—

(A) provisions for the protection and restoration of resources that are disturbed by pipeline construction; and

(B) assurances that construction and operation of the pipeline will be compatible with the purposes of the Park.

**GRAND TETON NATIONAL PARK LAND EXCHANGE ACT**

The Senate proceeded to consider the bill (S. 1105) to provide for the expeditious completion of the acquisition of State of Wyoming lands within the boundaries of Grand Teton National Park, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment (No. 1904).

(The amendment can be found in today's RECORD under "Amendments Submitted and Proposed.")

The amendment was agreed to.

The bill (S. 1105), as amended, was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 1105

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Grand Teton National Park Land Exchange Act".

**SEC. 2. DEFINITIONS.**

As used in this Act:

(1) The term "Federal lands" means public lands as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(e)).

(2) The term "Governor" means the Governor of the State of Wyoming.

(3) The term "Secretary" means the Secretary of the Interior.

(4) The term "State lands" means lands and interest in lands owned by the State of Wyoming within the boundaries of Grand Teton National Park as identified on a map titled "Private, State & County Inholdings Grand Teton National Park", dated March 2001, and numbered GTNP/0001.

**SEC. 3. ACQUISITION OF STATE LANDS.**

(a) The Secretary is authorized to acquire approximately 1,406 acres of State lands within the exterior boundaries of Grand Teton National Park, as generally depicted on the map referenced in section 2(4), by any one or a combination of the following—

(1) donation;

(2) purchase with donated or appropriated funds; or

(3) exchange of Federal lands in the State of Wyoming that are identified for disposal under approved land use plans in effect on the date of enactment of this Act under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) that are of equal value to the State lands acquired in the exchange.

(b) In the event that the Secretary or the Governor determines that the Federal lands eligible for exchange under subsection (a)(3) are not sufficient or acceptable for the acquisition of all the State lands identified in section 2(4), the Secretary shall identify other Federal lands or interests therein in the State of Wyoming for possible exchange and shall identify such lands or interests together with their estimated value in a report to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the House of Representatives. Such lands or interests shall not be available for exchange unless authorized by an Act of Congress enacted after the date of submission of the report.

**SEC. 4. VALUATION OF STATE AND FEDERAL INTERESTS.**

(a) AGREEMENT ON APPRAISER.—If the Secretary and the Governor are unable to agree on the value of any Federal lands eligible for exchange under section 3(a)(3) or State lands, then the Secretary and the Governor may select a qualified appraiser to conduct an appraisal of those lands. The purchase or exchange under section 3(a) shall be conducted based on the values determined by the appraisal.

(b) NO AGREEMENT ON APPRAISER.—If the Secretary and the Governor are unable to agree on the selection of a qualified appraiser under subsection (a), then the Secretary and the Governor shall each designate a qualified appraiser. The two designated appraisers shall select a qualified third appraiser to conduct the appraisal with the advice and assistance of the two designated appraisers. The purchase or exchange under section 3(a) shall be conducted based on the values determined by the appraisal.

(c) APPRAISAL COSTS.—The Secretary and the State of Wyoming shall each pay one-half of the appraisal costs under subsections (a) and (b).

**SEC. 5. ADMINISTRATION OF STATE LANDS ACQUIRED BY THE UNITED STATES.**

The State lands conveyed to the United States under section 3(a) shall become part of Grand Teton National Park. The Secretary shall manage such lands under the Act of August 25, 1916 (commonly known as

the "National Park Service Organic Act") and other laws, rules, and regulations applicable to Grand Teton National Park.

**SEC. 6. AUTHORIZATION FOR APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary for the purposes of this Act.

**GREAT FALLS HISTORIC DISTRICT STUDY ACT OF 2001**

The bill (H.R. 146) to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Great Falls Historic District in Paterson, New Jersey, as a unit of the National Park System, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

**EIGHTMILE RIVER WILD AND SCENIC RIVER STUDY ACT OF 2001**

The bill (H.R. 182) to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

**WILLIAM HOWARD TAFT NATIONAL HISTORIC SITE BOUNDARY ADJUSTMENT ACT OF 2001**

The bill (H.R. 1000) to adjust the boundary of the William Howard Taft National Historic Site in the State of Ohio, to authorize an exchange of land in connection with the historic site, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

**MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2002**

Mr. REID. I ask unanimous consent the Senate now proceed to H.J. Res. 69, a 1-week continuing resolution, just received from the House of Representatives.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 69) making further continuing appropriations for the fiscal year 2002, and for other purposes.

There being no objection, the Senate proceeded to the consideration of the joint resolution.

Mr. REID. I ask unanimous consent that the joint resolution be considered read three times, passed, and the motion to reconsider be laid on the table, with no intervening action or debate.

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

The joint resolution (H.J. Res. 69) was read the third time and passed.

# ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. REID. I ask unanimous consent the Senate proceed to consideration of H. Con. Res. 251, the adjournment resolution, which is at the desk, that the concurrent resolution be considered, agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 251) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The PRESIDING OFFICER. Without objection, the request with regard to the measure is agreed to.

The concurrent resolution (H. Con. Res. 251) was agreed to, as follows:

H. CON. RES. 251

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on the legislative day of Wednesday, October 17, 2001, it stand adjourned until 12:30 p.m. on Tuesday, October 23, 2001, for morning hour debate, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Wednesday, October 17, 2001, or Thursday, October 18, 2001, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 10 a.m. on Tuesday, October 23, 2001, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

## UNANIMOUS CONSENT AGREE- MENT—REPORT ACCOMPANYING H.R. 2904

Mr. REID. Mr. President, I ask unanimous consent that at 10:30 a.m. Thursday, October 18—tomorrow—the Senate proceed to the consideration of the conference report accompanying H.R. 2904, the military construction appropriations bill, that there be up to 30 minutes of debate, with the time equally divided and controlled between Senators FEINSTEIN and HUTCHISON of Texas or their designees; that at 11 a.m. the Senate vote on adoption of the conference report with no intervening action or debate.

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

Mr. REID. Mr. President, I ask it be in order to request the yeas and nays on adoption of the conference report.

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

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

## ORDERS FOR THURSDAY, OCTOBER 18, 2001

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Thursday, October 18; that on Thursday, immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that there be a period of morning business until 10:30 a.m., with Senators permitted to speak up to 10 minutes each; further, at 10:30 a.m. the Senate begin consideration of the conference report to accompany H.R. 2904, the Military Construction Appropriations Act.

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

## ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, I understand that Senator BYRD wishes to speak today, so I ask unanimous consent it now be in order that the Senate stand adjourned following the remarks of the Senator from West Virginia, and that would be under the previous order entered.

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

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

The PRESIDING OFFICER (Mr. NELSON of Florida). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## AIRPORT SECURITY

Mr. BYRD. Mr. President, this morning, October 17, the Washington Post reported that investigators from the Inspector General's Office of the Transportation Department and of the Federal Aviation Administration went to 14 airports over the past few days to test the "improved" safety standards at our nation's airports.

What these Federal investigators found is unacceptable.

At Dulles International Airport—where one of the planes involved in the September 11 terrorist attacks took off—seven baggage screeners failed a surprise written skills test. The screeners are supposed to pass such a test after completing the 12 hours of training that are a condition of employment.

On a check at Dallas-Fort Worth International Airport the same day,

seven screeners were arrested by the Immigration and Naturalization Service when they were found to be working illegally in the United States.

The Transportation Department said an unspecified number of screeners at some airports were found to have criminal records that should have disqualified them from their jobs. The Washington Post cited an example of a screener at Seattle-Tacoma International Airport who was removed from his post and lost his security badge after investigators learned that he had been convicted as a felon in possession of a handgun.

During the check at Dulles, Federal investigators arrested a man who they said was able to walk through a security checkpoint with a concealed pocketknife—a felony.

Such a report underscores the need for tighter security at our airports, and the American people are no doubt looking to Congress for the tougher airline security they were promised in the aftermath of the September 11 attacks.

The Senate did its part. Last week, on October 11, we unanimously passed legislation to increase security at our airports. The Senate-passed bill would create a Federal force of 28,000 screeners and armed security guards to check passengers and baggage.

According to media reports, however, that legislation has stalled in the House of Representatives because of a partisan dispute about whether airline screeners should be Federal employees or hired by private contractors.

We have tried that. We tried the hiring of screeners by private contractors. That is what has given the American people the heebie-jeebies. The Nation is jittery after having tried that. So what are we arguing about? What are we waiting on now?

Privatizing the Federal workforce is an issue that often surfaces in Congress. It is part of a 200-year-old debate about the proper size of the Federal Government. But that debate could not be more misplaced in today's post-September 11 environment.

In the aftermath of the terrorist attacks on the World Trade Center and the Pentagon, with air traffic at 40 to 50 percent below last year's level, we should be focusing our energies on ensuring that the American people feel as safe as we can reasonably make them when they fly. I think we can say with some confidence that the public has reason to be less than comfortable with the effectiveness of our airline security system as it currently exists.

It seems petty to derail the whole airline security package over the issue of federalization. This is not a new idea. Federal employees already perform key functions at U.S. airports, such as inspections by the Customs Service, the Agriculture Department, and the Immigration and Naturalization Service. There has been no call to contract these services to the private sector.

All sides on this debate realize that there has to be a larger Federal role in

protecting our airlines and airports. And only by federalizing those screeners can the American public be assured that “cost-cutting” will not occur to the detriment of their safety.

There is more at stake here than scoring political points about whether the size of the Federal Government is growing or shrinking. The American people are looking to the Congress to reassure them about the safety of their airlines. Restoring the confidence of the American people in airline travel is

essential to getting the U.S. economy back on track.

For all of the big talk and for all of the gas that has been emitted from the larynxes of politicians, the one that would seem to help the economy most is the passage of an airline security bill.

We have done our part.

I hope that the House leadership can settle what is a misplaced, partisan dispute, and address quickly the more pressing needs of the American people whom we serve.

Mr. President, I thank the Chair and yield the floor.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 5:19 p.m., adjourned until Thursday, October 18, 2001, at 10 a.m.