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Senate

The Senate met at 3 p.m. and was called to order by the Honorable ERNEST F. HOLLINGS, a Senator from the State of South Carolina.

PRAYER

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

Almighty God, our purpose is to glorify You by serving our Nation. We all want to express an energetic earnestness about our work this week. Help us to know what You want and then to want what we know; to say what we mean and mean what we say. Give us resoluteness and intentionality. Free us to listen to You so intently that we can speak with courage and boldness. Keep us in the battle for truth rather than ego-skirmishes over secondary issues.

You have told us that to whom much is given, much is required. Thank You that You also have taught us that of whom much is required, much shall be given. Lord, You require a great deal of the women and men of the Senate. Provide them with an extra measure of Your strength, wisdom, and discernment for the crucial work of this week. And this afternoon, we particularly want to pray for U.S. Capitol Police Security Aide Aliou Terry and his family, after the unexpected death of his daughter last week. Father, comfort them and bring them to Your supernatural peace. In Your all-powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ERNEST F. HOLLINGS 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 6, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ERNEST F. HOLLINGS, a Senator from the State of South Carolina, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. HOLLINGS 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.

SCHEDULE

Mr. REID. Mr. President, this afternoon the Senate is going to resume consideration of the Andean Trade Act. There will be no rollcall votes today. Tomorrow, the Senate will begin consideration of the conference report on the farm bill, under a 12-hour time agreement—6 hours of debate tomorrow, 6 hours of debate on Wednesday—prior to a vote.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ANDEAN TRADE PREFERENCE EXPANSION ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 3009, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

Pending:

Daschle amendment No. 3386, in the nature of a substitute.

Dorgan amendment No. 3387 (to amendment No. 3386), to ensure transparency of investor protection dispute resolution tribunals under the North American Free Trade Agreement.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

JUDGES AND JOBS

Mr. REID. Mr. President, there have been a lot of rumors around here in the Senate—and I hope this is just a rumor—but I have heard that the Senate minority, the Senate Republicans, are threatening to shut down the Senate on Thursday or some time this week. The reason given is that the President, this past Friday, talked about there being 11 vacancies in the circuit courts.

Now, that is interesting. I have spoken on the Senate floor for long periods of time, in effect, defending the Judiciary Committee because these same vacancies they cry about are vacancies they created. They would not fill the vacancies during the 8 years President Clinton was in office, and now they are complaining because there are vacancies.

As we have spoken about on a number of occasions, Chairman LEAHY has done his very best to move these along. In the Senate, we have been led by Senator DASCHLE, as majority leader, and the various Democratic chairmen for less than a year. During that period of time, we have had one Senate office building closed for months, we have had September 11, and lots of problems. But in spite of that, we have approved 52 judges already.

But if they do decide they want to interrupt this very busy schedule, I think

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



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they will reveal just how out of touch they are with the American people.

They want to focus attention on judicial nominations and what they portray as a delay in reviewing nominations. In fact, under Democratic leadership, the Senate has dramatically and rapidly accelerated the pace of reviewing and confirming judicial nominations.

We have confirmed more judges in the past 10 months than were confirmed in the first 10 months of 1995, when Republicans controlled the Senate, and more than during the 12 months of 1996, 1997, 1999, and 2000.

As you can see from this chart I have in the Chamber, it is not even a close call. We have done extremely well. The Judiciary Committee should be complimented for the work they have done.

We have acted to confirm these nominees quickly. The average number of days needed to confirm circuit court nominees has dropped from well over 300 days—that is almost a year; the levels when the Republicans in the Senate delayed action on President Clinton's nominations—to just over 100 days since the Democrats have controlled the Senate.

I think that is something Chairman LEAHY and the Judiciary Committee should feel good about. I think we, as Senators, should feel good about this.

I think the work that has been done is exemplary. So if they focus on this issue, I think we can easily make a convincing case for how much improvement the Senate has made under the leadership of Senator DASCHLE and Senator LEAHY as it relates to judges. But it gives one pause to think that they are pushing these 11 vacancies on the same day there was an announcement that the unemployment rate is the highest it has been in 8 years. We have not had an unemployment rate this high since the O.J. Simpson trial. It is at 6 percent now.

The President is shifting attention to a handful of jobs for judicial nominees instead of speaking about jobs for millions of unemployed Americans.

There are now almost 9 million people in America who are unemployed. There are 8.6 million Americans who are desperately seeking a job and are unable to find one.

We have a high unemployment rate in Nevada. I have heard the Presiding Officer talk about the jobs that have been lost in South Carolina, for example, in the textile industry, over the last several years. When I heard the junior Senator from South Carolina talk about the job loss in South Carolina, and the number being in the tens of thousands of people, I thought there was a mistake made. I could not believe that one industry could lose that many people in such a short period of time. But those facts are absolutely right. They have been verified many times.

So there are 8.6 million unemployed people all over the country. Many predict that unemployment will continue

to rise. Unemployment seems to affect everyone, but some groups get hit hardest.

Women, for example, suffered most of the increase in joblessness last month. Their unemployment rate rose another four-tenths of 1 percent to 5.4 percent. The unemployment rate for Blacks climbed to 11.2 percent. More than 1 out of every 10 Black American men and women are out of work. For Hispanics, the unemployment rate is 8 percent. So it would seem to me that we want to do a good job in filling these 11 vacancies for circuit court judges, but it would also seem that we should focus on the 8.6 million—almost 9 million—people out of work in this country and spend a little bit of time on that.

We have to take action to provide assistance for workers who have been displaced and help them find jobs—full-time jobs. Not only are millions of Americans unemployed, but there are also millions who are underemployed. They have jobs, but they are not very good jobs. This is especially true of workers being paid the minimum wage.

So on Friday, the President talked about 11 circuit court vacancies, but not a single word about the almost 9 million people who are unemployed, and not a single word about the minimum wage.

It seems to me those two issues may be a little more important than these 11 judicial vacancies which they created.

Millions of Americans are being paid the minimum wage. In Nevada, and throughout the country, many working families struggle to make ends meet. The minimum wage remains at \$5.15 an hour. It hasn't been raised in 5 years. The low minimum wage is a key reason why poverty has doubled for full-time year-round workers since the late 1970s—from about 1.3 million to 2.4 million in 2000—and it has contributed to Nevada's 9.7 percent poverty rate. There are 2.4 million people who work full time and are in poverty. A minimum-wage employee working 40 hours a week, 52 weeks a year earns \$10,700. This is \$4,000 below the poverty level for a family of three.

The majority of people drawing the minimum wage are women. Sixty percent of the people who draw the minimum wage are women. People think these minimum-wage employees are at McDonald's flipping hamburgers, a bunch of teenagers. They are not. Sixty percent of the people who draw the minimum wage are women. For 40 percent of these women, that is the only money they get for themselves or their families.

Every day the minimum wage is not increased, it continues to lose value and workers fall further and further behind. Minimum-wage workers have lost all their gains since they last raised the minimum wage in 1997. The current purchasing power of the minimum wage remains more than 32 percent below the 1968 level. If the minimum wage had kept up with inflation, it

would be up to about \$8 an hour. No one is asking it be kept up with inflation. We are just asking for a modest increase.

According to a survey by the U.S. Conference of Mayors, 38 percent of those seeking emergency food in the United States are employed, compared with 23 percent in 1994. Local government officials cite low-paying jobs as the most common cause of hunger in their communities. Many people wrongly think of the typical minimum-wage worker as being some teenage kid working to earn extra money to buy compact disks or to go snowboarding. In fact, many minimum-wage workers struggle to care for their families.

The Fair Minimum Wage Act would increase the Federal minimum wage by \$1.50 over 2 years. We are not asking it be kept up with inflation from when it was first established. About 80,000 Nevadans and about 9 million Americans would get a raise up to \$6.65 during the next 2 years. This modest proposal would bring the real value of the minimum wage within a penny of the value it had in the 1980s.

This raise is critical to the economy of people all over America who are low-wage earners. A worker earning the minimum wage would have to work 114 hours per week in order to afford a two-bedroom apartment in Las Vegas, NV. That would be the equivalent of almost three full-time jobs.

America is a great country, the land of opportunity. One of our core values has been a strong work ethic. Workers have been responsible for our great economic success. Americans who work full time should not live in poverty.

Going back to Friday when the President gave his plaintive plea for filling the 11 vacancies on the circuit court of appeals, the rumor is—rumors usually have some basis in fact—that they are going to shut this place down to get those 11 circuit court judges. They should get to shutting then.

The business we have to do is not for Democrats. It is for Republicans and Democrats and Independents. It is for the executive branch of Government, the judicial branch, and the legislative branch. We can only do what we can do. If they want to shut down the Senate, that is the power they have because this is the Senate of the United States. If they believe 11 circuit court judges are worth more than the 8.6 million unemployed and worth more than the minimum wage that has not been increased in over 5 years, let them go to it.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ANDEAN TRADE PREFERENCE
EXPANSION ACT—Continued

Mr. THOMAS. Mr. President, I wish to speak a few minutes about trade and the several bills on trade that have been pending for some time.

Trade promotion authority is the central element of what we are seeking to do. Trade is one of the most important issues with which we have to deal. Transactions are made around the world in the billions of dollars every day, and we need the authority to negotiate trade agreements that fit us into world trade and, at the same time, are favorable to the United States, which is a basic issue.

The Senator from Nevada was saying a moment ago that we ought to be doing something about unemployment. I suggest doing something with trade promotion authority. This is one of the basic issues with which we have to deal in augmenting employment and stimulating employment.

Agriculture is very big in my part of the country and 40 percent depends on foreign markets because we produce more than we consume in this country. I wish to comment a moment on where we are and what I hope can happen.

The Andean Trade Preference Act has been amended to include three bills. It deals only with Bolivia, Colombia, Ecuador, and Peru, and it has expired. It needs to be reauthorized so we can deal with those four nations in terms of imports and exports. It was originally passed in 1991 to provide an economic benefit to help those countries such as Colombia with which we have such concern about their internal conflicts, drug activities, illegal drug production and trafficking, and a number of issues that are of great importance to us.

Time is running out to reauthorize the Andean Trade Preference Expansion Act. I hope we can reauthorize it. It is the underlying bill. But I have to tell my colleagues, in my view at least and I think in most everyone's view, trade promotion authority is really the basis of our concern. I am a member of the Finance Committee, and trade issues are handled in the Finance Committee. We handled these three issues not as one but as separate issues. I suggest that is what we ought to be doing: dealing with each bill separately.

We found ourselves, however, in a position where those who are skeptical of trade promotion authority are insisting on much more in the trade adjustment bill as leverage for their support for trade promotion authority. On the other side, people who want trade promotion authority are saying: We will not do that unless you give us a little less on trade adjustment. So we find ourselves in a conflict.

Trade promotion authority is generally known as fast track, which was passed by the committee in December by a 19-to-3 vote, a very strong vote. The discussions about all the aspects of the bill were held in committee, as they should be.

Basically, trade promotion authority falls into two categories: One, the President's authority to proclaim changes in tariffs resulting from negotiations of reciprocal trade agreements; two, procedures for implementing provisions of such agreements which provide for changes in the U.S. law, basically known as fast track.

Trade promotion authority is a process for the President or his representatives to negotiate, guided by rules that are in law. They bring those agreements back to the Senate when they are completed for an up-or-down vote. It is really the only reasonable approach we can take to accomplish negotiations. Obviously, 535 Members of Congress cannot do the negotiating for the country. The bill does provide a framework, an outline of how this can be done. Its purposes are:

Obtaining more open and equitable market access; reducing or eliminating trade barriers and other trade-distorting practices; strengthening the system of trading disciplines and procedures, including dispute settlement; promoting full employment in the United States.

It is true that every industry is not always treated the same. Some are very successful; others find it more difficult. That is, I guess, the reality we have in trade of any kind. That is part of it.

This bill requires Presidential consultation with the Congress before, during, and after a trade negotiation. Without that, why, we will not have any agreements, and we have, indeed, fallen behind. This has been out of the system since 1994. Other countries have negotiated their agreements among themselves, particularly in South America, and we have not. We have negotiated relatively few.

To the extent we can agree that trade is necessary, trade is good for us overall, then we have to have a system for negotiating and not sit back while the rest of the world negotiates agreements and expect that we are going to benefit from that situation.

As I indicated, it does provide for Senators to be more involved. It provides legitimate opportunities for the Congress and others to express their concerns, which is proper.

It provides for ongoing consultation and debate during the process of agreements.

It creates an oversight group of Congress that is broad based and bipartisan.

It sets up this system that gives input by the Congress and yet allows the President to make agreements and then bring them back to the Congress for acceptance or rejection.

So we hear they are going to give him all the authority and have nothing to do with it. That is not the case. We still do have something to do with it. We do still have final approval as to what is done. So we need to be doing some of those things.

A lot of the U.S. products, for instance, in agriculture still have very

high tariffs in other places. Our good friends from Japan have very high tariffs on beef, for example, which comes partly from my State. So we need to be involved and protect our interests as well as be fair with others and participate in this whole business of trade. So it is important.

As I mentioned, in agriculture, one out of every three acres planted is basically for export because we produce more. Under the farm bill that is pending, we will be producing even more if we do not run into a conflict with trade because of the farm bill itself. We will be talking about that starting tomorrow.

In 2001, American farmers exported \$55 billion in agricultural products. That supports a great number of jobs. I know people have different views about it. The fact is it is there and we need to participate. We can argue about how we do it and what the outcome is, but it is pretty apparent we need to participate actively in deciding how these things are going to be done. The European Union, for example, has 15 free trade agreements in which we are not involved. Mexico has signed 28 trade agreements; the United States has signed 3. So we are kind of being left behind in terms of what we are seeking to do.

One of the problems which we are going to have to deal with—it has already been discussed a great deal, and I think it is being discussed now in terms of hoping to come up with some agreement—is the trade adjustment authority, which is a legitimate concern about being able to deal with people who might be put out of work and to have some kind of a program that would be helpful to them. There was a program in place, but it has expired. But we basically need financial and training assistance for workers displaced by import competition or for firms that face a significant adjustment. Those things were done in conjunction with NAFTA, and they increase the number of weeks adversely-affected employees could receive assistance.

Now the question is: Are those made to be entitlements? Are those to be made welfare programs that are everlasting? How do we define who is available, who should be receiving those benefits? I think those are things we have to be concerned with when talking about upstream and downstream employees, people who are feeding into this industry who are affected. Where do we stop? How far do we go? How far do we go on the retail side? Without some definition, it could be a huge sort of welfare program, when it is designed to be an assistance program that helps people be trained and available to move back into the workplace. That is what it is for, and that should be our goal. I hope it will be the goal.

We have had some unusual things happen since the bill has left the committee. It left the committee in one form, and now it has been amended

into quite a different form. So we go back to kind of where we were on the energy bill, where the committee did not have an opportunity to talk about it. So all those details, rather than being discussed in committee, which is the process normally used, have to come to the floor to be discussed because they have not been available to be discussed with recommendations coming from the bipartisanship of the committee.

It is my understanding we are going to go to the farm bill tomorrow and Wednesday and conclude after 12 hours of debate on the report from the conference committee, and then we will be returning, after that, apparently to the trade promotion bills. I am hopeful we can deal with them in a direct manner, that we can deal with them with an attitude as to how important it is to the United States and what is our best process for getting the best arrangement for Americans to participate in trade, because we are going to be participating in it one way or another; there is no question about that.

The question is: What kind of a process can we put in place that gives us the best opportunity to equally participate, to our benefit hopefully, in world trade? I look forward to the debate.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. HOLLINGS. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. HOLLINGS. Madam President, we have had very little opportunity to really discuss trade. This bill was called up on a weekend, without debate. By Monday evening it was already moved for consent, so there was no debate whatsoever given to actually calling up the fast-track measure for consideration, to discuss it.

We need a thorough discussion of exactly what is occurring in the globalization in world trade. I am sorry I do not have a greater audience, but I will speak for the purposes of at least getting it in the RECORD. Tomorrow we will be on the farm bill. There is a general slowdown with respect to the Dorgan amendment. We have only had one amendment up.

I have a very important amendment relative to trade adjustment assistance. What we are providing, as I understand it, in the Daschle amendment as a substitute for the fast-track measure itself, is trade adjustment assistance for the legacy cause, for those in steel who had retirement, and when the plants closed, of course, they went broke and could not provide for that retirement.

I am a strong supporter of that situation, so long as we can consider the post-NAFTA textile employees—we

call them associates now, down south. Those associates who lost their jobs over the 8-year period since NAFTA was enacted, have not been able to find new ones. I will have a very important amendment.

I have 53,900 who have made claims for unemployment. One of the distinguished leaders on the floor earlier today said he could not believe that figure. That figure comes from the Bureau of Labor Statistics, for those associates who have made claims for unemployment, having lost their jobs. I think it is just as important, or more important, since they have not been able to find any work, that they be taken care of, that they have available the measure called COBRA, so they can get their health care while they are looking. We are in desperate circumstances.

Everyone knows of the wonderful success we have, and I share in it, with respect to the German industries. When I was governor of South Carolina, I visited Germany in 1960, to try to attract corporations to open plants in my state. In the 42 years since, I thought 117 companies had opened plants. But last week when I said that, the German Ambassador heard me and has updated the figure for me. It is now 125 German industries. So we are rejoicing in the success of German investment in South Carolina, particularly everyone coming here for the BMW plant.

But the unemployment rate for the BMW plant in Spartanburg, where it is located, was 3.2-percent last year. It is now 6.1-percent. The overall unemployment of the State itself is 6 percent.

We are having a very difficult time replacing those jobs. At least we ought to be able to get trade adjustment assistance for those unemployed associates.

I place with specific emphasis an article in the May 13 issue of Business Week, entitled "Where The Recovery Won't Reach."

Madam President, I think it is important that I cover this now while others are not seeking recognition.

Unlike bouncebacks of the past, many jobs recently lost at American factories may be gone for good.

The recession of 2001 may have been exceptionally mild for the economy as a whole but it devastated U.S. manufacturing. The number of manufacturing jobs fell from 18.5 million in the middle of 2000 to 16.9 million today—a decline almost as steep as during the harsh downturn of 1981-82.

Let me divert for a moment to say that years ago Sony's Akio Morita told me that a country that loses manufacturing capacity will cease to be a world power.

A generation ago, we had 26 percent of the workforce in manufacturing. Today, it is less than 12 percent. We are hardly producing anything.

When the debate resumes, I will have the figures with respect to what we are not able to produce. The majority of what we consume in the United States in manufacturing, of course, is important.

Back to the article itself:

In the past, manufacturing employment typically rebounded after a recession ended. After the 1981-82 downturn, manufacturing got back about two-thirds of the jobs it had lost. In the 1990s, growth in U.S. high-tech manufacturing helped offset losses in industries such as steel and apparel. By 1998, manufacturing employment had risen to only 11% below its all-time high.

This time, however, the bounceback may not be so strong and the bulk of the manufacturing job losses may be permanent. The sharp decline in U.S. corporate profits, combined with the burden of a strong dollar, is forcing companies to take a fresh look at how they can cut costs. And in an increasingly global economy, they're deciding it's cheaper to use foreign factories than domestic ones.

The result: As U.S. demand rebounds, imports are rising far faster than domestic production. First-quarter imports of goods rose at a 10% annual rate, adjusted for inflation. South Korean factories are ramping up production, while electronics makers in Taiwan are restarting idle machines to turn out chips, phones, and flat-panel displays. Meanwhile, manufacturing output in the U.S. rose at a mere 3% annual rate in the first quarter. What's worse, factory employment shrank at a 6% annual rate, with no sign of a bottom.

The failure to generate manufacturing jobs at home may already be muting the recovery.

Let me divert again to emphasize that it is not just the bankers in Japan. I am telling you—manufacturing, research, and high-tech both from the United States and Japan are all going to China.

We are going out of business here. We are hollering "free trade, free trade" as if we are doing something to help the country.

Incidentally, the assistant majority leader, the Senator from Nevada, just pointed out that there could be a close-down by our Republican colleagues later this week on the proceedings here in the Senate for their desire to confirm some 11 judges. Here they are talking about an emergency to close down proceedings and to close down the Senate for judges. We are looking for jobs, not judges.

Let me go back to the article.

The worsening of the trade deficit subtracted 1.2 percentage points from economic growth in the first quarter, the Commerce Dept. says.

And the economic drag appears likely to continue, as manufacturers aggressively cut jobs even as demand picks up. The employment index of the Institute for Supply Management survey for April was 46.7, signaling further contraction of the factory workforce. In recent days, DuPont announced plans to cut about 1,400 U.S. textile manufacturing jobs, while Kraft Foods Inc. said it would close a Chicago plant that makes Shake 'N Bake coating mix. Maytag Corp. has transferred four assembly operations to a maquiladora in Reynosa, Mexico, and plans to transfer 12 others by August. In April, San Francisco's Levi Strauss & Co., which once boasted of its American-made clothing, said it would close six U.S. factories and lay off 3,300 workers. That will leave it with just two U.S. factories. Most of its clothing comes from contractors in Latin America and Asia.

Intense competition makes low-cost regions hard to resist. In electronics manufacturing, for instance, the labor cost for assembling printed-circuit boards—the guts of

electronics gear—is about \$7 to \$8 an hour in the U.S., vs. about 50¢ an hour in China, estimates Jeffrey A. Bloch, vice-president for electronics manufacturing services at iSuppli Inc., a supply-chain consulting firm in El Segundo, Calif.

The cost differential wasn't so compelling during the tech boom of the late 1990s when companies like Cisco Systems Inc. and Lucent Technologies Inc. were willing to pay extra for the convenience of having production in the U.S., close to their engineers and customers. "Flexibility was more important to them than cost," says Bloch. With the tech boom over, he says, "those industries have now decided to go to the lower-cost regions."

Moreover, so much of electronics manufacturing has moved to Asia already that it's cheaper and easier to build gear there than to ship all the little pieces across the Pacific for assembly in the U.S., says Jim Sacherman, chief marketing officer for Flextronics International Ltd., the Singapore-based contract manufacturer. Flextronics says it will soon have 75% to 80% of its production in low-wage regions, vs. half in 2000. Once gone, production rarely shifts back to high-cost regions. Says Sacherman: "It's pretty hard under any market conditions to say, 'For these reasons, I'm going to pay more.'"

Adding to their attractiveness countries such as China, Mexico, Malaysia, and South Korea are moving up the manufacturing learning curve, boosting their productivity faster than in the U.S. In the second half of the 1990s, U.S. manufacturing productivity rose at a solid 4.6% rate—but manufacturing productivity in South Korea, for example, improved nearly 12% a year.

While most manufacturing jobs are in production, the category also includes engineers, researchers, managers, and support staff of manufacturing companies. Some white-collar Americans are even moving to where the jobs are. To lure Westerners and U.S.-based Chinese to a new billion-dollar chip fab in Shanghai, China's Semiconductor Manufacturing International Corp. is building an elementary and middle school for their children.

It's not just in technology that jobs are shifting abroad. In North and South Carolina, the heart of the South's once-huge textile and apparel industry, many companies that had been struggling to survive have finally capitulated. Worse for them than the recession was the dollar's strength, which triggered a flood of cheap imports. In the past two years, the dollar is up sharply against the currencies of apparel exporters such as Indonesia and South Korea.

Mainly because of the dollar's impact on import prices, retail apparel prices have fallen 3% over the past year. "The strong dollar is just wiping manufacturing out," says Cass Johnson, an associate vice-president at the American Textile Manufacturers Institute.

Makers of machinery and steel are also suffering from the dollar's rise. The job losses aren't even across industries. Pharmaceuticals employment has increased 5% from a year ago despite the recession. Auto industry employment is benefiting from the construction of assembly plants in the U.S. by the likes of Toyota, Honda, and Mercedes. Netting out Big Three plant closings, productivity gains, and expansions by Japanese, Korean, and German auto makers, "auto employment will hold even" through 2010, predicts Sean McAlinden, economics director at the Center for Automotive Research in Ann Arbor, Mich.

For employers, closing U.S. factories makes all the sense in the world. For employees, it can be a terrible shock. Take General Electric Co., a leading advocate of

globalizing production. It uses Mexican factories to make everything from medical diagnostic gear to appliances. "They really don't give any real consideration to the impact of their decisions on workers," says Edward Fire, a vice-president of the Communications Workers of America. GE says it has generous retraining and separation programs and continues to have a vibrant U.S. production base.

The ability of U.S. manufacturing to generate jobs at home was one of the more pleasant surprises of the 1990s. The inability to keep them here may be one of the unpleasant surprises of this decade.

Now, there it is. I had been pleading last week with respect to the outflow of manufacturing. I quoted the General Electric policy, which says they would not consider any supplier to GE unless the supplier moved its facilities into Mexico. Here is the best of the best in American industry, along with the U.S. Chamber of Commerce, the National Association of Manufacturers, the Conference Board, and the Business Roundtable, all arrayed to move and eliminate jobs from the United States of America. It is our duty, our responsibility, to maintain jobs, to maintain the economic strength and security of the United States.

My friend, Robert Kennedy, who came to public acclaim for his book "The Enemy Within," sat at this desk, talking about labor. Today, I could write that same book—"The Enemy Within"—and it would be about management. That is our competition.

We are like that fifth column in the civil war in Spain. We are having the particular trade policy of the United States made downtown on K Street. They bring it to the White House; get general approval for it; move to fix a vote on the House side; and barely get it—the White House got it by one vote, by promising to have a fundraiser. And President Bush went to the textile Piedmont to fulfill his commitment for that one vote. So they now have passed fast track.

Over on this side, having gotten through, of course, the Finance Committee, they now have the 60 votes to go ahead and enact fast track without any provisions whatsoever. As a result, as you can see this afternoon, where we have it now up for debate, there is no one here to listen, for the simple reason: everybody knows the score. The vote is fixed. Why listen to the debate? Let's get it over with. We have a lot of work to do.

That is not how we should fulfill our responsibility under article I, section 8 of the Constitution. It is not the President, not the Supreme Court, but the Congress that shall regulate foreign commerce.

So much for manufacturing it is all high-tech, high-tech. I have had to listen to that nonsense for the last 10 years. Retraining, retraining. I have retraining coming out of my ears. I can retrain for any kind of job anywhere at any time.

Then there is globalization. I don't want to sound like Al Gore, that I in-

vented globalization, but a moment ago I said 40 years ago I went on trade missions to Europe, as well as to Latin America. Now we have 125 German plants in South Carolina. We have Michelin there, with four facilities and its North American headquarters. We have Bowater's North American headquarters in Greenville, SC.

Oh, yes, we have been working on trade. So don't start and act as if there is a sudden change and you old fogies have to understand globalization. And you have to understand and know about retraining and, more particularly, high-tech, high-tech.

Bunk.

Listen to this: the New York Times, dated April 21: "Japan Braces for a 'Designed in China' World." Let me repeat that: "Japan Braces for a 'Designed in China' World"—because that is the country that out manufactures us. Japan has about 126 million people. We have 280 million people. We had a huge running start. Japan was decimated at the end of World War II. We had the only industry. Now, in a 55-year period, they are out manufacturing and out producing the United States of America.

Here is what they are doing. This article was written by James Brooke from Tokyo for the New York Times.

I quote:

In recent decades, Japanese companies invested to make China the "factory to the world." In recent months, Japan's blue-chip manufacturers announced investments to make China the "design laboratory to the world."

In a cascade of announcements this spring, blue-chip Japanese manufacturing companies said they were planning research and development units in China. Spurring the moves are the low wages of Chinese engineers, a growing Chinese market for computer chips and the hope that China's entry into the World Trade Organization will bring protection for patents.

The crumbling of an informal wall that long kept assembly in China and research here may spell the end of Japan's last great competitive advantage over its low-wage neighbor. And it is yet another step in China's rise, one that means both new opportunities and wrenching change for Japan, which has lately been coasting on wealth built up in earlier, high-growth decades.

Today's young Japanese have grown up in affluence, taking for granted high wages and their nation's status as the world's second-largest economy. But older Japanese returning from visiting Chinese factories and laboratories report that the hard-working, self-sacrificing Chinese workers remind them of the Japanese workers of the 1960's.

As more and more Japanese manufacturing migrates to China, the research and development activity is gradually following, to be close to production.

"China is quickly becoming a country of low wage and high tech," Yotaro Kobayashi, chairman of Fuji Xerox, warned recently, echoing the spreading insecurities here. "They are going to prove to be extremely competitive with Japanese companies."

China, with an economy only one-quarter the size of Japan's, has a long way to go. But the thousands of computer engineers graduating annually from Chinese universities are enough to keep wages at one-third the level in Japan, a country facing a shortage of

engineers. With the number of 18-year-olds decreasing, colleges across Japan are closing because of a shortage of students.

Many of the biggest recent investments involve some of Japan's biggest technology names. This month, the Matsushita Electric Industrial Company opened a research and development laboratory in Suzhou, China, for household appliances. By 2005, this lab and a Matsushita cellphone lab that open in Beijing last year will employ 1,750 Chinese engineers.

Last month, the Nomura Research Institute, a leading Japanese systems integrator, began outsourcing software projects to China in an effort that will employ 1,000 Chinese software engineers by 2005. The Toshiba Corporation is planning a tenfold increase in the number of engineers at its new chip development center in Shanghai, to 1,000 by 2004.

"We intend to enlarge the R&D function in China," Yukio Shohoku, managing director of Matsushita Electric, said the day after the lab opened. The complex, in Jiangsu province, 200 miles northwest of Shanghai, will concentrate on developing air-conditioners, lights, refrigerators and washing machines. His company, he added, does "as much software development outside Japan as possible" because it does not have enough engineers and the cost of engineering is high in Japan.

Japanese companies are not pioneers in China. By the end of 2000, 29 multinationals, including Lucent Technologies, Microsoft, and I.B.M. of the United States, Alcatel of France and Nokia of Finland, had opened research and development units in China.

Typical of Japan's investment frenzy this spring, Yomiuri, a daily newspaper in Tokyo, recently ran a banner headline, "Toshiba Plan I.T. Plant in China," over an article that cited company sources as saying the electronics concern planned to spend hundreds of millions of dollars to build a huge information technology production and research complex outside Shanghai. A Toshiba spokesman, Hiroyuki Izu, immediately denied the report. But given the wealth of detail and Japan's tradition of news leaks, many business analysts here believe that Toshiba is preparing a major project.

Japan Inc.'s new scramble to show individual competitiveness looks a lot like Japan's old herd instinct. Hitachi, Sony, Pioneer, Fujitsu and NEC are just some of the other blue-chip companies that have announced plans recently for research and development units in China.

Two weeks after the Mitsubishi Electric Corporation opened an elevator research unit in Shanghai in February, a major rival, the Toshiba Elevator and Building Systems Corporation, opened a research unit, also in Shanghai. And two weeks after plans were announced for the Honda Motorcycle R&D China Company in January, the Yamaha Motor Company announced that it would open a research and development unit in or near Shanghai in 2003.

About 80 percent of the 11 million motorcycles made in China last year were copycats of Japanese models, according to the Japan Automobile Manufacturers Association. With China now in the World Trade Organization, Japanese manufacturers hope that it will crack down on sales of "Yamehas" and "Suzakis."

Much of the new Japanese push into China is in semiconductor design and production, along an area of Japanese strength. The heavy investment this year comes after the worst year by far for global chip market, but a year in which chip demand in China grew about 30 percent. It is expected to grow another 30 percent there this year.

Fueling this chip demand, China is now the world's largest market for cellphones, and by 2006 is expected to surpass Japan as the No.

2 market for PC's, after the United States. In 30 years, China's population is expected to grow to 13 times that of Japan, from 10 times greater today.

Chinese chip demand is expected to quadruple by 2010, to a \$48 billion market, Richard R. Chang, president of the Semiconductor Manufacturing International Corporation, said in a speech here. His company, 38 percent owned by Royal Philips Electronics, the Dutch giant, is part of a series of Chinese chip makers whose executives have visited here in recent weeks to drum up investment.

A surge is also expected in the number of high-tech workers. At an information technology conference here last month, Liu Jiren, chairman of the Neusoft Group, China's largest software company, told Japanese investors that in five years Chinese universities "will produce 5 to 10 times as many engineers as now."

Over all, Japan will be short 300,000 high-technology workers within three years, a Japanese government study warned recently. Despite this shortage, hundreds of Japanese managers and engineers, many forced into early retirement, now work in China, usually for lower pay.

The flow of investment, both human and financial, is changing the nature of China's export to Japan. Ever since Japan and China established diplomatic ties in 1972, the two largest Asian economies were seen as complementary.

"There is a clear division of labor between the two countries, with China specializing in labor-intensive products and processes, while Japan concentrates in high-tech products," C.H. Kwan, a senior fellow at the Japanese government's Research Institute of Economy Trade and Industry, wrote in a report six months ago. "China's exports look like Japan's imports and vice versa."

In this relationship, China has sold goods like towels, coal and spring onions to Japan, and Japan has sold laptops, digital cameras and DVD players to China. Now China produces and exports all these goods. The high-technology portion of China's exports has more than tripled, to 18.5 percent last year from 5 percent in 1985. But the goods produced by Japanese companies have largely been designed in Japan.

The Japanese have long prided themselves on quality production, relegating Chinese-made goods to discount shops. Now, Japanese manufacturers and consumers say they do not see much qualitative difference between Made in Japan and made in China.

In a recent survey of 81 Japanese companies operating in China, 62 percent of managers said they saw no difference in the quality of products made in Japan from those made in China. Fifteen percent said the Chinese products were of better quality, according to the poll, which was commissioned by The Nikkei Business Daily, Japan's leading business newspaper, and Japan Management Association Consultants, a private industry group.

These tectonic shifts are rattling the increasingly insecure Japanese. In the 1990's China's economy grew seven times as fast as Japan's. Such statistics help populist politicians fan the flames as they play on Japanese fears of this emerging—and ambitious—economic giant next door.

Last year, Japan reduced its foreign aid to China by 25 percent, to \$1.2 billion, the biggest cut since aid started in 1979. The cut was not big enough for Shintaro Ishihara, Tokyo's populist governor, who warned voters last month that Japan "has been providing H-bomb-producing China with hundreds of billions of yen every year from your tax money."

According to the Kyodo News agency, Ichiro Ozawa, a conservative opposition lead-

er, warned recently that if China "gets too inflated, Japanese people will get hysterical."

"It would be so easy for us to produce nuclear warheads," he continue.

But with Japan rivaling the United States as China's biggest economic partner, such hostile talk has prompted a series of "China is not a threat" statements.

The growth of the Chinese economy will not be a threat for Japan," Li Peng, chairman of China's Parliament, told Japanese investors in Japan this month in one such sally. "The size of the Chinese economy is still small compared with that of Japan."

Full economic cooperation with China will continue, Japan's prime minister, Junichiro Koizumi, vowed this month in a speech at an Asian economic conference in China.

"Some see the economic development of China as a threat," Mr. Koizumi said. "I do not. I believe that its dynamic economic development presents challenges as well as opportunities for Japan."

I see the advancement of Japan-China economic relations not as a hollowing out of Japanese industry but as an opportunity to nurture new industries in Japan and to develop their activities in the Chinese market," added the prime minister, an advocate of free-market changes at home.

In an exercise in raising morale, Mr. Koizumi recently visited two Japanese high-technology companies in Tokyo and said: "I feel Japan's potential is high. Japanese people should be more confident."

Many business people in Japan think that China's growth will provide jobs for the Japanese in new ways. For example, a consortium of companies in the Japan Railway group is talking with China about selling technology and materials to build a Japanese-style "shinkansen" bullet-train system in China.

We are having a hard time getting Amtrak going, and here they are building bullet train systems in China. We cannot get a national passenger defense rail system in this country because we are worried about 11 judges. We are not getting with the program. Terrorism war? Trade war, Madam President. It has been going on. We have been losing our shirts. We have been losing the war, but that is what it is. It is a war without guns and without bombs and planes and tanks. But it is an economic struggle in competition. There is nothing free about this war; I can tell you that right now.

But looking 25 years ahead, when China's economy is expected to surpass Japan's, some Japanese say they will have to adjust to playing a secondary role to their huge neighbor.

"Over the last 4,000 years of history, Japan has been a peripheral country to China, with the exception of this one last century," said Kenichi Ohmae, author of "China Impact," published in Japan this month. "In the future, Japan will be to China what Canada is to the United States, what Austria is to Germany, what Ireland is to Britain."

Despite the move of higher and higher technology manufacturing and research to China, for the near term at least Japan will retain an edge in animation, video games and the most advanced consumer electronics, Mr. Ohmae predicted. The Nintendo Company, for instance, produces 70 percent of its GameBoy Advance units in China and plans to start producing GameCube video-game consoles there this summer. But like most Japanese multinationals, Nintendo keeps most of its research and design in Japan.

Not content to write about China's high-technology boom, Mr. Ohmae, former chairman in Japan of McKinsey & Company, the consulting firm, is investing in back-room data processing and telephone information call centers in Dalian, China. Both operations take advantage of the linguistic links of China and Japan and new fiber optic telephone and high-speed data connections. "Half a million Japanese-speaking Chinese live in northeastern China," Mr. Ohmae said, referring to an area with long investment ties to Japan. "The costs are one-tenth that of Japan."

"There is no border," he added, spinning a future of ever closer economic integration. "Part of the business goes to China. Part remains in Japan. I don't see a clear, industry-by-separation of China and Japan."

Madam President, these are the things the Senate ought to be paying attention to. We need to pay our bills, rebuild the economy, cut out this Enron accounting of on-budget/off-budget, unified budget, and all the fancy words. Enron didn't start them. These politicians started it long before Ken Lay left Missouri to go down to Texas and start his charade.

The truth is we in the U.S. Government have been playing with Enron accounting, and there is more coming up. We have a budget deficit. They don't call it a budget deficit. The Republicans have their budget; now let the President submit it. Let's call it up and see what they are going to do with it. But I will be suggesting—among other things—a freeze. Just take this year's budget for next year. We just passed the main defense bills—Labor, Health and Human Resources—just before Christmas. So here we are less than five months later. We would not hurt anybody with a freeze. Let's just take that hold-the-line approach, except in national defense and homeland security. We can put those aside.

Let's debate the budget the President has submitted and consider what he asked for. He submitted his defense budget. Let's consider that and debate it and vote it. But let's not spend the whole darn time talking about how we are saving money. We can just take this year's for next year.

Madam President, we would save almost \$155 billion over five years. We would save \$155 billion, rather than spend an extra \$155 billion. Senator THURMOND and I are going to get by. But the Presiding Officer is going to have to pick up our bill. All the other young leaders we have in the U.S. Congress—we are just adding to the national debt. Another item to come up is the national debt. I don't mind if those who cut the revenues to increase the debt, rather than pay down the debt—if they will give us a modicum of votes over there. They play a political game. I voted for the increase of the debt, but I want to see the debt come down. Don't act as if we don't know how it happened. We know exactly how it happened.

It has the economy and the market's in Washington and New York just frozen in their tracks because of our leadership. The President, is playing T-

ball, or running out to some Federal facility or some school patting the little children on the head, and then patting the pocketbooks at night with a fundraiser. We cannot get him in the Oval Office and find out what's going on. He wants a \$4 trillion additional loss of revenue, which increases the debt some \$4 trillion. So they will come up here and say, well, we have to increase the debt. It is an emergency situation. They start moving things around with Enron accounting. By June 28, they have to pay the interest costs to the Social Security trust fund—you see, they keep spending the Social Security money by issuing these bills, and they will have to pay it back and they won't have the money.

So we will have to do something by June 28, and let's see the disposition of these tax cutters. We gave 8 years of the finest economy in the history of these United States of America under President Clinton by increasing taxes. Yes, we cut spending. We also increased the taxes.

This Senator and others, without a single Republican vote, increased taxes on Social Security, and we voted to increase taxes on gasoline. We took the hard stand. Yes, we lost the Senate in 1994. It cost us politically, but we did it, and we stuck to our guns. Now they come with their leadership: Let's cut taxes; let's buy the vote; tell them the Government is too big; and it is the people's money, they know how to spend it better than we do. What kind of childish talk is that?

America knows the city hall and the State houses back home are going to have to pay their bills. They have increased taxes in certain States, almost a dozen of them, and they are having to cut programs right across the board. They are not saying: Let's cut the revenues another \$4 trillion. Come on.

These are the issues we ought to be talking about, and let's get with it for a trade policy. We need a value-added tax to pay that bill and to equalize production and international trade. Every industrialized country in the world has a VAT save the United States of America. Now we need one. We can use it to pay for the war, but we have our leadership, our President, saying that we are not going to pay for the war. Since we have a war, we are going to run deficits, and, incidentally the war is never going to end.

What kind of leadership is that? I never heard of such a thing. No wonder this country is in trouble. Everybody is amused. Politics is a spectator sport. The Government in Washington is just the weekend shows. As long as we do not get anything done—when in doubt do nothing and stay in doubt all the time, but keep spending, keep running up the debt and talking to everybody about how we are saving Social Security. We are not saving Social Security. We are spending it.

We at least ought to pay for this war on terrorism. We paid for every war we have ever had. More than anything, we

ought to start to engage in this trade war. It is not just manufacturing. Everything I read pertaining to Japan pertains to the United States of America. That is where our technology has gone. So do not say I have to understand globalization and free trade, free trade. The word "trade" means just that. It is not free. They continue to treat it as aid, and we are not in a position now to do that. We have to aid our hometown communities in America and rebuild our industrial strength and our economic might.

That is what is on this Senator's mind. I wish there were others in the Chamber to debate the Andean Trade Preference Expansion Act because this bill is a hope to the solution of the drug problem. This is not trade. We do not get anything, but we hope if we can give them more textiles to produce, they will get out of producing cocaine and produce T-shirts and send them to us. That is the whole Andean trade bill.

This is the biggest sham I have ever seen. Incidentally, I remembered one point I wanted to emphasize about productivity. The textile worker of the United States of America is the most productive textile worker in the world. In fact, let me embellish. The industrial worker of the United States is the most productive industrial worker in the entire world.

Madam President, what is not producing is the U.S. Government, this Congress, this Senate. I am hopeful we can start discussing real issues and cut out all the political and parliamentary maneuvers so we can vote on the Dorgan amendment. I have plenty other amendments that pertain to the bill with respect to trade adjustment assistance for post-NAFTA workers, some 53,900 in my State. You cannot ask me to vote for some and not for all. We have to be fair with everyone. That is our hope, our duty, and our responsibility.

I do appreciate the distinguished Chair indulging me this afternoon. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators allowed to speak for a period not to exceed 5 minutes each.

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

ADDITIONAL STATEMENTS

KLAMATH FOOD BANK

• Mr. SMITH of Oregon. Madam President, today I give tribute to some Oregon heroes. Over the past year, I have come to the Senate floor on several occasions to describe the tragic events in the Klamath Basin last year. Today, I wish to salute some of the heroes, who when watching their neighbors in need, responded with great compassion and service to their community.

In April of last year, the farm economy of Klamath Falls was sent into a tailspin when the decision was made to forego water deliveries to farmers in favor of protecting threatened and endangered fishes. Almost overnight, the devastating effects of the water shut-off began to be felt. In one month's time, the number of families seeking assistance from the local food bank jumped by seven hundred.

The response from the surrounding community was incredible. Farmers, car dealerships, coffee shops, gas stations, banks, schools, and countless others came together to lend their support to folks in the Klamath Basin. On June 15 of last year, Joe Gilliam, President of the Oregon Grocers Association, with the help of grocers from around the state, gathered 240,000 pounds of food. This food helped feed the community for nearly two months.

In August, Oregon Senator and farmer Gary George of Pendleton, Oregon decided that he too had to do something. He set out and, with the help of Oregonians In Action, raised \$30,000. Also in August, KDOV Radio, Perry Atkinson and his son Oregon Senator Jason Atkinson, and sixty churches in the Medford area, joined together in collecting 27,000 pounds of food. They delivered it in two twenty-four-foot Ryder trucks.

The examples of kindness go on and on. For as tragic as the situation last year in the Basin was, Oregonians from around the State responded with an equal level of benevolence. With the help of hundreds of community volunteers and under the direction of Niki Sampson, the Klamath Falls-Lake County Food Bank has distributed 830,000 of pounds of food and non-food products.

This has been a very emotional year, and as a United States Senator and as an Oregonian, I am very proud of how the people in my state have responded. The generosity shown by so many truly reaffirms one's faith in the goodness of people. In my mind, every single person who volunteered his or her time or resources is a hero. Today, I salute the workers, the volunteers, and all those who gave of themselves to help this community in need.●

CINCO DE MAYO

• Mrs. CARNAHAN. Madam President, I am proud to take this opportunity to recognize the Mexican holiday, Cinco de Mayo. This holiday is a day to celebrate and appreciate Mexican history

and culture. I would also urge all Americans to take this opportunity to learn more about the important contributions Mexicans and Mexican-Americans have made to the United States.

The Cinco de Mayo holiday dates back to the mid-19th century. In 1862, the democratic nation of Mexico found itself under invasion from the French, led by Napoleon III. On its march to conquer Mexico, the French army met the Mexican army in the city of Puebla, just 100 miles east of Mexico City. On May 5, 1862, the ill-equipped and outnumbered Mexican army under Texas-born General Ignacio Zaragoza, would defy all odds and defeat the superior French army at the Batalla de Puebla. This defeat of the French, one of the strongest militaries in the world, would become a symbol of the strength and determination of the Mexican people.

As immigration to the United States increased during the Mexican Revolution and in subsequent years, Mexicans and Mexican-Americans demonstrated these same qualities on the battlefield in defense of the American flag. They were among the first to volunteer for the U.S. armed forces during World War I and an estimated 375,000-500,000 Mexican-American soldiers served with honor during World War II. Jose P. Martinez of Colorado would become the first American and one of many Mexican-Americans to receive the Congressional Medal of Honor for his heroism during World War II. Americans of Mexican descent would also serve in the wars in Korea, Vietnam, the Cold War, and the Gulf War. They continue to enlist in high numbers and remain committed to military service in defense of the United States.

Military service is just one of countless contributions Mexicans and Mexican-Americans have made to the United States. Cesar Chavez's passion for justice and the right to organize resulted in improved living and working conditions for people in California and throughout the United States. Diego Rivera's artwork continues to inspire Latino artists as well as others to paint murals that beautify our cities and are available for the general public to appreciate. Missouri is also proud of one of its own, Hector Barreto, who currently serves as Administrator of the U.S. Small Business Administration. There are currently 13 Mexican-American members in the House of Representatives and I look forward to the day when I will have Mexican-American colleagues here in the U.S. Senate as well.

The same strength of character and determination that was displayed by the Mexican army at the Batalla de Puebla is evident in today's Mexican-American leaders in business, labor, not-for-profits, government, and in the arts. It is fitting that as we celebrate the Cinco de Mayo holiday, we also recognize the valuable cultural, social, and political contributions Mexicans and Mexican-Americans have made and continue to make in the United States.●

WORKERS MEMORIAL DAY

• Mr. SESSIONS. Madam President, today we highlight the recent observance of April 28 as Workers Memorial Day. Workers Memorial Day recognizes workers who have been killed or injured in the workplace over the past year. The first Workers Memorial Day was observed in 1989. April 28 was chosen because it is the anniversary of the Occupational Safety and Health Act and the day of a similar remembrance in Canada. Every year, many communities and businesses join together to recognize workers who have been killed or injured on the job.

In honor of Workers Memorial Day, I want to relate a story about one person in Alabama that has truly made a difference in improving worker safety. Each year since 1995, the Fairhope, Alabama-based FIGHT Project, Families in Grief Hold Together, FIGHT, holds a memorial service on Workers Memorial Day for people who die in work-related accidents in south Alabama. The FIGHT Project is led by Mr. Ron Hayes. Mr. Hayes lost his 19-year-old son Patrick due to a workplace accident. Patrick was walking across a corn elevator filled with grain when he was pulled down into the grain and suffocated. Through his tireless efforts, Mr. Hayes, prompted the Occupational Safety and Health Administration, OSHA, to revise its standard for protecting almost 250,000 workers at 24,000 grain elevators and mills. Mr. Hayes not only spent considerable time trying to determine the cause of his son's accident, but quit his job to become an advocate of workplace safety. He organized the non-profit organization, the FIGHT Project, to provide guidance to families who have lost a loved one in a workplace accident. Mr. Hayes has since become an expert on work-related deaths, illnesses and injuries. Mr. Hayes has spent countless hours trying to ensure safe working environments for America's workers. He has also assisted hundreds of families who have lost loved ones, including working closely with the families of the 13 Jim Walters miners who were killed in Brookwood, AL, last year. He has been an invaluable resource to me as I serve on the Health, Education, Labor, and Pensions Committee, which oversees OSHA.

Mr. Hayes was recently appointed by Secretary of Labor Elaine Chao as a member of the National Advisory Committee on Occupational Safety and Health, NACOSH. NACOSH was established under the Occupational Safety and Health Act of 1970 to advise the Secretaries of Labor and Health and Human Services on Occupational Safety and Health Programs and Policies. Mr. Hayes is working with OSHA and the rest of the Department of Labor to improve worker safety around that nation.

According to OSHA, there are a disproportionately high number of work-related deaths suffered by non-English speaking workers. On Workers Memorial Day, Mr. John Henshaw, Assistant Secretary of Labor for Occupational Safety and Health, announced that the agency will soon begin to collect data on country of origin and English language capability for all workers involved in fatality or other serious accident investigations. The agency will also for the first time begin to collect site-specific information on construction projects where many immigrants and other workers die every year. The new data collection will enable OSHA to analyze language and country of origin information to determine what role language barriers and other risk factors play in fatalities and other workplace accidents. The agency will then use this data to take steps to improve safety for these workers.

I want to point out that in commemoration of Worker Memorial Day, Mr. Henshaw also announced that, effective immediately, he will write personally to the families of workers killed on the job to express OSHA's sorrow for the loss. Working with Mr. Hayes over the last few years, I know how important it is to the victim's families that the Government is aware of the problem and working to do everything possible to prevent more workers from dying or being injured on the job. I would like to reiterate Mr. Hayes' recent statement about the importance of reducing the accident and injury rate to the point where this type of initiative is not needed at all. I believe Secretary Chao and Mr. Henshaw are committed to this goal and I stand ready to aid their efforts.

We know that many businesses are working hard and successfully to improve worker safety. Some Alabama companies have recently been recognized by OSHA as achieving successful results in reducing injuries. Since 1982, OSHA has been recognizing American work sites that have exemplary safety records and show continued commitment to workplace safety and health. Sites meeting the Voluntary Protection Program standards typically experience injury and illness rates 53 percent below the industry average. Three sites in Alabama: ATOFINA Chemicals Inc. in Axis, AL; Occidental Chemical Corporation in Mobile, AL; and United Space Alliance, LLC Huntsville Operations in Huntsville, AL, were recognized by OSHA as Star sites for their achievements in worker safety. These successes were achieved with voluntary programs, teamwork and determination.

Workers Memorial Day gives us the opportunity to remember the workers who have lost their lives and highlight these important worker safety issues. The more attention we give the subject and the more we work together the better chance we have to be successful in reducing and then eventually eliminating workplace injuries.●

DEDICATION OF SPARK MATSUNAGA ELEMENTARY AND LONGVIEW SCHOOL

● Mr. AKAKA. Madam President, on Sunday I had the privilege of attending the dedication ceremony for the Spark Matsunaga Elementary and Longview School in Germantown, Maryland. This exceptional state-of-the-art school facility houses a general education elementary school, Spark Matsunaga Elementary, and special education school for children with disabilities, Longview School.

It is appropriate that this new school honors the memory of a truly remarkable man and former colleague—Senator Spark Matsunaga. Over the course of a lifetime of service to the people of Hawaii and America, Spark exhibited fortitude, courage, and persistence in fighting for what was right and what was best.

As noted by Dr. Jerry Weast, superintendent of Montgomery County Public Schools, this is the first public school in the nation named in honor of an Asian American. Transportation Secretary Norman Mineta, Representative CONNIE MORELLA, Hawaii State Senator Matt Matsunaga, and Keene Matsunaga were a few of the speakers who spoke of Senator Matsunaga's distinguished life and career. A children's chorus entertained and sang the school song. The "Home of the Geckos," Matsunaga Elementary has made a wonderful start with dedicated teachers and administrators and a diverse and involved community of students and parents.

Spark Matsunaga's commitment to justice and lifetime of service to America merits this singular recognition. Throughout his career, Sparky worked to ensure that all Americans enjoyed the fruits of liberty and understood our shared responsibilities for keeping our country free and strong.

Spark Matsunaga's legacy of public service, espousal of the art of peace-making, and commitment to justice is a wonderful example for the students and staff that proudly work and learn at Matsunaga Elementary School.

I know that Helene Matsunaga and the Matsunaga family are deeply appreciative of this unprecedented tribute, and the people of Hawaii take pride in Montgomery County bestowing this honor on Senator Matsunaga and his service to our great Nation.

Madam President, I ask that a copy of the commemorative biography of Spark Matsunaga distributed at the dedication be printed in the RECORD.

The biography follows:

SENATOR SPARK MASAYUKI MATSUNAGA, 1916–1990

Our school is proud to bear the name of this great American whose legacy will inspire our community forever. Senator Matsunaga's memory will serve to remind students and staff that public service, strong educational goals, patriotism and personal pride are qualities to live by. Senator Matsunaga will be remembered for all his work to teach the principles of peace yet value just

causes for humanity. He knew when to use his talents to inspire change and was never afraid to stand proudly to have his voice heard.

Spark Matsunaga, a war hero who became a United States Senator from Hawaii, dedicated his career to promoting peace and achieving justice. A Japanese-American, Matsunaga served with distinction in the 100th Infantry battalion, the first Japanese American unit formed during World War II, for which he received the Bronze Star and two Purple Hearts. As a political leader, he was a champion of civil rights for all Americans regardless of race. As a member of the United States Senate, he worked to promote the peaceful resolution of conflicts, and he fought for the redress for survivors of the World War II internment camps.

Masayuki Matsunaga was born on the Island of Kauai, Hawaii, on October 8, 1916. His childhood friends nicknamed him Spark; he later legally adopted the name. Matsunaga attended the Kauai public schools before entering the University of Hawaii in 1937, majoring in education and serving in the Reserve Officer Training Corps. Upon graduation in June 1941, Matsunaga was commissioned in the Army and was serving on active duty on the island of Molokai when Japan attacked Pearl Harbor on December 7, 1941. Shortly afterward, he and other Japanese-Americans were relieved of their duties and shipped to a military facility, Camp McCoy, in Wisconsin, while the War Department in Washington decided whether they could fight for America. Matsunaga, along with the other soldiers, petitioned President Roosevelt for a chance to prove their loyalty.

In the Spring of 1942, President Roosevelt and other Washington leaders determined that Japanese-Americans in the army would be loyal to the country; Matsunaga and 1,500 other Japanese-Americans formed the 100th Infantry Battalion and trained for combat duty. In September 1943, the battalion was sent to Italy; Matsunaga was wounded twice in the same night while moving through a minefield. After recuperating, Matsunaga could not go back to combat but received two Purple Hearts and the Bronze Star for his heroic acts, and was assigned to a replacement battalion.

Late in the war, he returned to the U.S. where he gave 800 speeches to help Japanese-Americans become integrated into the mainstream of American life after being released from the detention camps where they were kept during the war. The 100th Infantry Battalion eventually became a part of the 442nd Regimental Combat Team of Japanese-American soldiers, the most decorated unit in U.S. military history.

Matsunaga returned to Hawaii in 1946, worked in veterans affairs briefly, married, and then entered Harvard Law School in 1948. After graduation, he practiced law in Hawaii and began his political career, being elected to the Territorial Legislature in which was known as the "Democratic Revolution" of 1954 engineered by veterans of the 100th and 442nd to take control of the legislature for the first time. Matsunaga and other Japanese-Americans were among the leaders in Hawaii's bid for statehood, which passed in 1959.

In 1962, Matsunaga won a seat in the U.S. House of Representatives, making the rights of immigrants, the welfare of veterans, and the defense of Japanese-Americans and other minorities his hallmarks. In 1976, he was elected to the U.S. Senate, supporting legislation to establish a research organization called the United States Peace Institute and to authorize the post of Poet Laureate. As a Senator, he was also a major proponent of

the use of renewable energy sources and Soviet-American cooperation in space exploration. Perhaps Matsunaga's greatest achievement in the Senate was obtaining redress for Japanese-Americans who had been unjustly interned during World War II. The survivors of the camps received "token monetary compensation" and an apology from President Ronald Reagan. Another signature legislative achievement was the Spark Matsunaga Hydrogen Research and Development Act, which was passed in 1990 and provides funding for research into alternative energy sources. His last official act was to cast a vote in favor of continuing the Clean Air Act.

In 1990, Senator Matsunaga died while serving the U.S. Senate. In his honor, the University of Hawaii established the Matsunaga Institute for Peace in which scholars explore ways to resolve differences without resorting to violence.●

HONORING AMERICA'S NURSES

● Mr. SANTORUM. Madam President, I rise today in recognition of the women and men across the Nation who daily stand on the front lines of the health care profession. This week, May 6 through May 12, we celebrate National Nurses Week in their honor. Through their service to the patients and communities for whom they care, nurses continue to deliver health care despite the unprecedented difficulties they face. It is a testament to their sustained professionalism and genuine compassion that, regardless of these challenges, America's nurses are still the first to respond to the everyday tragedies and the first to be prepared for the extraordinary ones.

America's population is not only growing larger, it is growing older and the implications of these demographic trends are severe for the health care delivery system. The nursing workforce, in both the private and public sectors, is challenged by personnel shortages as nurse recruitment and retention becomes more problematic. Cutbacks in Medicare reimbursements have exacerbated the situation, and our rural and elderly communities have suffered from the inaccessibility of care as a result. The Department of Veterans Affairs is particularly affected by this situation as the aging veteran community becomes increasingly more care-dependent. The Health Resources and Services Administration released a study in February of 2001 describing the plight of registered nurses in the United States and recommending that significant steps be taken to preserve the nation's supply of nurses.

To this end, I am proud to be a co-sponsor of legislation, put forth by Senator HUTCHINSON, that addresses these issues and offers genuine solutions to the problems underlying the nursing profession's shortage. Portions of this bill were incorporated into legislation that the Senate passed in December, and the House of Representatives has acted favorably on a bill to boost nurse employment as well. I am hopeful that the differences between

the two chambers' bills can be reconciled and that a final measure can be soon sent to the President for his signature. Enactment of the proposed nursing legislation would initiate new approaches to retaining and recruiting highly qualified individuals in this field of health care. Among these approaches would be expanding nurse-loan repayment and scholarship programs, career ladder and faculty development opportunities, and multi-media campaigns to encourage Americans to consider nursing as a career choice. Preserving and promoting the nursing workforce is imperative if we are to maintain our country's ability to deliver first-class medical care.

Nurses, and the indispensable position they serve in medicine, are near and dear to me; theirs is a commitment to health care I have witnessed throughout my life, my mother, sister and wife all have nursing backgrounds, and mine is a keen appreciation for the profession. Nurses deserve our appreciation and support, particularly as they weather the administrative difficulties of their practice. I invite my Senate colleagues to join me in thanking America's nurses today for the vital role they play as the healers and caretakers of our Nation.●

LOCAL LAW ENFORCEMENT ACT OF 2001

● Mr. SMITH of Oregon. Madam President, I again speak about hate crimes legislation I introduced with Senator KENNEDY in March of last 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 September 19, 1993 in Seattle, WA. A man attacked two lesbian women, pushing one through a window. The assailant, Terrance Donato Scott, was charged with a hate crime in connection with the incident.

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 and changing current law, we can change hearts and minds as well.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting two treaties and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on May 3, 2002, during adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 169. An act to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws; to require that each Federal agency post quarterly on its public Web site, certain statistical data relating to Federal sector equal employment opportunity complaints filed with such agency; and for other purposes.

H.R. 495. An act to designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, as the "Ron de Lugo Federal Building."

H.R. 819. An act to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the "Donald J. Pease Federal Building."

H.R. 3093. An act to designate the Federal building and United States courthouse located at 501 Bell Street in Alton, Illinois, as the "William L. Beatty Federal Building and United States Courthouse."

H.R. 3282. An act to designate the Federal building and United States Courthouse located at 400 North Main Street in Butte, Montana, as the "Mike Mansfield Federal Building and United States Courthouse."

S. 1094. An act to amend the Public Health Service Act to provide for research, information, and education with respect to blood cancer.

The enrolled bills were signed subsequently by the President pro tempore (Mr. BYRD).

ENROLLED BILL PRESENTED

The Secretary of Senate reported that on today, May 6, 2002, she had presented to the President of the United States the following enrolled bill:

S. 1094. An act to amend the Public Health Service Act to provide for research, information, and education with respect to blood cancer.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-6680. A communication from the Secretary of Veterans' Affairs, transmitting, pursuant to law, the Secretary's Equitable Relief Report; to the Committee on Veterans' Affairs.

EC-6681. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Kentucky Regulatory Program" (KY-229-FOR) received on May 1, 2002; to the Committee on Energy and Natural Resources.

EC-6682. A communication from the Acting Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled "Voluntary Reporting of Greenhouse Gases 2000" and its summary report; to the Committee on Energy and Natural Resources.

EC-6683. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report on the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the MH-60R program; to the Committee on Armed Services.

EC-6684. A communication from the Acting Deputy Chief of Naval Operations, Fleet Readiness and Logistics, Department of the Navy, transmitting, a report on the intent to convert to performance by the private sector the Transportation function at NADEP Cherry Point, NC; to the Committee on Armed Services.

EC-6685. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics, transmitting, pursuant to law, a report concerning the V-22 Program Status; to the Committee on Armed Services.

EC-6686. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Annual Report on the Loan Repayment on Health Disparities Research (HDR-LRP) for Fiscal Year 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-6687. A communication from the President of the United States Institute of Peace, transmitting, pursuant to law, the report of Consolidated Financial Statements and Additional Information for Fiscal Years 2000 and 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-6688. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Guidelines for Determining the Probability of Causation Under the Employees Occupational Illness Compensation Program Act of 2000; Final Rule" (RIN0920-ZA01) received on April 30, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6689. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Methods for Radiation Dose Reconstruction Under the Energy Employees Occupational Illness Compensation Program Act of 2001; Final Rule" (RIN0920-ZA00) received on April 30, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-6690. A communication from the Director, Office of Congressional Affairs, Office of the Chief Financial Officer, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision to Debt Collection Procedures" (RIN3150-AG80) received on May 1, 2002; to the Committee on Environment and Public Works.

EC-6691. A communication from the Acting Chief of the Endangered Species Division, Office of Protected Resources, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Final Rule to Remove Umpqua River Cutthroat Trout From the Federal List of Endangered and Threatened Species" (RIN0648-AN90) received on April 30, 2002; to the Committee on Environment and Public Works.

EC-6692. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Karnal Bunt Compensation" (Doc. No. 01-112-1) received on May 1, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6693. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Karnal Bunt; Restrictions on the Use of Grain Originating in a Regulated Area" (Doc. No. 01-118-1) received on May 1, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6694. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Portugal Because of African Swine Fever" (Doc. No. 01-026-2) received on May 1, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6695. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Electronic Commerce; Disclosure to Shareholders" (RIN3052-AC02) received on April 30, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6696. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Documentation of Immigrants and Non-immigrants Under the Immigration and Nationality Act, As Amended—Visa Fees" (22 CFR Parts 41 and 42) received on April 29, 2002; to the Committee on Foreign Relations.

EC-6697. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a letter providing a notice of the Department's intent to provide \$10 million to the United Nations High Commissioner for Refugees (UNHCR) for the Emergency Humanitarian Assistance Plan for Afghans; to the Committee on Foreign Relations.

EC-6698. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-6699. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Spain; to the Committee on Foreign Relations.

EC-6700. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Russia, Ukraine, Norway and Cayman Islands; to the Committee on Foreign Relations.

EC-6701. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Russia; to the Committee on Foreign Relations.

EC-6702. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to the Equal Credit Opportunity Act Amendments of 1976, the Attorney General's 2001 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-6703. A communication from the Assistant Secretary for Export Administration, Bureau of Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions and Clarifications to the Export Administration Regulations: Czech Republic, Hungary and Poland" (RIN0694-AC53) received on April 30, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6704. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Federal Reserve Board's 88th Annual Report for calendar year 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-6705. A communication from the General Counsel, Department of Housing and Urban Affairs, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Public Affairs, received on May 1, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6706. A communication from the General Counsel, Department of Housing and Urban Affairs, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Administration, received on May 1, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6707. A communication from the Assistant Secretary, Investment Management, Office of Regulatory Policy, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Section 270.10f-3: Exemption for the Acquisition of Securities During the Existence of an Underwriting or Selling Syndicate" (RIN3235-AH57) received on May 1, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6708. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "National Flood Insurance Program (NFIP); Pilot Project—Public Entity Insurers" (RIN3067-AD17) received on May 1, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6709. A communication from the Deputy General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Director of National Drug Control Policy, received on April 30, 2002; to the Committee on the Judiciary.

EC-6710. A communication from the National Treasurer, Navy Wives Clubs of America, transmitting, pursuant to law, the annual report on the internal accounting and financial controls for Fiscal Year 2000; to the Committee on the Judiciary.

EC-6711. A communication from the President, Foundation of the Federal Bar Association, transmitting, pursuant to law, the Foundation's Audit Report for Fiscal Year ending September 30, 2001; to the Committee on the Judiciary.

EC-6712. A communication from the Chair of the United States Sentencing Commission, transmitting, the report of amendments to the sentencing guidelines, policy statements, and official commentary; to the Committee on the Judiciary.

EC-6713. A communication from the Associate Attorney General, Department of Justice, transmitting, the Department's 2001 Annual Report on Certain Activities pertaining to the Freedom of Information Act (FOIA); to the Committee on the Judiciary.

EC-6714. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting,

pursuant to law, the report of a rule entitled "Financial Assistance for Environmental Education Projects in the Chesapeake Bay Watershed" (RIN0648-ZB16) received on April 30, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6715. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Financial Assistance for Research and Development Projects in Chesapeake Bay to Strengthen, Develop and/or Improve the Stock Conditions of the Chesapeake Bay Fisheries" (RIN0648-ZB15) received on April 30, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6716. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes B Season Allowance of Pollock for Statistical Area 620 of the Gulf of Alaska" received on April 30, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6717. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes Directed Pollock Fishing in the West Yakutat District of the Gulf of Alaska" received on April 30, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6718. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes A Season Pacific Cod by the Offshore Component in the Central Regulatory Area, Gulf of Alaska" received on April 30, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6719. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Opening Directed Fishing for Pollock in Statistical Area 630 of the Gulf of Alaska (GOA) for 24 hours. This Action is Necessary to Fully Use the Second Seasonal Apportionment of the Total Allowable Catch of Pollock Specified for this Area" received on April 30, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6720. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closure for Pacific Cod by Catcher Processor Vessels Using Pot Gear and Catcher Vessels 60 Feet Length Overall and Longer Using Pot Gear in the Bering Sea and Aleutian Islands Management Area" received on April 30, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6721. A communication from the Assistant Administrator for Fisheries, Office of Habitat Conservation, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Essential Fish Habitat" (RIN0648-AJ30) received on April 30, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6722. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department

of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Announcement of Opening for Sablefish With Fixed Gear under the Individual Fishing Quota Program" received on May 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6723. A communication from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "NOAA Climate and Global Change Program; Program Announcement" received on May 1, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6724. A communication from the Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the annual report on Northeast Multispecies Harvest Capacity and Impact of Northeast Fishing Capacity Reduction for the period December 1, 2000 through November 30, 2001; to the Committee on Commerce, Science, and Transportation.

EC-6725. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the final report of the Commercial Activities Panel dated April 2002; to the Committee on Governmental Affairs.

EC-6726. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Employee Elections to Contribute to the Thrift Savings Plan and Methods of Withdrawing Funds from the Thrift Savings Plan" received on April 30, 2002; to the Committee on Governmental Affairs.

EC-6727. A communication from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, the Commission's Annual Program Performance Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6728. A communication from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Technical Corrections to Certain HUD Requirements" (FR-4747-C-01) received on May 1, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6729. A communication from the Chairman of the International Trade Commission, transmitting, pursuant to law, the Commission's Program Performance Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6730. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's report under the Government in the Sunshine Act for calendar year 2001; to the Committee on Governmental Affairs.

EC-6731. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, a report on accounts containing unvouchered expenditures that are potentially subject to audit by the General Accounting Office; to the Committee on Governmental Affairs.

EC-6732. A communication from the Director, Office of Personnel Management, Workforce Compensation and Performance Service, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Firefighter Pay" (RIN3206-A150) received on May 1, 2002; to the Committee on Governmental Affairs.

EC-6733. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, General Service Adminis-

tration, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2001-05" (FAC2001-05) received on May 1, 2002; to the Committee on Governmental Affairs.

EC-6734. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, General Service Administration, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2001-04" (FAC2001-04) received on May 1, 2002; to the Committee on Governmental Affairs.

EC-6735. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, General Service Administration, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2001-06" (FAC2001-06) received on May 1, 2002; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2010. A bill to provide for criminal prosecution of persons who alter or destroy evidence in certain Federal investigations or defraud investors of publicly traded securities, to disallow debts incurred in violation of securities fraud laws from being discharged in bankruptcy, to protect whistleblowers against retaliation by their employers, and for other purposes. (Rept. No. 107-146).

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 Mr. REID (for Mrs. CLINTON (for herself and Mr. SCHUMER)):

S. 2456. A bill to suspend temporarily the duty on certain fine animal hair of Kashmir (cashmere) goats; to the Committee on Finance.

By Mr. REID (for Mrs. CLINTON (for herself and Mr. SCHUMER)):

S. 2457. A bill to suspend temporarily the duty on certain fine animal hair of Kashmir (cashmere) goats; to the Committee on Finance.

By Mrs. HUTCHISON:

S. 2458. A bill to enhance United States diplomacy, and for other purposes; to the Committee on Foreign Relations.

By Mr. REID (for Mr. WYDEN (for himself and Mr. GRAHAM)):

S. 2459. A bill to provide for a terrorist identification classification system, and for other purposes; to the Select Committee on Intelligence.

By Mr. LEVIN:

S. 2460. A bill to guarantee persons who invest in publicly held companies accurate information about the financial condition of such companies so they can make fully informed investment decisions, to increase the independence of the Financial Accounting Standards Board, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REID (for Mr. FEINGOLD (for himself and Mr. WYDEN)):

S. 2461. A bill to terminate the Crusader artillery system program of the Army, and

for other purposes; to the Committee on Appropriations.

ADDITIONAL COSPONSORS

S. 710

At the request of Mr. KENNEDY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 710, a bill to require coverage for colorectal cancer screenings.

S. 840

At the request of Mr. MCCONNELL, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 840, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide standards and procedures to guide both State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative disciplinary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement officers, and to require States to enact law enforcement discipline, accountability, and due process laws.

S. 1777

At the request of Mrs. CLINTON, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1777, a bill to authorize assistance for individuals with disabilities in foreign countries, including victims of landmines and other victims of civil strife and warfare, and for other purposes.

S. 1914

At the request of Mr. KERRY, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1914, a bill to amend title 49, United States Code, to provide a mandatory fuel surcharge for transportation provided by certain motor carriers, and for other purposes.

S. 1924

At the request of Mr. LIEBERMAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1924, a bill to promote charitable giving, and for other purposes.

S. 2005

At the request of Mr. LUGAR, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2005, a bill to authorize the negotiation of free trade agreement with the Republic of the Philippines, and to provide for expedited congressional consideration of such an agreement.

S. 2133

At the request of Mr. DEWINE, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 2133, a bill to suspend temporarily the duty on Dichlorobenzidine Dihydrochloride.

S. 2184

At the request of Mr. BREAU, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2184, a bill to provide for the

reissuance of a rule relating to ergonomics.

S. 2194

At the request of Mr. MCCONNELL, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 2194, a bill to hold accountable the Palestine Liberation Organization and the Palestinian Authority, and for other purposes.

S. 2213

At the request of Mr. SESSIONS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2213, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain overseas pay of members of the Armed Forces of the United States.

S. 2335

At the request of Mr. JOHNSON, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2335, a bill to establish the Office of Native American Affairs within the Small Business Administration, to create the Native American Small Business Development Program, and for other purposes.

S. RES. 247

At the request of Mr. LIEBERMAN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. Res. 247, a resolution expressing solidarity with Israel in its fight against terrorism.

S. CON. RES. 105

At the request of Mr. LIEBERMAN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Con. Res. 105, a concurrent resolution expressing the sense of Congress that the Nation should take additional steps to ensure the prevention of teen pregnancy by engaging in measures to educate teenagers as to why they should stop and think about the negative consequences before engaging in premature sexual activity.

AMENDMENT NO. 3382

At the request of Mr. DAYTON, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Colorado (Mr. CAMPBELL), and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 3382 intended to be proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

AMENDMENT NO. 3389

At the request of Mr. LIEBERMAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 3389 proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON:

S. 2458. A bill to enhance United States diplomacy, and for other purposes; to the Committee on Foreign Relations.

Mrs. HUTCHISON. Madam President, 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. 2458

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

SECTION 1. ESTABLISHMENT OF INITIATIVES FOR PREDOMINANTLY MUSLIM COUNTRIES.

(a) FINDINGS.—The Congress makes the following findings:

(1) Surveys indicate that, in countries of predominantly Muslim population, opinions of the United States and American foreign policy among the general public and select audiences are significantly distorted by highly negative and hostile beliefs and images and that many of these beliefs and images are the result of misinformation and propaganda by individuals and organizations hostile to the United States.

(2) These negative opinions and images are highly prejudicial to the interests of the United States and to its foreign policy.

(3) As part of a broad and long-term effort to enhance a positive image of the United States in the Muslim world, a key element should be the establishment of programs to promote a greater familiarity with American society and values among the general public and select audiences in countries of predominantly Muslim population.

(b) ESTABLISHMENT OF INITIATIVES.—The Secretary of State shall establish the following programs with countries with predominantly Muslim populations as part of the educational and cultural exchange programs of the Department of State:

(1) JOURNALISM PROGRAM.—A program for foreign journalists and postsecondary students of journalism which, in cooperation with private sector sponsors to include universities, shall sponsor workshops and professional training in techniques, standards, and practices in the field of journalism to assist the participants to achieve the highest standards of professionalism.

(2) LIBRARIES.—The Secretary of State shall develop and implement a demonstration program to assist foreign governments to establish or upgrade their public library systems to improve literacy, support public education, and provide youth recreation centers. The program shall provide training in the library sciences, including exchange opportunities for postsecondary study in the United States. The purpose of the program shall be to advance American values and society, particularly the importance of freedom and democracy.

(3) ENGLISH LANGUAGE TEACHING.—The Secretary shall establish a program to provide grants to United States citizens to work in middle and secondary schools as English language teaching assistants for not less than an academic year. If feasible, the host government or local educational agency shall share the salary costs of the assistants.

(4) SISTER CITY PARTNERSHIPS.—The Secretary shall expand and enhance sister-city partnerships between United States and foreign municipalities in an effort to increase global cooperation at the community level. Such partnerships shall encourage economic development, municipal cooperation, health care initiatives, youth and educational programs, disability advocacy, emergency preparedness, and humanitarian assistance.

(5) **YOUTH AMBASSADORS.**—The Secretary shall establish a program for visits by middle and secondary school students to the United States during school holidays in their home country for periods not to exceed 4 weeks. Participating students shall reflect the economic and geographic diversity of their countries. Activities shall include cultural and educational activities designed to familiarize participating students with American society and values. To the extent practicable, such visits shall be coordinated with middle and secondary schools in the United States to provide for school-based activities and interactions. The Secretary shall encourage the establishment of direct school-to-school linkages under the program.

(6) **FULBRIGHT EXCHANGE PROGRAM.**—The Secretary shall seek to substantially increase the number of awards under the J. William Fulbright Educational Exchange Program to graduate students, scholars, professionals, teachers, and administrators from the United States who are applying for such awards to study, teach, conduct research, or pursue scholarship in predominantly Muslim countries. Part of such increase shall include awards for scholars and teachers who plan to teach subjects relating to American studies.

(7) **HUBERT H. HUMPHREY FELLOWSHIPS.**—The Secretary shall seek to substantially increase the number of Hubert H. Humphrey Fellowships awarded to candidates from predominantly Muslim countries.

(c) **GENERAL PROVISION.**—Programs established under this section shall be carried out under the provisions of the United States Information and Educational Exchange Act of 1948 and the Mutual Educational and Cultural Exchange Act of 1961.

SEC. 2. DATABASE OF ALUMNI OF AMERICAN AND FOREIGN PARTICIPANTS IN EXCHANGE PROGRAMS.

The Secretary, in coordination with the heads of other agencies that conduct international exchange and training programs, shall establish and maintain a database listing all American and foreign alumni of such programs in order to encourage networking, interaction, and communication with alumni.

SEC. 3. REPORT ON INCLUSION OF FREEDOM AND DEMOCRACY ADVOCATES IN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Congress a report concerning the implementation of section 102 of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (22 U.S.C. 2452 note). The report shall include information concerning the number of grants to conduct exchange programs to countries described in such section that have been submitted for competitive bidding, what measures have been taken to ensure that willingness to include supporters of freedom and democracy in such programs is given appropriate weight in the selection of grantees, and an evaluation of whether United States exchange programs in the countries described in such section are fully open to supporters of freedom and democracy, and, if not, what obstacles remain and what measures are being taken to implement such policy.

SEC. 4. STATUTORY CONSTRUCTION.

Nothing in this Act may be construed to authorize the issuance of any visa to, or the

admission to the United States of, any alien who is inadmissible to the United States.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Department of State \$35,000,000 for each of the fiscal years 2003 and 2004 to carry out this Act.

SEC. 6. SECRETARY DEFINED.

In this Act, the term "Secretary" means the Secretary of State.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, May 8, 2002, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on S. 343, a bill to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to the community, business, and economic development of Native American communities.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Friday, May 10, 2002, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on implementation and reauthorization of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

ORDERS FOR TUESDAY, MAY 7, 2002

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m., Tuesday, May 7; that following the prayer and 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 the Senate begin consideration of the farm bill conference report under the previous order; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. for the weekly party conferences.

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

PROGRAM

Mr. REID. Madam President, the Senate will consider the farm bill conference report beginning tomorrow under a 12-hour time agreement: 6

hours of debate on Tuesday; 6 hours of debate on Wednesday.

I should alert everyone, the leader has indicated if he can move to other matters, he will do that. He would like to dual track legislation this week. With the Senate spending so much time on the farm conference report, we may be able to do that in the evening.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5 p.m., adjourned until Tuesday, May 7, 2002, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 6, 2002:

DEPARTMENT OF STATE

JOHN R. DAWSON, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PERU.

JAMES HOWARD YELLIN, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BURUNDI.

EXECUTIVE OFFICE OF THE PRESIDENT

MARK W. EVERSON, OF TEXAS, TO BE DEPUTY DIRECTOR FOR MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET, VICE SALLY KATZEN.

HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

PATRICK LLOYD MCCORRY, OF NORTH CAROLINA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2005, VICE RICHARD C. HACKETT, TERM EXPIRED.

WILLIAM PRESTON GRAVES, OF KANSAS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 10, 2005, VICE MEL CARNAHAN.

JOHN RODERICK DAVIS, OF ALABAMA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2005, VICE E. GORDON GEE, TERM EXPIRED.

DEPARTMENT OF JUSTICE

GREGORY ROBERT MILLER, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE PATRICK MICHAEL PATTERSON, RESIGNED.

STEVEN D. DEATHERAGE, OF ILLINOIS, TO BE UNITED STATES MARSHAL FOR THE CENTRAL DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE ROBERT MOORE, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

L.T. GEN JAMES T. HILL, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. KENNETH L. FARMER JR., 0000