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Senate

The Senate met at 4 p.m. and was called to order by the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas.

The PRESIDING OFFICER. The prayer will be offered today by the guest Chaplain, Rev. Daniel P. Coughlin, the Chaplain of the House of Representatives.

PRAYER

The guest Chaplain offered the following prayer:

In the main reading room of the Library of Congress there are eight large statues standing aloft giant marble columns. The statues represent eight categories of knowledge symbolic of civilized life and thought. Above the figure of Religion there are these words of Micah: ''What doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God.''

Lord God, as the Senate of these United States gathers today for its deliberations so we pray for each and every Senator. As lawmakers elected by the people of this great land, may their motive be solely justice. As leaders of this Nation who know many people and have deep and abiding relationships, as well as friendships, may they always love mercy when it comes to dealing with other humans so like themselves. But above all, Lord, may these women and men called to greatness know themselves so thoroughly that they will always walk humbly with You, now and forever. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BLANCHE L. LINCOLN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 4, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. LINCOLN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, the Chair will shortly announce we will be in a period of morning business until 6 p.m. tonight, with Senators permitted to speak for up to 10 minutes each. It is my understanding the Senator from Arizona wishes to speak for 30 minutes, which is certainly appropriate.

At 6 p.m. the Senate will resume consideration of the election reform bill with 15 minutes of debate prior to the 6:15 rollcall vote on cloture on the bill. Senators are reminded they have until 5:15 p.m. today to file second-degree amendments to the election reform bill.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 6 p.m., with Senators permitted to speak for up to 10 minutes each, with the time to be equally divided between the two leaders or their designees.

The Senator from Arizona.

Mr. KYL. Madam President, I ask unanimous consent to speak for 30 minutes in morning business.

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

COSTS OF NATIONAL MISSILE DEFENSE

Mr. KYL. Madam President, on January 28, I addressed the reasons why I believe the President is correct to move this nation forward in the deployment of a national missile defense. I pointed out then that the threat is too great not to proceed when the technical means are at hand.

Today, I wish to address the issue of the costs of defending America against the threat of ballistic missile attack. At the end of January, the Congressional Budget Office released yet another of its reports purporting to show the costs to the American taxpayer of a system to defend the United States against such an attack. Opponents of missile defense rushed to use the study to bolster their arguments. For reasons I will discuss, portions of the CBO report are seriously flawed, and opponents' cost arguments are fallacious. Today, I intend to set the record straight, and to demonstrate that we can afford missile defense.

The first problem with the CBO report is that it was prepared at the request of national missile defense skeptics various Senators who carefully defined the options they wanted analyzed in their letter to the CBO. As a result,

CBO, as with its April 2000 report, provides a selection of options, with high and low estimates for each option, none of which necessarily reflects the actual system that will be built. Each is representative only of possibilities, and many are not being contemplated. As such, CBO's estimates tend to range from around $40 billion over 14 or 15 years to around $187 billion. The high-end numbers, however, are derived from options that exceed anything the Department of Defense is considering. Options that can be used to inflate the cost of missile defenses include increasing the number of land-based interceptor sites, the number of X-band radars on land and at sea, the number of satellites in constellations, the number of ships that will have to be built versus modifying existing ships for sea-based assets, and so on.

Also, CBO's cost estimates vary widely, depending upon which of its scenarios and assumptions one wishes to use. For example, its April 2000 report includes cost estimates for one and two ground-based sites with varying numbers of interceptors and X-Band radars and associated space-based sensors, ranging from $29 billion to $60 billion. This wide variance in estimates—a factor of 100—renders its analysis virtually meaningless, except for the rhetorical use of opponents.

The high range of the new study—$187 billion—is CBO's estimate of the cost of a 3-site national missile defense system and a full constellation of space-based lasers—an option not planned by the either the Clinton or Bush Administrations. This tactic of inflating the cost of national missile defense was similarly employed in the 2000 study.

At least part of the reason for this methodology again can be laid at the feet of the report's sponsors. CBO has estimated the cost of a national missile defense employing the artificially derived assumptions required by the letter from the Senators. It was their letter, not any Department of Defense plan, that required the CBO study to include the cost of the nonexistent third site. The same letter also requested cost estimates for a stand-alone sea-based midcourse system, despite the fact that no such system is envisioned by the Administration. It should, therefore, be no surprise that CBO came up with a high estimate in the neighborhood of $187 billion to build the national missile defense system defined by its skeptics rather than the Defense Department.

To CBO's credit, it denied the request of the sponsors' letter to include in its estimate Brilliant Pebbles—canceled in 1993—and appropriately treated as ''conceptual'' the sea-based boost-phase kinetic energy idea. CBO explained its reluctance to factor into its study cost estimates for Brilliant Pebbles by noting that:

> the most recent complete technical description of [Brilliant Pebbles] dates from 1992 [and] little additional work has been done on space-based interceptors since Brilliant Pebbles was terminated early in the Clinton Administration.

With regard to a sea-based boost phase kinetic energy, it writes that:

> sea-based boost-phase defenses are . . . currently in the very early stages of conceptual development [and] there are substantial uncertainties regarding the needed capabilities, system architecture, technologies, and schedule for developing and deploying such defenses.

I should note that I remain a strong supporter of Brilliant Pebbles and hope that it is seriously pursued at some point in the future. That the program's revival would entail financial costs is, of course, a given, if it were ever actually considered.

CBO did include an estimated cost of $68 billion for a 24-satellite constellation of Space-Based Lasers, despite the Appropriations Committees having killed the long-range program, the Administration's budget request reflecting little emphasis on that program, and despite the fact that very little is known about the characteristics of any such satellites that may eventually be built. CBO also included in its estimate the construction of nine new AEGIS ships, each outfitted with 35 advanced interceptors, while omitting consideration of the possibility of converting existing AEGIS ships for the new mission.

At the request of the Senators who requested the study, CBO also priced options as though they will all develop and deploy concurrently, and without regard for the relationships between programs. In other words, it estimated program costs in what we call a ''stovepipe'' fashion: programs exist parallel to and independent of each other. Deliberately ignored by the report's congressional sponsors is the common base from which these programs develop and from which they will operate, for example, feeding off of common sensor and processors. Once again, CBO warned against using such an approach. To quote again from its cover letter to Senators:

> (A)s you requested, CBO's assumptions about the architecture and components of the sea-based system reflect its use as a stand-alone system, not as an adjunct to a ground-based system.

To summarize, then, CBO's high-end estimates are derived from the following questionable practices requested by Senators:

No. 1, use of exaggerated scenarios, for example, the third ground-based site and the construction of new ships;

No. 2, inclusion of drawing board programs that may or may not be included in some distant architecture, but certainly won't be developed concurrent with other covered programs; and

No. 3, use of pricing and inventory requirement methodologies that may bear little or no relationship to a national missile defense system.

The second problem with the analysis is the context.

It assumes circumstances similar to other weapon acquisition programs. But the development of missile defenses, does not easily allow for such analysis. Unlike a new aircraft, for example, there is no existing national missile defense system from which to draw comparisons to programs under development. A decade of lost opportunity has left us with no alternatives but to field the systems currently under development.

Yet, look at some of CBO's assumptions from its April 2000 report, which attempt to redefine a missile defense program to some hypothetical norm:

> Differing estimates for procurement arise for two reasons. First, CBO believes that in addition to the 100 deployed interceptors, the system would need 82 additional interceptors to use in testing and to replace ones lost in accidents or engagements. The Administration puts the number of additional interceptors at 47. However, CBO's larger figure is more consistent with the experience of previous missile programs. It includes 20 additional interceptors for operational testing and evaluation because CBO assumes that the system will need a total of 30 tests over its first five years of operations. (The Peacekeeper missile program conducted about 20 tests during its initial five years of operations, and the Navy's Trident missile program conducted about 40 tests in its first five years.) In addition, CBO projects that a greater number of spare interceptors (20 instead of five) will be necessary to replace ones that are destroyed during engagement or tests and to allow for unforeseen events such as damage during maintenance.

The problem with this approach is that it estimates the cost of a make-believe program. It devises a program it thinks will be necessary and runs the numbers on that. With regard to the number of additional interceptors required for testing and spares, for example, CBO relies on the histories of ballistic missile programs that have no bearing on or relationship to the air defense interceptors being contemplated.

To summarize, then, the CBO report includes a very wide variance of costs, depending upon a number of variables, many of which may bear no relationship to the eventual system architecture, and it derives assumptions based upon the experience of programs that have little or no relationship to the components of a missile defense system.

The second point relates to the tactics of missile defense opponents.

Missile defense opponents, such as the sponsors of the CBO report, invariably employ a series of misleading arguments to advance their case against missile defense. One is the misuse of total program life-cycle costs. Another involves the use of improperly derived cost estimates by adding together numbers that even CBO clearly states should not be added. A third argument used by missile defense opponents is that money spent on missile defense programs comes at the expense of other programs.

With regard to argument number one, it is not fair to evaluate the cost of a program without spreading it out over the life of the program. But many

missile defense opponents do precisely that. CBO's estimates are for a 14-year time span. To cavalierly throw total program life-cycle costs around without regard to annual expenditures is to distort the debate over the program's value. As one analyst exposed the problem:

Estimating the cost of missile defenses over a 14-year period would have been akin to devising a similar cost estimate in 1958 for the cost of five generations of intercontinental ballistic missiles (the Titan I, the Titan II, the Minuteman I, II, and III) through 1972. If the procurement cost of these systems—likely more than $200 billion—had been debated prior to the decision to develop ballistic missiles, perhaps Congress would have been equally shocked by the ''sticker price'' of deploying a nuclear deterrent for the next 14 years.

The second argument or tactic of missile defense opponents involves a misuse of data contained in the CBO report despite CBO warnings. For example, if one simply adds the various high-end estimates, ignoring the lower estimates and CBO's own caveats against taking such an approach, it could appear as though the cost of a National Missile Defense system would exceed $180 billion. And it turns out that is exactly the conclusion the report's congressional sponsors emphasize. In their prepared statement issued upon release of the report, the three senators wrote the following: ''The report . . . shows that developing, deploying, and maintaining a modest layered system that includes ground, sea and space-based elements could easily cost well over $150 billion.'' Yet, the CBO stated in its cover letter to the Senate sponsors, ''The cost estimates that CBO has prepared for individual systems should not be added together to yield an estimate of the total potential costs of national missile defense.'' But that is precisely what Senate opponents of missile defense are doing.

Missile defense opponents use the high-end CBO estimate as a baseline from which the rhetoric escalates to even higher cost estimates. Some examples:

One of our esteemed colleagues, in a floor statement on June 25, stated the following:

The Congressional Budget Office in an April 2000 report concluded that the most limited national missile defense system would cost $30 billion . . . If we hope to defend against the accidental launch of numerous highly sophisticated missiles of the type that are now in Russia's arsenal, the Congressional Budget Office estimated that the cost will almost double, to $60 billion . . . This is what the Congressional Budget Office had to say in March 2001: Those estimates from April 2000 may now be too low . . . Is it any wonder that some critics believe that a workable national missile defense system will cost more than $120 billion?

From $30 billion to $120 billion.

Another Senator was described in the New York Times on September 11 as saying that:

''The cheapest system proposed by the Bush Administration . . . would cost $60 billion over 20 years, but could rise to as much as $120 billion . . . A more complicated system that would combat decoys or munitions that carry biological weapons—known as a layered defense would cost between one-quarter trillion and half a trillion dollars,'' Mr. BIDEN said.

This Senator is reported to have said, that quickly, the estimated cost to defend the American public from ballistic missile attack, in the eyes of those who oppose any such defenses, went from CBO's lowest number of $40 billion to ''one-quarter trillion.'' Exaggeration? Yes.

Inevitably, cost estimates for missile defense are used out of context. The use of exaggerated lump-sum figures to portray national missile defense in the most negative light is intellectually dishonest. Even many critics of national missile defense claim to support the components to defend against shorter range missiles, like Iraqi Scuds.

Taking such support for theater missile defense programs into account, the remaining portion of the overall missile defense budget allocated for defense of American cities usually represents less than two percent of the defense budget. That's right: less than two percent. The fiscal year defense appropriations bill included $331 billion. Of the $8.2 billion in that bill authorized for missile defense, only $3.8 billion is directed toward the so-called midcourse segment, which includes the ground and sea-based systems capable of intercepting intercontinental-range missiles. That amounts to one percent of the fiscal year 2002 defense budget for national missile defense. I will repeat that.

That amounts to one percent of the fiscal year 2002 defense budget for national missile defense.

For fiscal year 2003, the defense budget request is $379 billion. The amount requested for missile defenses is $7.8 billion. Of that amount, again, around $3 billion will go for systems designed to defend the United States. Again, that is only one percent for National Missile Defense programs. The Department of Defense's budget documents show that the annual expenditure for all missile defense programs will rise to $11 billion in 2007, a time when total defense spending is expected to be around $450 billion. So, in 2007, when national missile defense programs will be in or near the operational stage of development, and assuming they represent as much as half of all missile defense programs, they will still represent only one to two percent of defense spending, while all missile defense programs constitute two to three percent.

A third argument is that missile defense will rob other needy programs of necessary funding.

Some folks try to portray the missile defense programs as robbing from other more important things, more pressing national security requirements, and other needs more close to the heart of the American people.

For example—and I will just quote one or two of these—the Senators, in their statement accompanying the release of the new CBO report, write:

If the Administration decides to pursue such a costly program, it could draw resources away from programs to counter other, more likely and more immediate threats we know we face: terrorism, attacks with anthrax or other biological and chemical agents, the proliferation of weapons of mass destruction, and delivery systems that are far more likely to be used than are ballistic missiles, such as trucks, ships, airplanes, and suitcases.

One of the Senators involved here is the majority leader. It is my understanding that the distinguished majority leader has proposed to pay for the approximately $15 billion in energy subsidies in the energy bill that we are going to be taking up perhaps this week by offsetting that with the user fees that are collected by the Customs Agency.

U.S. Customs has a responsibility in this war on terror, a very serious responsibility. As these Senators pointed out, one of the likely possibilities, anyway, of threat to the United States is the delivery of a weapon of mass destruction in the cargo hold of a ship. That, of course, is exactly the kind of thing for which Customs is supposed to check.

So on the one hand the distinguished majority leader is at least recorded as having suggested that we take money away from the Customs Service, money which could be spent to check this kind of thing, and pay for subsidies in the energy bill with that funding. It is my belief that we should do both. We have to leave the Customs fees with the Customs Service which has a massive responsibility. They need more money, not less, to do what we want them to do with their regular job as well as fighting the war on terror.

We also need to spend the kind of money that is required to ensure that we do not have a threat from ballistic missile attack. We can and should do both.

Other Senators made similar comments, but I believe these arguments are demonstrably wrong. I will illustrate why with discussion on three brief points: First of all, spending to protect our Nation from another terrorist attack; secondly, costs of other weapons programs; and, third, what I would call porkbarrel spending.

According to the Office of Management and Budget, the United States had budgeted $10.3 billion to combat terrorism for fiscal year 2002. That was before September 11. Back in August, once again, the Congressional Research Service had provided my office estimated federal expenditures for border security of $14 billion for the current fiscal year. Taking into account some degree of overlap, we can reasonably surmise that between $15 billion and $20 billion was budgeted by the Bush administration for what we now call ''homeland defense'' before the attacks on the World Trade Center and the

Pentagon. And this omits the $20 billion from the emergency supplemental and the cost of ongoing military operations intended to eliminate the terrorist threat emanating from Afghanistan, as well as a supplemental appropriations request we will soon receive in the range of $10 to $20 billion.

The budget request for fiscal year 2003 includes $38 billion for homeland security, double the amount for 2002. In addition, the amount budgeted for national defense will be $379 billion, almost all for conventional and special forces. Compare that with the $3 billion we are spending on national missile defense. Clearly, the opponents' claims that other defense and domestic security projects, especially our efforts to deal with terrorism, are suffering because of missile defense are just plain wrong.

How about other weapons programs?

The total costs of any major procurement program can appear daunting. Tactical fighter modernization—the development and acquisition of the F/A–18E/F, the F–22, and Joint Strike Fighter—is anticipated, if we accept CBO's numbers, to cost $350 billion through the year 2020.

To date, we have spent over $10 billion on the V–22 Osprey program, which continues to prove a developmental headache and accidents of which have cost the lives of 30 Marines. The Department of Defense calculates that the V–22 program will cost a total of $38 billion.

These are all high total costs. Taken out of context, they can be exploited by opponents of individual programs. The $350 billion figure for tactical fighter modernization, in particular, has been used to buttress arguments against these aircraft, given the absence of a serious threat to U.S. air superiority.

Such arguments, however, would be misleading. They ignore the imponderables, such as the need to ensure air superiority throughout much of the 21st century, and the fact that procurement costs are spread out over many years. They ignore cost-benefit analyses that demonstrate fewer units required to accomplish missions that require far greater numbers of older, less capable models. They ignore missions assigned to platforms that may not be readily apparent because they do not fit into conventional images of how such platforms are used.

So, it is not persuasive to argue against missile defense based on the seemingly large total cost spent over time.

Finally, what about he argument that other needs go unmet because of what we would be spending on missile defenses? We rarely hear many of these same critics decrying the expenditure of considerable amounts of taxpayer money for porkbarrel projects that contribute neither to national security nor to our economic well-being. I direct my colleagues attention, for example, to the February 6 column by Robert Samuelson in the Washington Post. Samuelson notes that, ''since 1978, federal outlays to support farmers' incomes have exceeded $300 billion.'' Samuelson goes on to write: ''But wait: Congress is about to expand the subsidies. The Congressional Budget Office estimates that new farm legislation would increase costs by $65 billion over a 10-year period, on top of the $128.5 billion of existing programs.''

These figures make what we are spending on national missile defense pale by comparison.

Samuelson's column argues persuasively that the $300 billion in farm subsidies have had no—repeat, no—discernable impact on agricultural production in the United States, on farmer incomes, or on the contraction in the number of small family farms.

My colleague Senator MCCAIN regularly produces lists of items added to spending bills for purely parochial reasons. For example, he identified $3.6 billion worth of pure pork in the current year's defense appropriations bill—an amount exceeding our expenditure for national missile defense. And this is an annual phenomenon and represents just one of the 13 annual appropriations bills, all of which are loaded up with pork every year. Senator MCCAIN estimated that the total spent on pork for fiscal year 2002 equals $15 billion three times the amount historically spent on missile defense programs per year.

As a final thought, when discussing the cost of a national missile defense system, we should attempt to inject a little integrity into the process. The liberal public policy organization, The Center for Defense Information, recently published a report concluding that, since 1983, the United States has spent ''roughly $44 billion'' on national missile defense. The implication is intended to be that we have nothing to show for all that money, and should not spend more. The center further concludes that the cost of a three-site national missile defense system—the nonexistent third site that I mentioned earlier—would ''likely'' cost more than $60 billion.

The $44 billion spent since 1983 on national missile defense amounts to $2.3 billion per year—less than 1 percent of defense spending. The suggestion that we have little or nothing to show for the money spent ignores two very important facts: No. 1, the research and development effort has given us a strong base of knowledge for what is technically feasible; has contributed to the development of the theater and short-range systems such as the Patriot PAC–3 that most of us agree are needed; and has generated a large number of technological spinoffs, for example, in the areas of cancer screening, computer chip production, and laser eye surgery; and, second, to the extent not all of the money was spent to produce a deployable system, we must recognize that, for 8 years, we had an administration vehemently opposed to actually developing and building a system to defend this country against missile attack.

To the extent we did not make as much progress as could have been accomplished, the 8 years that were ''lost'' was because the Clinton administration was committed to the notion that we didn't need missile defenses, that arms control and deterrence would protect us against those who would do us harm. While money was spent on research, there was no commitment to actually deploy a national missile defense system. Adherence to the ABM Treaty, which was considered ''the cornerstone of strategic stability,'' was sacrosanct. As Deputy Defense Secretary Wolfowitz, in response to an inquiry regarding the eventual cost of the Bush administration's missile defense plans, said in his July 12 statement before the Armed Services Committee:

> . . . we have not yet chosen a systems architecture to deploy. We are not in a position to do so because so many promising technologies were not pursued in the past. The program we inherited was designed not for maximum effectiveness, but to remain within the constraints of the ABM Treaty.

That is the real problem.

So in conclusion, there is no question that the cost to build a national missile defense system will be high. Freedom is not free. We do not know the exact cost, both because we are struggling to make up for lost time and we were constrained by an outdated treaty from which President Bush is wisely extricating us. We do not know how many satellites we will need, because political decisions are still to be made regarding the scale of the threat against which a defensive system will be deployed. And we are only now getting a handle on questions that should have been answered years ago, for example, the feasibility of various technologies for interceptors and sensors.

While we don't know precisely how much it will cost to build a national missile defense system, we do have some sense of what it could cost if we don't build one. A nuclear-armed missile targeted against New York City would do far more damage than did the aircraft that struck the World Trade Center. It would, in fact, destroy the city. The ramifications for the people, the whole country, and our national economy would, obviously, be enormous.

Just to try to quantify the fiscal costs, the Congressional Research Service states that most credible projections of the cost to the insurance industry from the September 11 attacks range from $40 to $70 billion. And that's just the impact on the insurance industry. Arnaud de Borchgrave discussed the impact on the economy in a recent column in the Washington Times, stating, ''. . . the accumulated damage to the U.S. and world economies is now thought to be almost $700 billion.'' Obviously, the cost in human lives is incalculable.

The cost of a system to defend against that attack would be minuscule in comparison. In fact, as pointed out, the cost of defending against terrorist attacks employing weapons of mass destruction, or even conventional weapons, far exceeds what we spend on missile defenses.

The missile threat develops faster than does the means to counter it. We are neither spending extravagantly, nor inappropriately. We are seeking to deploy a layered defense that optimizes technologies that have been developed over the past two decades, and that are continuing to evolve.

Opponents of national missile defense are free to continue to oppose the President's plan. That is their right. There is an old saying, though. Everyone is entitled to his or her own opinion; no one is entitled to his or her own facts. Missile defense programs should be discussed with the same respect for context and intellectual honesty that we afford the programs on which the other 98 percent of the defense budget is allocated. Only then, can we make the informed decisions we were sent here to make.

That concludes my remarks on this matter of the cost of national ballistic missile defense. I spoke before on the need for national missile defense, and I will speak in the future on the question of the legal authority of the President to withdraw the United States from the 1972 ABM Treaty.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Madam 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.

Ms. COLLINS. Are we in morning business?

The ACTING PRESIDENT pro tempore. The Senator is correct.

THE MAINE ANNUAL FISHERMAN'S FORUM

Ms. COLLINS. Madam President, last Friday night, I attended the Maine Annual Fisherman's Forum in Rockport, ME. This is a wonderful event that brings leaders from the industry together to talk about problems that the fishing industry is experiencing. We have a wonderful fresh fish dinner and then there is an auction held which annually raises thousands of dollars in scholarship money.

But this year, a shadow was cast over the entire forum. We arrived at the forum only to learn that earlier that day, the National Marine Fisheries Service had unveiled a Draconian response to a Federal lawsuit that had been filed that affects the ground fishing industry. The response proposed by the National Marine Fisheries Service would have a devastating impact on our fishermen in Maine.

The life of a fisherman is already a difficult one. He or she encounters rough weather, and we have suffered devastating losses of life in the fishing industry in Maine. It is a difficult life. They are proud, independent people who ask only that they be given a fair chance to earn a living.

The fishermen of my State have been leaders in pioneering conservation efforts. They understand it is necessary to have some restrictions to preserve the fish stocks for future generations, but when we get into a situation where lawsuits are being filed and Federal regulators respond in a way that is completely indifferent to the needs of the fishing industry, we make the life of Maine's fishermen virtually impossible.

Already we have seen years and years of escalating restrictions that have driven many fishermen out of business, cut the incumbent processors, suppliers, and fish auctions, and strained coastal communities that are the heart of Maine. In fact, 1,200 fishermen have participated in retraining programs, and the Coastal Workforce Board, which runs these programs, estimates that represents only a third of the total number of displaced fishermen.

Since 1995, the ground fishing industry has been limited to only 88 days at sea, a restriction that has been extremely difficult for those in the industry to bear. Nevertheless, they have coped, they have managed to endure, even under the restrictions of only 88 days at sea. Imagine the shock of Maine fishermen when they learned that Federal regulators were proposing to cut in half the number of days they can be at sea.

Furthermore, they have restricted the number of days that can occur during the peak season for fishing. Only 22 of the days can occur during the peak season. This is devastating. Imagine that, our fishermen are being told they can only go to sea for 44 days a year in the Gulf of Maine.

Some Federal regulators in the regulatory community have pointed out that the fishermen would still be allowed to use their full allowance of days during the nonseason months. Those are the months between October and May. Again, I wonder to whom these regulators are talking. Surely they know those months are not practical for a sustained fishing effort. Fishermen encounter low stocks, low prices, and, most of all, hazardous weather.

The restrictions in the proposals put forth by the National Marine Fisheries Service go even further. Each day that a fisherman goes out to sea, no matter how short the trip, even if the fisherman is only out for a few hours, will be counted as a full 24 hours at sea. The proposal also calls for restricted fishing areas.

In short, these restrictions will have a devastating impact on the ground fishing industry in Maine, an industry made up of small, independently owned businesses, an industry made up of proud, independent men and women. They are already struggling to make a living, given all the other restrictions that have been imposed. The NMFS proposal would now make it virtually impossible for many ground fishermen to survive.

It comes as a particular disappointment to me that Federal regulators did not consult with members of the fishing community when they were confronted with this Federal lawsuit. It is so frustrating that the National Marine Fisheries Service ignored the letter I sent them asking that they bring all the stakeholders to the table to work out a response to this lawsuit. Instead, Federal regulators essentially shut our fishermen out of the process, and that is one reason they came up with such an ill-conceived proposal that does not reflect the reality of earning a living as a fisherman in the State of Maine.

The proposal put forth by Federal regulators is even more surprising because it comes at a time when both scientists and fishermen agree that ground fish stocks are rebounding, that the conservation efforts already underway, that the regulatory restrictions already in place are having a beneficial impact.

Again I stress, our fishermen are in the forefront of conservation efforts. They are keenly aware of the importance of rebuilding the fishing stocks. After all, fewer fish mean fewer activities and fewer opportunities for our fishermen to make a living.

In fact, Maine's fishing industry, working together with marine scientists, have been pioneers in the use of conservation techniques and self-regulation in fishing management, but our efforts to rebuild our ground fish stocks are only useful if a ground fish industry remains. Any effort to rebound ground fish stocks must guarantee the survival not only of the fish but of the fishermen.

When I think of the amount of money that has been squandered in costly lawsuits, it is so unfortunate because those are funds that could have been put into research. Those are funds that could have been used to bring everybody to the table to work out and devise a commonsense solution to the problems of rebuilding the fishing stocks.

Let me give an example of what the impact will be on one fisherman in Maine. I heard from a fisherman named Sam Viola about this issue. Sam is a fisherman from Portland, ME, who owns two 70-foot draggers and fishes for haddock, hake, and cod. His brother is a fisherman, as was Sam's dad. That is typical in Maine. Families, generation after generation, will go to the sea to earn a living.

Sam said that finally, after years of scraping by due to catch restrictions and limits on fishing days per year designed to restore the ground fishery, he

has been able to make a living to support himself and his family. He believes the seas are now teeming with fish. He has seen such a rebound in the stocks, and he is very worried that the latest regulations proposed by the National Marine Fisheries Service will put him and many of his fellow fishermen out of business.

I share the grave concerns of the responsible fishermen such as Sam and those fishermen with whom I talked on Friday night at the annual fisherman's forum. They are good people. They know the sea better than any regulator in Washington, DC. How unfortunate it is, how wrong it is, that Federal fishing regulators did not involve the people who know the Gulf of Maine the best: The fishermen who are out there earning a living.

I am going to be working with my colleagues in both the House and the Senate and particularly with Maine's senior Senator, Ms. OLYMPIA SNOWE, who is the ranking Republican on the subcommittee with jurisdiction over this issue, to develop a plan, to develop an alternative approach that recognizes we can both support our fishermen and have the seas teeming with fish.

It is a false choice to say our fishermen can only go to sea half the number of days that they are now allowed, a restriction that is already extremely difficult for many fishermen and their families to accept. These further restrictions, the new approach proposed by the National Marine Fisheries Service, I fear, will spell the end for many Maine fishermen. It will make it simply impossible for them to earn a living; the restrictions are so onerous, so unreasonable, and so strict.

We need a different approach, and I believe if Federal regulators had only taken the time to involve the experts in the industry, the men and women who are fishing in the Gulf of Maine, we would have come up with a far better approach, an approach that would not only continue the process of rebuilding the fishing stocks in Maine, in the Gulf of Maine, but also would allow our hard-working, proud, and independent fishermen to earn a living.

This is an issue on which I will continue to be working with the Chair and others.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

TEXAS INDEPENDENCE DAY

Mrs. HUTCHISON. Mr. President, today, as I have done every year I have been in the Senate, I want to especially commemorate the anniversary of Texas independence. Many know—many do not know—the history of Texas, but I am very proud of the heritage we have. Texas is the only State that came into the Nation as a nation. There was a treaty that was made between the United States and the Republic of Texas for Texas to come into the Union. The freedom the Texans got in 1836 was hard fought and it was a long time coming. They were a part of Mexico. The Mexican Government was becoming more oppressive, and they were taxing the people, they were not giving them religious freedom, and they finally passed a law that said no one could emigrate from the United States into the Texas territory of Mexico.

So the people rebelled. They had to fight for their independence, and one of the most famous battles in the history of our country was the Battle of the Alamo.

I commemorate Texas Independence Day, which is March 2, every year, by reading the letter from William Barret Travis, that has become very famous, as he was holding down the fort at the Alamo. This was at a time when the convention was meeting at Washington-on-the-Brazos to make the formal declaration of independence from Mexico for Texas. My great, great grandfather was one of the delegates to that convention. He represented Nacogdoches, just as Thomas Rusk did.

Thomas Rusk was the first Senator to hold my seat. He and my great, great grandfather, Charles S. Taylor, were very good friends. They were partners, and they were certainly patriots in the fight for freedom for Texas.

It is with that background I would like to read the letter from William Barret Travis, remembering there were 184 Texas rebels in the Alamo at the time. There was a huge army of Santa Ana's out there, and this was the second day of the siege of the Alamo, February 24, 1836.

Fellow citizens and compatriots: I am besieged by a thousand or more of the Mexicans under Santa Ana. I have sustained a continual bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken. I have answered the demands with a cannon shot, and our flag still waves proudly from the wall. I shall never surrender or retreat.

Then, I call on you in the name of liberty, of patriotism and of everything dear to the American character, to come to our aid, with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to three to four thousand in four or five days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country—Victory or Death.

William Barret Travis, Lt. Col, Commander.

It turns out there were 3,000 to 6,000 Mexican soldiers. They did take the Alamo, which did not have reenforcements. Gen. Sam Houston decided it would be a waste of manpower to send reinforcements because he thought the cause was lost. Those 184 men were able to hold off the Mexican Army for days, and that allowed Gen. Sam Houston to gather his forces. The Declaration of Independence was signed on March 2, 1836, and because he was able to marshall the forces after the Alamo and take a stand at San Jacinto, that is where the war was won and the Republic of Texas was formed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MURKOWSKI. Mr. President, I ask unanimous consent I be allowed to speak for 10 minutes as in morning business

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

ELECTION REFORM

Mr. MURKOWSKI. Mr. President, I understand we are going to be going back to a vote pretty soon relative to the issue of antifraud provisions associated with election reform. We all have different views on this issue. I can certainly recognize and support the simplicity of encouraging voters to have a relatively easy method to vote and register. However, Mr. BOND, the Senator from Missouri, has made quite a point of how fraud occurs. I gather we have seen scams, particularly in Missouri, relative to voter fraud, registering dead neighbors and diseased alderman, and in one case a dog that evidently voted several times and the jig was up when the dog was called for jury duty.

A system that allows that much flexibility is a little too flexible. I hope we address reasonable requirements to encourage people to vote but have reasonable identification so we do not have fraudulent activities such as the dog that was called to jury duty.

IRAQ

Mr. MURKOWSKI. Mr. President, I came to the floor last week to talk about Iraq. I indicated that U.S. forces enforcing the no-fly zone since 1992 were fired on for the second time this year. Of course, our forces responded by destroying an Iraqi air defense group north of Baghdad. This is a continuing commitment we have had to enforce a no-fly zone under the U.N. proclamation over Iraq.

The inconsistency is that, on one hand, we are enforcing this no-fly zone; on the other, we are importing oil from Iraq. Even on September 11, when the attack on the Trade Centers occurred, we were importing a little over 1 million barrels of oil a day from Iraq. Today we import some 875,000 barrels. We are enforcing a no-fly zone, putting

the lives of our men and women at risk, yet we are becoming even more dependent on that part of the world for our oil supply.

As I indicated, this is the second time this year we have bombed Iraq, taking out targets. We are off to a troubling start. Last year, Iraq shot at U.S. forces enforcing the no-fly zone some 400 times. We responded with a like force some 25 times. On one hand, we make a fist at Iraq; on the other, we want to take their oil.

As I indicated, in September there was more than a million barrels. This is a point that I think has been lost to some extent, but it has not been lost on the brave men and women who enforce this no-fly zone each day.

I would like to read a passage I found in today's National Journal. It quoted BG Edward Ellis, Commander, Northern Watch, Combined Task Forces. He says very eloquently:

> I know the rules of engagement are sometimes frustrating for my pilots, whose natural reaction when they get shot at is to want to do some leveling, leveling of something. But anyone who thinks that military action shouldn't be governed by political constraints is naive. The political reality is we're not at war with Iraq at this point, and if we reacted harshly, we could force the hand or limit the options of U.S. policymakers who are trying to figure out what to do about Saddam Hussein.
>
> Having said that, I do think there is merit to the argument that the policy makers might want to address this issue sooner than later, because of the inherent jeopardy of this mission.
>
> Saddam has put a bounty on our heads.
>
> The bottom line is, we continue to fly and the Iraqis continue to shoot at us. Nobody should be especially surprised if eventually they happen to hit something.

That comes from BG Edward Ellis, Commander of the Northern Watch, Combined Task Forces.

Our Nation was built on the premise that statesman and soldier are two different professions. But in this instance, I hope my colleagues will make a note of the warning of General Ellis from the front lines, that perhaps his wisdom will guide us to make the right choices for dealing with Iraq and certainly the right choices about our dependence on Iraq; that is, to substantially eliminate that dependence and reduce our dependence on imported oil through the Mideast.

I was also struck by a Gallup Poll that came out the other day. It was in USA Today and a number of our national periodicals. I am told it was the most comprehensive poll on Muslim countries and their views with regard to America. They polled people in Pakistan, Indonesia, Lebanon, Jordan, Morocco, Iraq, Saudi Arabia, and Kuwait. I don't know about you, Mr. President, but when I read those results they were frightening, and they should give us pause. Residents of these countries viewed America unfavorably by a 2-to-1 margin. Some of these countries are supposed to be good friends of ours, but their views and their people's attitude towards us certainly doesn't show it.

Friends or not, we get a lot of energy from this area, and I think we have become dangerously reliant upon them. Let's look at the numbers: 61 percent of the residents of those countries, in polling information from Gallup, suggest that the Arabs were not responsible for 9–11. In other words, those who carried citizenship from those countries, they bear no responsibility. Only 18 percent of the people in these countries believe that Arabs were even involved in the terrorism that took place on September 11.

In Kuwait, 36 percent said the attacks were justifiable, the highest number of any country. That is rather troubling to me because we only have to go back to 1992 when we fought a war to keep Saddam Hussein from invading Kuwait and going on into Saudi Arabia. Here is Kuwait, 36 percent of the people say the attacks were justifiable. If it were not for our action, Saddam Hussein would be in Saudi Arabia today; he would have taken over Kuwait.

Only 9 percent say U.S. military action in Afghanistan is justified. Let me say that again. Only 9 percent, according to the Gallup Poll, say U.S. military action is justified even though the people of Afghanistan were happy, in our view at least, to throw off the yoke of the Taliban and al-Qaida that was strangling them to death, certainly, in our opinion, using that country as a clubhouse for gangsters and terrorists.

I am appalled by these figures. I am worried and I think it should bother all Members of this body. Why? Because we are too dependent on these countries that clearly have a different view of the United States. The poll shows the United States has a 16-percent approval rating in Saudi Arabia. I hope that irony is not lost, that we also get 16 percent of our oil from Saudi Arabia.

What are we going to do about it? The governments of some of these countries are friends of ours, but what about the people? The Gallup Poll shows that, despite our money, our aid, our support, they either don't like us or they don't trust us, or both.

What really concerns all of us is the manner in which this lack of trust, this hatred, is fostered within these countries. We know that fundamentalist schools in some of the Muslim countries do not necessarily preach democracy. We have heard about these schools, where they teach youngsters to hate western ideas, western democracy, and especially America. The real concern is they are teaching some of these young people who are going to be the leaders of tomorrow. These are youngsters who might grow up believing that dying while killing an American is a great thing. These are the young people who will not forever be satisfied with their government's sending them to schools. They will want to take the power themselves from what they learned. As we know, children are very impressionable.

What I am concerned with today is what this leadership could become. I am also concerned at the lack, in this body, of a concentrated effort to reduce our dependence on oil from that part of the world. We are sending money to Saddam Hussein every day for oil—somewhere in the area of $15 million every day.

Our President has taken a strong stance for energy independence, against terrorism, recognizing that we can't eliminate that dependence but we can reduce it.

I think the Gallup Poll numbers are so true. I think it is also true that we should reflect, at this crucial time, on our relationship with Iraq, particularly our knowledge that Saddam Hussein has been able to evade the monitoring activities of the United Nations within Iraq, particularly recognizing that we have not had any inspectors there under the U.N. for nearly 4 years, particularly in view of the fact that we have evidence that shows he has a missile capability, a delivery capability, and that he may be working towards a biological and/or nuclear warhead.

Where is he aiming? We know Israel is one of the countries within his sights. The question is, When do we address and resolve, if you will, what this threat might become? Do we initiate, through a mandate, inspections that occur immediately? And what kind of reaction can we expect from Saddam Hussein? Clearly, the U.N. is unable to do its job, but this threat is increasing. It is being fostered by dollars from the United States that we pay Saddam Hussein for his oil at the same time we are bombing him and taking out his targets. He is using the money to keep his Republican Guard alive. He is obviously using the money to develop his missile capability.

The question is, How do we begin to unwind Iraq? What is it going to take? Do we wait for an action that costs American lives? This is a very sobering question, but I cannot stand in this body and condone our continued dependence on oil from a neighbor such as Saddam Hussein.

I challenge the leader, who has previously given me his assurance that we would be able to address in this session an action that would be initiated against Iraq, Senate action expressing not only our displeasure but setting up the mechanics to ensure that we did not purchase any more oil from Saddam Hussein. We can do that, just as we initiated action against Iran, from which the United States has not had any oil for many years. Basically, what we are talking about is a sanction. We have sanctions against Libya. We have sanctions against Iran. But I find it very frustrating that we have not gone forth and sanctioned Saddam Hussein and oil imports coming to the United States from Iraq.

As I mentioned some time ago, when we had the unanimous consent agreement—and the RECORD will show that the leader allowed me an opportunity to bring this matter up at the appropriate time—I will again bring this

matter up with the leader for his consideration. I think the time is right to initiate such action of a sanction against oil from Iraq.

We find ourselves in a situation where not only are we enforcing a no-fly zone but we are taking out targets when he attempts to take us down, suggesting that it is certainly not in the national interest of our Nation to maintain this kind of relationship. I will be calling on the majority leader to honor his commitment to me to allow us to take up a sanction against Iraq. I suggest we do it as soon as possible.

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

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

HEINZ AWARDS

Mr. SPECTER. Mr. President, after the sudden and untimely death of our colleague—and my friend—Senator John Heinz, in 1991, his wife, Teresa Heinz, set about devising a suitable and characteristic memorial to his memory. As she has said, such a task is especially difficult when the goal is to honor someone as complex and multifaceted as Senator Heinz was. She realized that no static monument or self-serving exercise in sentimentality would do, and that the only tribute befitting Senator Heinz would be one that celebrated his spirit by honoring those who live and work in the same ways he did.

Those of us who had the privilege of knowing Senator Heinz remember, with respect and affection, his tremendous energy and intellectual curiosity; his commitment to improving the lives of people; and his impatience with procedural roadblocks when they stood in the way of necessary progress. For Senator Heinz, excellence was not enough; excellence was taken as a given. What made the difference was the practical—and, yes, pragmatic—application of excellence to the goal of making America a better nation and the world a better place. Although John Heinz thought and worked on a grand scale, he understood that progress is more often made in small increments: one policy, one program, even one person, at a time. We also remember the contagious enthusiasm and palpable joy with which he pursued his goals and lived his life.

Teresa Heinz created the Heinz Awards to celebrate and carry on these qualities and characteristics—five awards in each of five categories in which John was especially interested and active during his legislative and public career: Arts and Humanities; the Environment; the Human Condition; Public Policy; and Technology and the Economy. In each of these areas, the Heinz Awards recognize outstanding achievements. In fact, the annual Heinz Awards are among the largest individual achievement prizes in the world.

The six men and women who are being honored with this year's Heinz Awards—the eighth annual Awards—have just been named. They are a distinguished and accomplished group of men and women whose lives and work have truly made a difference.

This year the Arts and Humanities Heinz Award is shared by Dudley Cocke and Rick Lowe. Mr. Cocke, with his Roadside Theater company based in Whitesburg, KY, has worked in hundreds of communities in 43 States. He is a leader in the movement to cultivate locally based art all across America. Mr. Lowe is an artist and activist who founded Project Row Houses in Houston as a way to bring a world-class art project to a low-income neighborhood where such art is rarely seen and experienced.

The Heinz Award in the Environment is conferred on Dr. Jane Lubchenco. An expert in biodiversity, conservation, and global change, Dr. Lubchenco, of Oregon State University, is one of the most influential and respected voices in environmental policy.

Cushing Dolbeare receives the Heinz Award for the Human Condition. For five decades, as many members of this House well know, Ms. Dolbeare, the founder of the National Low Income Housing Coalition, has worked across party lines to make low-income housing a government priority. I am proud to say that Ms. Dolbeare is a resident of Philadelphia, PA, my home city.

The Heinz Award for Public Policy is awarded to retired Air Force General Lee Butler, of Omaha, NE. General Butler's efforts to end nuclear proliferation and change America's nuclear deterrence policy, have resulted in increased global awareness of the threat of nuclear war and nuclear weapons.

Dr. Anita Borg, of Palo Alto, California, receives the Heinz Award for Technology, the Economy and Employment. The creator of the ''Systers'' information-sharing Internet network for women, she has been in the forefront of promoting women's participation in the advancement and uses of technology, and particularly computing.

Occasionally the Heinz Awards program bestows a special honor—the Chairman's Medal—on a truly exceptional nominee whose career has been distinguished by a pattern of singular accomplishment and character. This year a Chairman's Medal has been awarded to Dr. Ruth Patrick—who is, I am again proud to say, a resident of Philadelphia, PA—who is truly a scientific pioneer. Still actively working and contributing at the age of 93, Dr. Patrick is one of the world's leading biologists and a pioneer in predicting ecosystem risks at a time before such risks were a part of general scientific knowledge. I had the opportunity to meet with her relatively recently, and she is really a dynamo at 93.

I know that every Member of this body joins me in saluting Teresa Heinz for creating such an apt and appropriate way of honoring the memory of our late colleague; and also in congratulating these distinguished Americans, recipients of the eighth annual Heinz Awards, for the way their lives and contributions have—and continue to—carry on the spirit and the work of Senator John Heinz, and have helped to make America, and the world, truly a better place for all of us.

I yield the floor. In the absence of any other Senator in the Chamber, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EQUAL PROTECTION OF VOTING RIGHTS ACT OF 2001

The PRESIDING OFFICER. Under the previous order, the hour of 6 p.m. having arrived, the Senate will now resume consideration of S. 565, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 565) to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal election, and for other purposes.

Pending:

Clinton amendment No. 2906, to establish a residual ballot performance benchmark.

Dodd (for Schumer) modified amendment No. 2914, to permit the use of a signature or personal mark for the purpose of verifying the identity of voters who register by mail.

Dodd (for Kennedy) amendment No. 2916, to clarify the application of the safe harbor provisions.

Hatch amendment No. 2935, to establish the Advisory Committee on Electronic Voting and the Electoral Process, and to instruct the Attorney General to study the adequacy of existing electoral fraud statutes and penalties.

Hatch amendment No. 2936, to make the provisions of the Voting Rights Act of 1965 permanent.

Schumer/Wyden amendment No. 2937, to permit the use of a signature or personal mark for the purpose of verifying the identity of voters who register by mail.

Smith of New Hampshire amendment No. 2933, to prohibit the broadcast of certain false and untimely information on Federal elections.

Bond amendment No. 2940 (to Amendment No. 2937), to permit the use of signature verification programs to verify the identity of individuals who register to vote by mail.

The PRESIDING OFFICER. Under the previous order, the time until 6 p.m. shall be equally divided between the Senator from Connecticut, Mr. DODD, and the Senator from Kentucky, Mr. MCCONNELL, or their designees.

Who yields time?

If no one yields time, time will be charged equally to both sides.

The Senator from Oregon is recognized.

(Ms. CANTWELL assumed the chair.)

Mr. WYDEN. Madam President, in a few moments, the Senate will vote once again on cloture with respect to the election reform bill. I come to the floor to take a couple of minutes to say that, once again, Oregon's two Senators will be working together on a bipartisan basis to try to protect the voting rights of folks who, in a small State 3,000 miles from here, have come up with a system that I think can be a national model. It has empowered Americans. It empowered the people of our State—like, essentially, no other—in the Senate special election that was held in 1996, when three times the level of voter interest was shown as was shown in the previous Senate special election.

My colleague, Senator SMITH, lost in that election by a small amount. He waged a valiant campaign. He has become a colleague with whom I have worked very closely. To his great credit, after an election that I won narrowly, he made it clear there were no instances of fraud or flagrant violations that tainted the election. That is why the two of us, on a bipartisan basis, feel so strongly about protecting Oregon's election rights.

I see another northwesterner in the Chamber and currently presiding. I know the occupant of the chair feels strongly about protecting the rights of those in Washington State who vote by mail.

We are willing to meet our colleagues on the other side more than halfway. We have said that from the very beginning. Northwesterners are not a part of the Rules Committee. We have tried very hard to work with our colleagues. I have believed for some time that there is the framework of a compromise that could address the concerns of those on both sides. The senior Senator from Missouri makes a good case that more does need to be done to address fraud. I think the appropriate time to do that is in the registration process—what is essentially the front end of the voters' involvement in the political process. I am willing to meet him more than halfway in addressing those concerns.

The chairman of the Rules Committee, Senator DODD, has worked on a variety of compromises to try to address the concerns of our colleagues on both sides of the aisle, and he and I are going to continue to do that. But we do have to voice our strong objection to gutting a system that is working, that has empowered thousands and thousands of voters.

Unfortunately, if we go forward today with the bill as written, it will do great damage to those States that do vote by mail. Every review of the disputed 2000 election showed that there were a variety of errors with punchcard voting machines. But what we want to do is address those concerns and not roll back the clock, which is what you would do if you did damage to States that vote by mail. We think our signature verification process is a good one. It is one that has been in place to ensure that there are not those who would engage in fraud. At the end of the day, we think voting by mail—the process used exclusively in Oregon—is not one that should be thrown overboard to deal with problems of fraud in other parts of the country. We have a system that works. We have a system that empowers the people in our State. It is not a system riddled by corruption.

I am going to yield the floor now because I see the chairman of the committee and ranking minority member here. Both of them have been very helpful in working with this Senator. I want them to know that, however the vote turns out, I am going to continue to work with them. I assure them, having just spoken with my colleague, Senator SMITH, tonight as well, that he and I are working right now on ideas to address the concerns of both sides of the aisle to get over this Oregon issue. Oregon's two Senators are united on a bipartisan basis to address this concern.

Mr. SPECTER. Mr. President, at 6:15 this evening, the Senate will vote on cloture, that is to cut off debate on a pending amendment which would permit voting on a signature alone. This has been a contentious subject because there are those who contend that it ought to be that easy for somebody to vote, contrasted with others of us who believe that simply on a signature it is insufficient to avoid fraud.

The underlying bill on election reform is a very important bill. There is no need to recount what happened in the Presidential election of the year 2000, with special emphasis on Florida, to emphasize the need for reform of the voting process, to bring modern technology into play, to avoid the chads and the dimples, and to find a way to have voters' intent recorded honestly and completely.

The drafters of the underlying bill have worked very hard on all aspects of it, including ways to deal with this question of fraud. They came up with a compromise which said somebody could be accorded the right to vote if there was a photo identification, or if the individual had some other document which showed that person was in existence, such as a utility bill or a bank statement or a government check or a generalized provision or any kind of a document which is similar, to show that a voter, ''Mr. John Voter,'' ''Mrs. Jane Voter,'' actually was in existence.

The reason for this procedure to avoid fraud is that many people have been on the rolls who were not in existence: names from decedents, names from nonexistent people, and animals that were represented to be named people. In an effort to be funny, I think the latter reference has sort of denigrated the subject, which is really very serious.

But my view is, the requirement for some document to show that a person is in existence is minimal and necessary. I say that based on the experience I have had as District Attorney of Philadelphia in prosecuting vote fraud.

The distinguished Presiding Officer comes from the State of Delaware, which is pretty close to Philadelphia. It is widely known that in a rough, tough political city, such as Philadelphia, there is a lot of vote fraud. It happens to be a fact of life.

During my 8 years as District Attorney of Philadelphia, from the 1960s into the 1970s, I prosecuted many people for vote fraud in both political parties—Republicans and Democrats. It is a very serious problem.

But if you have someone who can vote simply on a signature, then that person can register with a signature. Someone could register as ''Mr. John Voter'' with a signature, and it being on file on the voters' rolls, later they could mail in a vote, ''Mr. John Voter,'' which is the same signature and that person may not be in existence at all.

I had a little discussion on Friday with the Senator from Oregon about this subject and made the point that, it is a case which cannot be successfully investigated or cannot be successfully prosecuted. You simply have to have an identity of a person whom you can locate to serve a warrant of arrest and to bring into court and to prosecute. But if there is no such person as ''Mr. John Voter,'' if it is a name which is fictitious, backed up only by the signature on registration or the signature on voting, you simply can't prove it.

The Senator from Oregon brought up one illustration: Somebody who boasted about having done it. Well, if you have a confession, you can prosecute, if you establish the corpus delicti as well, but that is so highly unusual and so unrealistic in dealing with the underlying problem, as not to require extended refutation.

On Friday morning, I heard on the radio the voice of the majority leader objecting to the position taken that there ought to be some document identifying the name with the voter, saying that Senator BOND, who has been the major proponent of the position I have articulated—that Senator BOND was insisting on photo ID, which is not the

case. The underlying bill does not insist on photo ID. If it did, I would have a different position. It requires and insists only on a document which shows the identity and some document showing the person is in existence.

I noted the Senator from New York, Mr. SCHUMER, was quoted over the weekend saying that if his amendment, the one which is pending now on the cloture vote, is not accepted, that we go ahead and pass the underlying bill. It is my hope that the majority leader, who controls the calendar, will leave the bill up and have it passed.

Democrats have had a majority on the committee. They reported this bill out in its current form, which, as I say, is a carefully crafted compromise. It is my view that the bill in that posture ought to be acted upon by the full Senate and ought to be enacted, even if the Schumer amendment is not part of the bill because cloture cannot be obtained on the amendment.

I yield the floor.

AMENDMENT NO. 2937, WITHDRAWN

Mr. DODD. Madam President, I am about to make a unanimous consent request on behalf of the Senator from New York and the Senator from Oregon, so we can move and get to the cloture vote. I thank all of those who have worked over the weekend and all day today. We are down to an issue or two—maybe one, frankly. I hope we can resolve that.

In order to demonstrate the good faith we have in this effort, I ask unanimous consent—and I have spoken with Senator SCHUMER—that the Schumer-Wyden amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DODD. Madam President, we have made some great progress today. In fact, we have pretty much agreed on a package dealing with issues such as the uniform standards, the savings clause, and several other items. I will not go through them now. I will provide a litany of what we have agreed upon afterwards. We are down to maybe the issue of Oregon and Washington. In order to get us moving along, and rather than trying to write that last piece here tonight, we wanted to indicate to our colleagues where we were on this issue. This place works on comity, and we have to rely on good-faith commitments. I am satisfied that what we have agreed to today will be part of a final package. I turn to my colleague now.

Mr. MCCONNELL. Madam President, I thank my good friend from Connecticut for withdrawing the Schumer amendment. That is certainly a step in the right direction. I echo his observations that even though, after the cloture vote, I understand we may be going to energy, we are close to passing an election reform bill of which I think Members on both sides of the aisle can feel proud. I have assured my friend from Connecticut that we are going to work to pare down the remaining amendments on our side. I know he is going to be doing the same thing.

We believe there are only a few issues that are serious, and, hopefully, we will be able to say to the majority leader soon that we have the ability to put together a agreement that we can bring this up and, hopefully, dispose of it in half a day.

Mr. DODD. Madam President, I know the Senator from Oregon may want to make additional comments. I agree with those sentiments, and our message would be to both sides and the media that this has been very productive. This is a complicated issue. It obviously involves local communities, States, up to the Federal Government, in the decisionmaking process.

It has not been easy to pull this all together. We are on the brink of doing something very worthwhile, something very historic, as we both described over the last number of months. The decision to set this aside while we move to energy—normally one might say that is a death knell. I have been assured by the majority leader, who cares deeply about this issue, that as soon as we have a package that we can bring forward, which I am convinced we can, we will get to that matter and resolve it.

This is not putting it on a side track where it will languish in the coming weeks. We intend to work intensely over the next several days to bring back an agreement, hopefully the end of the week.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Madam President, I want to mention to my colleagues on this side of the aisle the vote we are about to have at 6:15 p.m, hopefully, will be the same vote. It is a vote to oppose cloture, even though we are toward the end of this bill. The reason is, we have not been able to figure out which of our amendments will be shut out by the invocation of cloture. I urge my Republican colleagues to, once again, vote no on cloture, while at the same time saying I think we are very close to wrapping up this bill, as the Senator from Connecticut and I have previously outlined tonight.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I will be very brief.

Mr. DODD. Madam President, I want to yield to our colleague from New York, whose amendment I just withdrew on his behalf.

The PRESIDING OFFICER. The Senator from Kentucky controls the remainder of the time.

Mr. SCHUMER. Madam President, I ask unanimous——

The PRESIDING OFFICER. The Senator from Kentucky controls the time.

Mr. MCCONNELL. Madam President, how much time do I have?

The PRESIDING OFFICER. Three minutes.

Mr. MCCONNELL. I yield a minute and a half to the Senator from New York.

Mr. SCHUMER. I do not mind if the Senator from Oregon speaks first for 1 minute. He needs another minute, and I will take the remaining 2 minutes.

Mr. MCCONNELL. The remaining time I have I yield in equal division to the Senators from Oregon and New York.

Mr. WYDEN. Madam President, I thank my friend from Kentucky. I will be brief. I want it understood tonight that in the withdrawal of this amendment, I am doing this as part of a good-faith effort to find common ground with my colleagues. The people of Oregon feel so strongly about this issue that I could not let this bill go to final passage until it protects Oregon's election rights, but I would like to advance the consideration of the legislation by this body. That is why I am not objecting tonight.

Senator SMITH and I will continue to work with our colleagues on a bipartisan basis to address this issue. I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, if the Senator from Connecticut has not asked unanimous consent to withdraw the amendment, I do, or concur in that request.

I wish to make three points. First, it is the strong view of those of us on this side—certainly of me—that while this amendment has a great deal of merit, the bill is more important than the amendment. I am willing to withdraw it not because I think any deal was broken; it was clearly not. We all had agreed there would be amendments and, in fact, it is our side's understanding there was an agreement that the Gregg amendment would be accepted and there would be a vote without a filibuster. That was explicit. If anything, if any deal was broken, it was done on the other side.

Two, the amendment is an important amendment because there are, as I mentioned in my speeches, hundreds of thousands of people, if not millions, for whom it will be much harder to vote. This amendment would have made it easier for them to vote without increasing fraud by very much. We believe in the amendment, and we will try to deal with this issue in some other way, in some other form.

Third, the bill is an excellent bill. The Senator from Connecticut, the Senator from Kentucky, the Senator from Missouri, and myself have spent a great deal of time on it. It will improve elections. It will do a lot to prevent the Floridas from happening and the 2000s from happening. I think it would be wrong to let the entire bill go down because of this worthy amendment. Therefore, I have no problem in withdrawing it to move the bill forward. That is something each of us is called upon to do: To see things go forward for the legislative process and avoid gridlock.

I will withdraw the amendment if it has not been withdrawn already. If it has, I concur in the withdrawal.

The PRESIDING OFFICER. The amendment has been withdrawn.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the time of 6:15 p.m. having arrived, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on S. 565, the election reform bill:

Christopher Dodd, Harry Reid, Charles Schumer, Ron Wyden, Debbie Stabenow, Patty Murray, Tom Daschle, Jeff Bingaman, Daniel Inouye, Carl Levin, Max Baucus, Joe Biden, Pat Leahy, James M. Jeffords, Barbara Mikulski, Bob Graham, Edward M. Kennedy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 565, the election reform bill, shall be brought to a close? The yeas and nays are required under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from New Jersey (Mr. TORRICELLI) is necessarily absent.

Mr. NICKLES. I announce that the Senator from Alaska (Mr. STEVENS), the Senator from Virginia (Mr. WARNER), the Senator from Arkansas (Mr. HUTCHINSON), and the Senator from Virginia (Mr. ALLEN) are necessarily absent.

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

The yeas and nays resulted—yeas 51, nays 44, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—51

Akaka	Dodd	Levin
Baucus	Dorgan	Lieberman
Bayh	Durbin	Lincoln
Biden	Edwards	Mikulski
Bingaman	Feingold	Miller
Boxer	Feinstein	Murray
Breaux	Graham	Nelson (FL)
Byrd	Harkin	Nelson (NE)
Cantwell	Hollings	Reed
Carnahan	Inouye	Reid
Carper	Jeffords	Rockefeller
Cleland	Johnson	Sarbanes
Clinton	Kennedy	Schumer
Conrad	Kerry	Smith (OR)
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wellstone
Dayton	Leahy	Wyden

NAYS—44

Allard	Domenici	Kyl
Bennett	Ensign	Lott
Bond	Enzi	Lugar
Brownback	Fitzgerald	McCain
Bunning	Frist	McConnell
Burns	Gramm	Murkowski
Campbell	Grassley	Nickles
Chafee	Gregg	Roberts
Cochran	Hagel	Santorum
Collins	Hatch	Sessions
Craig	Helms	Shelby
Crapo	Hutchison	Smith (NH)
DeWine	Inhofe	Snowe
Specter	Thomas	Thurmond
	Thompson	Voinovich

NOT VOTING—5

Allen	Stevens	Warner
Hutchinson	Torricelli	

The PRESIDING OFFICER. On this vote the yeas are 51, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from South Dakota.

Mr. DASCHLE. Madam President, I am sure I share the disappointment of a number of our colleagues in our inability to come to some closure on this legislation. But I will say the good news is the distinguished Senator from Connecticut, the manager of the bill, and the Senator from Kentucky, his comanager, have agreed to continue to attempt to work out what remaining differences exist.

I will also say, because so much good work has been done, it is my strong desire to bring this bill to a successful completion. We are going to do that. I have made a commitment to Senator DODD and to all of our colleagues that at such time as we have been able to work out procedurally a way to resolve these final matters, we will bring the bill back under a unanimous consent agreement.

So when that unanimous consent agreement is reached, it is my desire and my commitment to renew the debate on this issue. This is too important to let go. It is too important not to find some final resolution to the remaining questions.

We spent a lot of time on this bill. I don't want to lose that investment in time and effort. Obviously, the stakes are quite high. We recognize those stakes. We recognize the effort made. We recognize the progress we have made in the last couple of weeks. We are just not quite there yet.

But as I have noted on several occasions, it is my strong desire to go to the energy bill. That will be what we do tomorrow. I hope Senators will be prepared to come to the floor midmorning, 10 o'clock. We will begin the debate on energy. I am sure there will be opening statements, and we will begin entertaining amendments. I hope Senators are prepared to have a good debate about energy. We will hopefully resolve that issue and move to other questions.

It is my expectation that if some agreement has not yet been reached on the campaign finance reform bill, I will be asking unanimous consent to take that up as well. It will be the only thing that would take us off the energy bill prior to the time we complete it. But my hope is we can reach some agreement procedurally on the campaign finance reform bill as well. If not, of course, when we resolve these issues, if we can resolve them, on energy, my intention is to move to the campaign finance reform bill.

So we have a full agenda over the course of the next 3 weeks. Energy begins tomorrow. Hopefully campaign finance reform and election reform can also be addressed successfully before we complete our work in this work period.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate now proceed to a period of morning business with Senators permitted to speak for not to exceed 5 minutes each.

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

CELEBRATING BLACK HISTORY MONTH FEBRUARY 2002

Mr. REID. Mr. President, every February our Nation celebrates Black History Month to recognize the contributions that African Americans have made to America. It provides us with a special time to commemorate the accomplishments of African Americans and reflect upon their role in our country's diversity and growth. I believe it is important to acknowledge the vision of leaders such as Frederick Douglass, Martin Luther King, Jr., and Thurgood Marshall and the efforts of countless others who struggled to bring down the barriers of inequality in this country. They confronted enormous obstacles to make life better for future generations and for all Americans.

As we reflect upon our Nation's history, we see that America has made great strides in improving the status of ethnic and racial minorities. Today African Americans are leaders in our communities, the arts and sciences, and the business world. We no longer accept legal discrimination in any form. We no longer allow the use of poll taxes that prohibited African Americans from voting. And we no longer tolerate discrimination in public accommodations, such as water fountains, lunch counters or movie houses reserved for whites only.

While taking pride in how far we have come, we must recall the painful memories of segregation and intolerance in the not so distant past. Up until the 1950's, casinos and hotels in my own State of Nevada, like many public accommodations did not welcome blacks. But when the Moulin Rouge opened its doors in Las Vegas in 1955, African Americans were received warmly. There they could find lodging, enjoy the casino and see the best entertainers of the day. The Moulin Rouge became one of our Nation's first major interracial hotels and paved the way for the integration of all of Nevada's

casinos. I support efforts to preserve the Moulin Rouge as an important part of African American history in Southern Nevada.

In addition to making political and social gains, blacks are now enjoying unprecedented economic success. African-American unemployment and poverty levels are at record lows. There continues to be a significant rise in African American home ownership and a dramatic increase in loans to African American entrepreneurs.

Despite all of our progress as a society expanding opportunities for all, I know we can do better. We still have more work to do and more challenges we shall overcome.

The population of blacks and other minorities continues to increase and flourish across America, but African Americans often lack the services and resources they need to receive a quality education and in turn to achieve a better place in society. Nearly half a century after Brown v. Board of Education, most minority students still attend schools that are predominantly minority. On average, they are in larger classes, use older books, receive less challenging lessons and have teachers with less training in the subject being taught.

Fortunately, Congress passed a bipartisan ''Leave No Child Behind'' education reform package, which became law this year to correct these inequities by making sure that well-trained teachers are in every classroom, setting higher standards for all students and providing schools with the resources to meet these new standards. To continue improving the quality of education and expanding opportunities for all Americans, our next step must be to raise the standards for safety, character and discipline in our schools.

Although our nation has made substantial progress, blacks still lag behind financially and are disproportionately represented among America's poor. Congress should increase the minimum wage not only to help youths and African Americans but all of our Nation's citizens, especially working single mothers, better meet the needs of their families. In addition, providing unemployment and health care benefits for those who have been hindered by the recession, will help dislocated workers and their families get back on their feet and continue to improve their lives. We also need to find creative, effective ways to narrow the earnings gap between whites and African Americans.

Making these improvements will take the dedication of all Americans. Black History Month is an appropriate time to recognize those helping America move forward. I would like to pay particular tribute to some who are leading the way in northern Nevada:

Delores Feemster has been a activist in Washoe County for many years working for the underdog, organizing voter registration efforts in black churches, and inspiring members of younger generations to make a difference. In fact, her son Lonnie got involved in social activism during his youth and now serves as president of the Reno-Sparks chapter of the NAACP.

Evelyn Mount started a food program many years ago before any social services agencies offered this kind of help and has provided thousands of Thanksgiving and Christmas dinners to needy families of every color.

Bertha Mullins has worked in the community on equal employment and housing issues for many years.

Bernice Martin Mathews has been a leader in improving access to quality health care and serves as the assistant minority leader in the State Senate.

I would also like to acknowledge some African American leaders from southern Nevada:

Shirley Barber, who for over 40 years as a teacher, principal and now as a Clark County School Board Trustee has served students and encouraged greater parental involvement in education;

Yvonne Atkinson Gates, a Clark County Commissioner who was recently elected to chair the Democratic National Committee's Black Caucus;

Joe Neal, the longest serving African American member of the Nevada Senate; and

Lt. Col. (Ret.) Thomas Leigh, long active in senior issues, who has served on various State commissions and led an AARP chapter in West Las Vegas.

I am proud of these Nevadans and others like them across the country working to promote equality and diversity.

They have toiled for a better life for African Americans and indeed for all Americans, and their work makes our state and our nation better.

Although Black History Month officially ends when February does, let us continue to celebrate the achievements of African Americans each and every day. Our efforts to recover from the tribulations of September 11 remind us that by working together we become a stronger America. We must join together and continue fighting to make sure that all Americans enjoy equal opportunities for justice, quality education, and economic prosperity.

Mr. SMITH of Oregon. Mr. President, last month we celebrated Black History Month in the United States, and I took to the floor each week we were in session to speak for a moment or two about the tribulations and contributions of Black Oregonians.

I want to make one more statement, however, since recognition of these contributions really cannot, and should not, be confined to any single month of the year. We must not spend the next eleven months oblivious to the monumental strides and invaluable contributions that black Americans have made since the birth of our Nation. The individuals who opened the west and helped build my State, people like Moses Harris, George Washington Bush, and York, must not remain obscure characters in the annals of Oregon history. Countless other men and women, who never achieved prominence, are also owed our gratitude for helping make Oregon, and America, a better home for all her citizens.

The efforts of black Americans have helped Oregon shed the days when it was marked by racial intolerance and exclusion. When my predecessor, former-U.S. Senator Mark Hatfield, was a State senator, he was forced to take the great opera singer Marian Anderson to Portland because no hotels in Salem would serve a black woman. Thankfully, now Salem not only hosts black women in hotels, but in the State senate as well. We have come a long way as a State and as a people, and we should be grateful.

In the decades following the passage of the Fair Employment Practices Act in 1949 and the State Public Accommodations Act in 1953, Oregon began slowly to address some of the other problems still facing black Oregonians, such as discrimination in housing and segregation in the public schools. Also of note, in 1969, Portland State established a Black Studies Program. In 1972 the first black person, William McCoy, was elected to the State legislature, and in 1980, Oregon crowned her first black Rose Festival Queen, Robin Marks. All along, organizations such as the NAACP and Urban League have been helping to guide my State's progress.

Not all difficulties facing black Oregonians have been resolved, however. While most students are benefitting from a successful statewide battle to reduce school dropout rates, black students are still dropping out in large numbers, and at the same rate they have for the past three years, 11 percent, compared with a 4.5 percent dropout rate for white students. There are economic distinctions as well, a black Oregonian is more than twice as likely to be poor than a white Oregonian. These and other disparities are not merely coincidences, and we have much work ahead of us if we are to change the circumstances that contribute to current racial inequalities in Oregon.

Still, the trend for all Oregonians has been positive over our State's history, and I see nothing but progress in our future. Oregon has had strong black leaders since the Lewis and Clark expedition, and a history of overcoming obstacles much more daunting than what we face today. Today, Oregon is home to a diverse and prosperous citizenry made up of people from every conceivable background and racial composition. While our Constitution used to prevent black Americans from moving to our State, Oregon now has a growing minority population that fuels our economy, and enriches our local culture. This might never have been possible without the efforts of early black pioneers, and the thousands of black Americans who came to Oregon in the

middle of the last century, bringing with them a thirst for equality, and the wherewithal to achieve it.

We should not celebrate the contributions of black Americans for just one month. The lives we lead 365 days a year have been shaped by individuals and groups who have changed America, and Oregon, forever. Our lives are richer and freer because of the contributions of black Oregonians, and I, for one, will remember that year round.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of 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 August 3, 1993 in Lincoln, NE. A gay man, Harold Grover, 51, was stabbed and beaten to death by two men. The attackers, Eldon T. Leger and Clifford A. Privat, both 19, were charged with first-degree murder 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, we can change hearts and minds as well.

ADDITIONAL STATEMENTS

TRIBUTE TO GEORGETOWN COLLEGE FOOTBALL TEAM

• Mr. MCCONNELL. Mr. President, I rise today to pay tribute to the players and coaches of the 2001 Georgetown College football team.

On December 15, 2001, the Georgetown College Tigers defeated the University of Sioux Falls by a score of 49–27 to win the 46th Annual NAIA Football National Championship. Under the expert leadership of coach Bill Cronin, the Tigers finished with a perfect 14–0 record for the second straight year and became only the 9th team in NAIA history to win consecutive National Championship titles. Clearly, this is a remarkable accomplishment.

Although the Bluegrass State is widely known for producing great basketball teams, the Georgetown College Tigers are doing their very best to let the Nation know that Kentucky is also the home of great football. This season's victory marks the third time the Tigers have claimed the national title and caps a remarkable 28-game winning streak. In addition to bringing home another national championship in 2001, the Tigers also captured their fourth straight Mid-South Conference title. Through hard work, determination, and skill, this team has established itself as a football powerhouse.

It should also be noted for the record that in addition to being star athletes, these players are also dedicated students. Georgetown College has a long standing history of academic excellence and has been rated by U.S. News & World Report as one of the Nation's top liberal arts colleges for the last seven years. During the 2001 season, the Tigers proved they could juggle the intense responsibility of being student-athletes. As a result, 15 Tigers were named Mid-South Conference Scholar-Athletes.

I want to congratulate the Tigers for their tremendous success. They have made the State of Kentucky very proud. I ask each of my colleagues to join me in honoring Georgetown College, history-making coach Billy Cronin, and most importantly each and every talented player on the 2001 Championship Tiger team.•

TRIBUTE TO BARBARA F. WEAVER

• Mr. REED. Mr. President, I rise today to pay tribute to an outstanding public servant in Rhode Island, Barbara F. Weaver, who is retiring from her position as Chief Information Officer for Rhode Island's Office of Library Services after a long and distinguished career.

With an impressive background in libraries and government, Barbara came to Rhode Island as the new Director of the Department of State Library Services in 1991. During her tenure she has made a significant contribution. She is credited with expanding the information role of the Department into the Office of Library and Information Services, and with the creation of that office, she has the distinction of becoming Rhode Island's first Chief Information Officer.

A leader in the library and information management worlds, Barbara has been responsible for coordinating the state's management information systems and coordinating library services to state government and to libraries throughout the state. She is credited with the creation of RI.gov, the state's World Wide web portal, and setting the stage for e-government in Rhode Island. She successfully brought Rhode Island through the y2k phenomenon without incident and has efficiently and effectively been in the forefront of new technologies.

Barbara has also been active nationally as evidenced through her work with organizations like the Chief Officers of State Library Agencies and the National Association of Chief Information Officers. Her vision, initiative and professionalism are indeed noteworthy, and I have been proud to work closely with this outstanding professional on legislative initiatives geared to enhancing literacy, technology and accessibility.

Rhode Islanders have been fortunate to have Barbara Weaver devote nearly a decade of service to our community. She has increased public and government awareness of the value of library services and leaves a lasting legacy of significant achievements which have brought library and information policy boldly into the new century.

I ask my colleagues to join me in commending Barbara Weaver for her professionalism, unwavering commitment, and inspired vision. I am honored to join others in my state in offering praise and admiration of a grateful community for all her great work. We wish her much fulfillment and continued success.•

RECOGNITION OF RICHARD WELDON'S RETIREMENT

• Mr. CARPER. Mr. President, I rise today in recognition of Richard Weldon upon his retirement from the New Castle Conservation District Board of Supervisors. Dick served on the Board for twenty-three years. He has been a respected colleague and remains a trusted friend.

In his twenty-two years as Board Vice Chair, Dick was an effective liaison between Delaware's State legislature and State agencies, promoting water and soil conservation. He was a strong advocate for the role of conservation districts and the driving force behind the construction of a new conservation office for the New Castle Conservation District and the U.S. Department of Agriculture agencies.

I had the pleasure of serving alongside Dick's brother, CURT WELDON, in the House of Representatives from 1987 to 1992. We all share a passion for protecting the environment, an enthusiasm that ensured we remained focused over the years to protecting our area's historic and open spaces. Together, we worked across party lines to ensure that a balance between progress and preservation was struck. Today that balance appears precarious without Dick.

Dick held a position of leadership within the National Association of Conservation Districts for many years. As Delaware's Governor, I appointed Dick to the Soil and Water Advisory Council. He was also Chair of the Coastal and Urban Committee from 1994 to 1997.

Dick led the Committee to hold the National Urban Conservation Conference, the first successful coordination of Federal agencies with urban conservation programs. His leadership brought Federal agencies to the table, harvesting the support of the U.S. Environmental Protection Agency, the National Resource Conservation Service, and the Federal Department of Housing and Urban Development. The successful conference pooled their interests, goals and resources and resulted in efficient and productive initiatives.

After thirty-eight years of service, Mr. Weldon retired from Star Enterprises in 1993, having also retired as regional chair of the Republican Committee in Delaware in 1978.

Dick and his wife Fay continue to be active members in their community, particularly within their church. The joy of their four children and nine grandchildren will undoubtedly keep their days full.

Richard Weldon defined his career working for clean and practical energy solutions, earning a reputation for promoting conservation while protecting resources. Upon his retirement he leaves a legacy of commitment to public service for both his children and grandchildren and the generations that will follow.●

TRIBUTE TO BEVERLY LAFFERTY

● Mr. JOHNSON. Mr. President, I rise today to pay tribute to Beverly Lafferty of Rapid City, SD. On March 1, 2002, Bev retired from Child Protection Services after 34 years of dedication to the children and families in my home State of South Dakota.

Bev began her career as a child protection social worker in Rapid City on July 1, 1968. Her gentle nature and caring heart have helped many families in South Dakota through the adoption process. As a founding member of the Congressional Coalition on Adoption, I have had the honor of nominating Bev for the coalition's annual Angels in Adoption awards. Bev is an example to our entire Nation of the joys associated with adoption, and I commend her work, especially her devotion to Native American children and families.

Adoptive parents, judges, social workers, and others involved with the adoption process truly are angels who do not gain the recognition they deserve on a day to day basis. Bev's recognition as an ''Angel in Adoption'' in 2001 was one way for me to help recognize the important contributions Bev makes to the lives of children and to our communities.

As a parent, I know the challenges and joys of raising a family, and that is why I have made it one of my priorities in Congress to make adoptions easier for families. Bev's work in Rapid City has made the adoption process easier for children and families in that community. Although I know that she will be missed, her impact in the adoption community will be felt for many years to come. I wish her all the best as she moves on to enjoy the next phase of her life.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, 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 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 BILL SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on March 4, 2002, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 1206. An act to reauthorize the Appalachian Regional Development Act of 1965, and for other purposes.

Under the authority of the order of the Senate of January 3, 2001, the enrolled bill was signed today, March 4, 2002, by the President pro tempore (Mr. BYRD).

ENROLLED BILLS SIGNED

The following enrolled bills, previously signed by the Speaker of the House, were signed on February 28, 2002, by the President pro tempore (Mr. BYRD):

H.R. 1892. An act to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked.

H.R. 3699. An act to revise certain grants for continuum of care assistance for homeless individual and families.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 4, 2002, she had presented to the President of the United States the following enrolled bill:

S. 1206. An act to reauthorize the Appalachian Regional Development Act of 1965, and for other purposes.

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–5598. A communication from the Register of Copyrights, Library of Congress, transmitting, pursuant to law, the Analysis and Proposed Copyright Fee Schedule to Go into Effect July 1, 2002; to the Committee on the Judiciary.

EC–5599. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the Superfund Annual Report for Fiscal Year 1998; to the Committee on Environment and Public Works.

EC–5600. A communication from the Attorney for the Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Revisions to the list of Hazardous Substances and Reportable Quantities'' (RIN2137–AD65) received on February 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5601. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (20); Amdt. No. 2088'' ((RIN2120–AA65) (2002–0012)) received on February 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5602. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Pilatus Britten-Norman Ltd., BN–2, 2A, 2B, 2T, 2T4, and 2A MK. II Series Airplanes'' ((RIN2120–AA64) (2002–0129)) received on February 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5603. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: BAE Systems Limited Model BAe 146 Series Airplanes and AVRO 146 RJ Series Airplanes'' ((RIN2120–AA64) (2002–0127)) received on February 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5604. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (46); Amdt. No. 2090'' ((RIN2120–AA65) (2002–0013)) received on February 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5605. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Aircraft Company Models 65–90, 65–A90–1, 65–A90–4, B90, C90, C90A, E90, and H90 Airplanes'' ((RIN2120–AA64) (2002–0128)) received on February 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5606. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (70); Amdt. No. 2092'' ((RIN2120–AA65) (2002–0015)) received on February 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC–5607. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Split-Dollar Life Insurance Arrangements'' (Notice 2002–8, 2002–4) received on March 1, 2002; to the Committee on Finance.

EC–5608. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''EGTRRA Changes to Prototype SEPs, SIMPLEs and IRAs'' (Rev. Proc. 2002–10) received on March 1, 2002; to the Committee on Finance.

EC–5609. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule

entitled ''Amendment to Section 6050I Cross-Referencing Section 5331 of Title 31 Relating to Reporting of Certain Currency Transactions by Nonfictional Trades of Business Under the Bank Secrecy Act'' (RIN1545–BA48) received on March 1, 2002; to the Committee on Finance.

EC–5610. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Republication of Revenue Procedure 2001–6'' (Rev. Proc. 2002–6) received on March 1, 2002; to the Committee on Finance.

EC–5611. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Republication of Revenue Procedure 2001–5'' (Rev. Proc. 2002–5) received on March 1, 2002; to the Committee on Finance.

EC–5612. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Excise Taxes on Excess Benefits'' (RIN1545–AY65) received on March 1, 2002; to the Committee on Finance.

EC–5613. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Disallowance of Deductions and Credits for Failure to File Timely Return'' (RIN1545–BA40) received on March 1, 2002; to the Committee on Finance.

EC–5614. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 807: Actuarial Guideline 33'' (Rev. Rul. 2002–6) received on March 1, 2002; to the Committee on Finance.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–219. A petition presented by a citizen from the state of Texas relative to equal rights; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. MIKULSKI (for herself and Mr. SARBANES):

S. 1982. A bill to amend chapter 89 of title 5, United States Code, to increase the Government contribution for Federal employee health insurance; to the Committee on Governmental Affairs.

By Mrs. CLINTON:

S. 1983. A bill to designate the facility of the United States Postal Service located at 201 Main Street, Lake Placid, New York, as the ''John A. 'Jack' Shea Post Office Building''; to the Committee on Governmental Affairs.

By Mr. BUNNING:

S. 1984. A bill to authorize the Secretary of Health and Human Services to make grants to nonprofit tax-exempt organizations for the purchase of ultrasound equipment to provide free examinations to pregnant women needing such services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOLLINGS (for himself, Mr. SPECTER, Mr. BYRD, Mr. CLELAND, Mr. BIDEN, Mr. HARKIN, Mr. REID, Mr. MILLER, and Mr. STEVENS):

S. J. Res. 33. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mr. ALLEN, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BREAUX, Mrs. CARNAHAN, Mr. CLELAND, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. DASCHLE, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DURBIN, Mr. EDWARDS, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. JEFFORDS, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. LEVIN, Mr. LIEBERMAN, Mr. LOTT, Ms. MIKULSKI, Mr. MURKOWSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SESSIONS, Mr. SCHUMER, Mr. SHELBY, Mr. SMITH of Oregon, Ms. SNOWE, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. TORRICELLI, Mr. VOINOVICH, and Mr. WARNER):

S. Res. 214. A resolution designating March 25, 2002, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy''; to the Committee on the Judiciary.

By Mr. CRAIG (for himself, Mr. ALLEN, Mr. BAYH, Mrs. BOXER, Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mr. COCHRAN, Mr. CRAPO, Mr. DASCHLE, Mr. DEWINE, Mr. DOMENICI, Mr. EDWARDS, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRIST, Mr. HAGEL, Mr. HELMS, Mr. HUTCHINSON, Mr. INHOFE, Mr. INOUYE, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. MCCONNELL, Mr. NICKLES, Mr. SESSIONS, Mr. SPECTER, and Mr. VOINOVICH):

S. Res. 215. A resolution designating the week beginning March 17 , 2002, as ''National Safe Place Week''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 121

At the request of Mrs. FEINSTEIN, the names of the Senator from Kansas (Mr. BROWNBACK), the Senator from Wisconsin (Mr. KOHL), and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 121, a bill to establish an Office of Children's Services within the Department of Justice to coordinate and implement Government actions involving unaccompanied alien children, and for other purposes.

S. 177

At the request of Mr. AKAKA, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 177, a bill to amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

S. 229

At the request of Mr. HAGEL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 229, a bill to amend Federal banking law to permit the payment of interest on business checking accounts in certain circumstances, and for other purposes.

S. 326

At the request of Ms. COLLINS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 326, a bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services and to permanently increase payments for such services that are furnished in rural areas.

S. 913

At the request of Ms. SNOWE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of all oral anticancer drugs.

S. 946

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 946, a bill to establish an Office on Women's Health within the Department of Health and Human Services.

S. 1054

At the request of Mr. KOHL, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 1054, a bill to amend titles XVIII and XIX of the Social Security Act to prevent abuse of recipients of long-term care services under the Medicare and Medicaid programs.

S. 1125

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 1125, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1356

At the request of Mr. FEINGOLD, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1356, a bill to establish a commission to review the facts and circumstances surrounding injustices suffered by European Americans, Europeans Latin Americans, and European refugees during World War II.

S. 1394

At the request of Mr. ENSIGN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1394, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 1644

At the request of Mr. CAMPBELL, the name of the Senator from Ohio (Mr.

VOINOVICH) was added as a cosponsor of S. 1644, a bill to further the protection and recognition of veterans' memorials, and for other purposes.

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 1644, supra.

S. 1812

At the request of Mr. CORZINE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1812, a bill to repeal the provision of the September 11th Victim Compensation Fund of 2001 that requires the reduction of a claimant's compensation by the amount of any collateral source compensation payments the claimant is entitled to receive, and for other purposes.

S. 1897

At the request of Mrs. CARNAHAN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1897, a bill to require disclosure of the sale of securities by an affiliate of the issuer of the securities to be made available to the Commission and to the public in electronic form, and for other purposes.

S. 1911

At the request of Mr. INHOFE, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1911, a bill to amend the Community Services block Grant Act to reauthorize national and regional programs designed to provide instructional activities for low-income youth.

S. 1917

At the request of Mr. JEFFORDS, the names of the Senator from Virginia (Mr. ALLEN), the Senator from Ohio (Mr. DEWINE), the Senator from Alaska (Mr. MURKOWSKI), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Nebraska (Mr. NELSON), the Senator from Nebraska (Mr. HAGEL), the Senator from Maryland (Ms. MIKULSKI), the Senator from Massachusetts (Mr. KERRY), and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 1917, a bill to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century.

S. 1973

At the request of Mr. HAGEL, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1973, a bill to amend the Richard B. Russell National School Lunch Act to exclude certain basic allowances for housing of a member of a uniformed service from the determination of eligibility for free and reduced price meals of a child of the member.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MIKULSKI (for herself and Mr. SARBANES):

S. 1982. A bill to amend chapter 89 of title 5, United States Code, to increase the Government contribution for Federal employee health insurance; to the Committee on Governmental Affairs.

Ms. MIKULSKI. Mr. President, I rise today to introduce the Federal Employees Health Benefits Improvement Act of 2002 along with my colleague from Maryland, Senator SARBANES. This bill would reduce the employee portion of premiums costs under the Federal Employee Health Benefits Plan.

Our Federal employees work hard for the American people and they deserve quality benefits.

What is the need for this legislation?

Health insurance premiums for Federal employees and retirees rose an average of 13.3 percent this year. In contrast, wages rose by 4.77 percent in the Washington-Baltimore area. This follows a 10.5 percent increase last year, and increases of greater than 9 percent for 2000 and 1999. As a result, premiums are nearly 50 percent greater than they were just five years ago.

The Federal program provides health insurance coverage to about 9 million government workers, retirees and family members. More than 800,000 of these workers live in the DC metro area.

Health insurance costs are skyrocketing, and Federal employees are paying a greater share of their take home pay for health care each year. Currently, Federal employees pay anywhere between 28 percent to 30 percent of premiums. In the private sector, other large employers pay at least 80 percent of premiums and employees pay 20 percent according to recent data published by the Bureau of Labor Statistics and the Kaiser Family Foundation.

How would this bill help solve this problem?

This bill would change the financing formula for Federal Employees Health Benefits Program (FEHBP). Under this approach, the federal agencies would pay 80 percent of the weighted average for premiums. This would help reduce the out-of-pocket health care costs for federal employees and improve the affordability of FEHBP immensely.

What would this mean to Federal employees?

My bill would help improve the affordability of health care insurance for all 9 million. Currently, about 250,000 Federal employees do not have health insurance. Many of them cannot afford health care insurance at the current rates. My proposal would improve the affordability of health care insurance so that many of these workers would be able to afford coverage.

Providing quality benefits for Federal employees is also an important tool in helping recruit and retain a high quality workforce and compete with the private sector and other state and local governments.

This bill would have an enormous impact in my State, Maryland, but would also benefit Federal workers nationally. Under this proposal, the percent that a Federal employee pays in health insurance premiums would decline, putting more money into Federal employees pockets each pay period.

This bill improves benefits for our hardworking Federal employees.

I urge my colleagues to join me in expressing support for this bill.

By Mr. BUNNING:

S. 1984. A bill to authorize the Secretary of Health and Human Services to make grants to nonprofit tax-exempt organizations for the purchase of ultrasound equipment to provide free examinations to pregnant women needing such services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BUNNING. Mr. 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. 1984

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

SECTION 1. GRANTS FOR PURCHASE OF ULTRASOUND EQUIPMENT.

(a) IN GENERAL.—The Secretary of Health and Human services may make grants for the purchase of ultrasound equipment. Such ultrasound equipment shall be used by the recipients of such grants to provide, under the direction and supervision of a licensed medical physician, free ultrasound examinations to pregnant woman needing such services.

(b) ELIGIBILITY REQUIREMENTS.—An entity may receive a grant under subsection (a) only if the entity meets the following conditions:

(1) The entity is a nonprofit private organization that is approved by the Internal Revenue Service as a tax-exempt entity under section 501(c)(3) of the Internal Revenue Code of 1986.

(2) The entity operates as a community based pregnancy help medical clinic, as defined in subsection (f).

(3) The entity provides medical services to pregnant women under the guidance and supervision of a physician who serves as the medical director of the clinic and is duly licensed to practice medicine in the State in which the entity is located.

(4) The entity is legally qualified to provide such medical services to pregnant women and is in compliance with all Federal, State, and local requirements for the provision of such services.

(5) The entity agrees to comply with the following medical procedures:

(A) Each pregnant woman upon whom the ultrasound equipment is used will be shown the visual image of the fetus from the ultrasound examination and will be given a general anatomical and physiological description of the characteristics of the fetus.

(B) Each pregnant woman will be given, according to the best medical judgment of the physician performing the ultrasound examination or the physician's agent performing such exam, the approximate age of the embryo or fetus considering the number of weeks elapsed from the probable time of the conception of the embryo or fetus, based upon the information provided by the client as to the time of her last menstrual period, her medical history, a physical examination, or appropriate laboratory tests.

(C) Each pregnant woman will be given information on abortion and alternatives to

abortion such as childbirth and adoption and information concerning public and private agencies that will assist in those alternatives.

(D) The entity will obtain and maintain medical malpractice insurance in an amount not less than $1,000,000, and such insurance will cover all activities relating to the use of the ultrasound machine purchased with the grant under subsection (a).

(6) The entity does not receive more than 30 percent of its gross annual revenue from a single source or donor.

(c) LIMITATION ON INDIVIDUAL GRANT AMOUNT.—No grant under subsection (a) may be made in an amount that exceeds an amount equal to 50 percent of the purchase price cost of the ultrasound machine involved, or $20,000, whichever is less.

(d) APPLICATION FOR GRANT.—A grant may be made under subsection (a) only if an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section.

(e) ANNUAL REPORT TO SECRETARY.—A grant may be made under subsection (a) only if the applicant for the grant agrees to report on an annual basis to the Secretary, in such form and manner as the Secretary may require, on the ongoing compliance of the applicant with the eligibility conditions established in subsection (b).

(f) DEFINITIONS.—For purposes of this Act:

(1) The term ''community based pregnancy help medical clinic'' means a facility that—

(A) provides free medical services to pregnant women under the supervision and direction of a licensed physician who serves as the medical director for such clinic; and

(B) does not charge for any services rendered to its clients, whether or not such services are for pregnancy or nonpregnancy related matters.

(2) The term ''Secretary'' means the Secretary of Health and Human Services.

(g) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $3,000,000 for fiscal year 2003, and such sums as may be necessary for each of the fiscal years 2004 through 2006.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 214—DESIGNATING MARCH 25, 2002, AS ''GREEK INDEPENDENCE DAY: A NATIONAL DAY OF CELEBRATION OF GREEK AND AMERICAN DMEOCRACY''

Mr. SPECTER (for himself, Mr. ALLEN, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BREAUX, Mrs. CARNAHAN, Mr. CLELAND, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. DASCHLE, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DURBIN, Mr. EDWARDS, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. JEFFORDS, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. LEVIN, Mr. LIEBERMAN, Mr. LOTT, Ms. MIKULSKI, Mr. MURKOWSKI, Mrs. MURRAY, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SESSIONS, Mr. SCHUMER, Mr. SHELBY, Mr. SMITH of Oregon, Ms. SNOWE, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. TORRICELLI, Mr. VOINOVICH, and Mr. WARNER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 214

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the Founding Fathers of the United States drew heavily on the political experience and philosophy of ancient Greece in forming our representative democracy;

Whereas Greek Commander in Chief Petros Mavromichalis, a founder of the modern Greek state, said to the citizens of the United States in 1821, ''it is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you'';

Whereas Greece is 1 of only 3 nations in the world, beyond the former British Empire, that has been allied with the United States in every major international conflict for more than 100 years;

Whereas Greece played a major role in the World War II struggle to protect freedom and democracy through such bravery as was shown in the historic Battle of Crete and in Greece, presenting the Axis land war with its first major setback, which set off a chain of events that significantly affected the outcome of World War II;

Whereas the price for Greece holding our common values in their region was high, as hundreds of thousands of civilians were killed in Greece in the World War II period;

Whereas President George W. Bush, in a letter to the Prime Minister of Greece, Constantinos Simitis, in January 2001, referred to the ''stable foundations and common values'' that are the basis of relations between Greece and the United States;

Whereas President Bush in his January 10, 2002 meeting with the Greek Prime Minister, said, ''I am most appreciative of your strong stand against terror. You have been a friend in our mutual concerns about routing out terror around the world,'' and, ''I look forward to the Olympics. It's going to be a magnificent moment for the sporting world to have the Olympics return to Athens. I'm confident your country will do a fine job'';

Whereas as a member of NATO, Greece has assigned members of its air force to fly surveillance missions over the United States;

Whereas Greece is a stabilizing force by virtue of its political and economic power in the volatile Balkan region, is one of the fastest growing economies in Europe, and will hold the presidency of the European Union in 2003;

Whereas Greece, geographically located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim nations and Israel;

Whereas Greece has had extraordinary success in recent years in furthering cross-cultural understanding and reducing tensions between Greece and Turkey;

Whereas Greece and the United States are at the forefront of the effort for freedom, democracy, peace, stability, and human rights;

Whereas those and other ideals have forged a close bond between our 2 nations and their peoples;

Whereas March 25, 2002, marks the 181st anniversary of the beginning of the revolution that freed the Greek people from the Ottoman Empire; and

Whereas it is proper and desirable to celebrate with the Greek people and to reaffirm the democratic principles from which our 2 great nations were born: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 25, 2002, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy''; and

(2) requests that the President issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. SPECTER. Mr. President, today I am pleased to submit a resolution along with 52 of my colleagues to designate March 25, 2002, as ''Greek Independence Day: A Celebration of Greek and American Democracy.''

One hundred and eighty one years ago, the Greek people began the revolution that would free them from the Ottoman Empire and return Greece to its democratic heritage. It was, of course, the ancient Greeks who developed the concept of democracy in which the supreme power to govern was vested in the people. Our Founding Fathers drew heavily upon the political and philosophical experience of ancient Greece in forming our representative democracy. Thomas Jefferson proclaimed that, ''to the ancient Greeks . . . we are all indebted for the light which led ourselves out of Gothic darkness.'' It is fitting, then, that we should recognize the anniversary of the beginning of their efforts to return to that democratic tradition.

The democratic form of government is only one of the most obvious of the many benefits we have gained from the Greek people. The ancient Greeks contributed a great deal to the modern world, particularly to the United States of America, in the areas of art, philosophy, science and law. Today, Greek-Americans continue to enrich our culture and make valuable contributions to American society, business, and government.

It is my hope that strong support for this resolution in the Senate will serve as a clear goodwill gesture to the people of Greece with whom we have enjoyed such a close bond throughout history. Similar resolutions have been passed by the Senate since 1984 with overwhelming support. Accordingly, I urge my Senate colleagues to join me in supporting this important resolution.

SENATE RESOLUTION 215—DESIGNATING THE WEEK BEGINNING MARCH 17, 2002, AS ''NATIONAL SAFE PLACE WEEK''

Mr. CRAIG (for himself, Mr. ALLEN, Mr. BAYH, Mrs. BOXER, Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mr. COCHRAN, Mr. CRAPO, Mr. DASCHLE, Mr. DEWINE, Mr. DOMENICI, Mr. EDWARDS, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRIST, Mr. HAGEL, Mr. HELMS, Mr. HUTCHINSON, Mr. INHOFE, Mr. INOUYE, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. MCCONNELL, Mr. NICKLES, Mr. SESSIONS, Mr. SPECTER, and Mr. VOINOVICH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 215

Whereas today's youth are vital to the preservation of our country and will be the future bearers of the bright torch of democracy;

Whereas youth need a safe haven from various negative influences such as child abuse, substance abuse and crime, and they need to have resources readily available to assist them when faced with circumstances that compromise their safety;

Whereas the United States needs increased numbers of community volunteers acting as positive influences on the Nation's youth;

Whereas the Safe Place program is committed to protecting our Nation's most valuable asset, our youth, by offering short term ''safe places'' at neighborhood locations where trained volunteers are available to counsel and advise youth seeking assistance and guidance;

Whereas Safe Place combines the efforts of the private sector and non-profit organizations uniting to reach youth in the early stages of crisis;

Whereas Safe Place provides a direct means to assist programs in meeting performance standards relative to outreach/community relations, as set forth in the Federal Runaway and Homeless Youth Act guidelines;

Whereas the Safe Place placard displayed at businesses within communities stands as a beacon of safety and refuge to at-risk youth;

Whereas over 641 communities in 39 states and more than 11,000 locations have established Safe Place programs;

Whereas over 53,000 young people have gone to Safe Place locations to get help when faced with crisis situations;

Whereas through the efforts of Safe Place coordinators across the country each year more than one-half million students learn that Safe Place is a resource if abusive or neglectful situations exist;

Whereas increased awareness of the program's existence will encourage communities to establish Safe Places for the Nation's youth throughout the country: Now, therefore, be it

Resolved, That the Senate—

(1) proclaims the week of March 17 through March 23, 2002 as ''National Safe Place Week'' and

(2) requests that the President issue a proclamation calling upon the people of the United States and interested groups to promote awareness of and volunteer involvement in the Safe Place programs, and to observe the week with appropriate ceremonies and activities.

Mr. CRAIG. Mr. President, events of the day may turn our attention overseas, but it is essential to remember those who are fighting an ongoing battle right here at home. This battle has been raging for generations and consists of fighting to protect this Nation's most valuable resource: our children. Youth are the future of the Nation; they need to be both valued and protected. Sadly, however, as my colleagues know, this precious resource is threatened daily.

I come to the Senate floor today to talk about a tremendous initiative between the public and private sector that has been reaching out to youth for nearly twenty years. Project Safe Place is a program that was developed to assist our Nation's youth and families in crisis. This partnership creates a network of private businesses trained to refer youth in need to the local service providers who can help them. Those businesses display a Safe Place sign so that young people can easily recognize a ''safe place'' for them to go to receive help.

In his State of the Union Address President Bush called for every American to commit at least two years or 4,000 hours to the service of neighbors and our Nation. The goal of National Safe Place Week is to recognize the thousands of individuals who work to make Project Safe Place a reality. From trained volunteers to seasoned professionals, these dedicated individuals are working together with the resources in their local communities and through their ties across the Nation, to serve young people. Because of Project Safe Place, this all happens under a well-known symbol of safety for in-crisis youth.

Project Safe Place is a simple program to implement in any local community, and it works. Young people are more likely to seek help in locations that are familiar and non-threatening to them. By creating a network of Safe Places across the nation, all youth would have access to needed help, counseling, or a safe place to stay. However, while the program has already been established in 39 States, there are still too many communities that don't know about this valuable youth resource.

If your State does not already have a Safe Place organization, please consider facilitating this worthwhile resource so that young people who are abused, neglected, or whose futures are jeopardized by physical or emotional trauma will have access to immediate help and safety in your community. To create more Project Safe Place sites in Idaho, the staff in three of my State offices have gone through the training to make them Safe Place sites, and now have the skills and ability to assist troubled youth. In the next five years, Project Safe Place hopes that every child in America will have the opportunity to connect with someone who can provide immediate help by easily recognizing the Safe Place sign.

I look forward to the U.S. Senate passing this resolution and designating the week of March 17–23, 2002 as National Safe Place Week. This action will recognize the importance of Project Safe Place and send a message that we will keep working to protect our children. As we saw following the tragic events of September 11, volunteers truly do make a difference every day, and in passing this resolution, the Senate will be applauding the tireless efforts of the thousands of dedicated volunteers across the Nation for their many contributions to the youth of our Nation through Project Safe Place.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2966. Mr. NICKLES submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table.

SA 2967. Mr. KENNEDY (for himself and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 2936 submitted by Mr. HATCH and intended to be proposed to the bill (S. 565) supra; which was ordered to lie on the table.

SA 2968. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2969. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2970. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2971. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2972. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2973. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2974. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2975. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2976. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2977. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2978. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2966. Mr. NICKLES submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections,

and for other purposes; which was ordered to lie on the table; as follows:

In the matter proposed to be inserted, insert '', but excluding any charge for public service announcements'' after ''the 365-day period preceding the date of the use''.

SA 2967. Mr. KENNEDY (for himself and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 2936 submitted by Mr. HATCH and intended to be proposed to the bill (S. 565) to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. ___. SENSE OF THE SENATE ON MAKING THE PROVISIONS OF THE VOTING RIGHTS ACT OF 1965 PERMANENT.

It is the sense of the Senate that the Voting Rights Act of 1965 was one of the most significant laws enacted by Congress in the 20th century, and it has full support of the Senate today. In order to ensure the continuing constitutionality of that Act, any proposed amendments or changes, including making sections 4 and 203 permanent, warrant full review and consideration by the Judiciary Committee before being considered by the full Senate. Since the Act does not expire until 2007, the Senate, and the Judiciary Committee, should take every necessary step between now and then to develop a substantial record that will ensure that any changes or amendments to the Act will withstand constitutional scrutiny.

SA 2968. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. ___. MODIFICATION TO REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.

Section 103(b)(1)(B) is amended to read as follows:

''(B)(i) the individual has not previously voted in an election for Federal office in the State; or

''(ii) the individual has not previously voted in such an election in the jurisdiction and the jurisdiction is located in a State that does not have a computerized list that complies with the requirements of section 103(a).''.

SEC. ___. INAPPLICABILITY OF REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL TO CERTAIN STATES.

In addition to the exceptions under paragraph (3) of section 103(b), paragraph (1) of such section shall not apply in the case of a person who votes by mail-in-ballot and who is registered to vote in a State in which in excess of 45 percent of the voting population voted by mail-in-ballot in the November 2000 elections for Federal office.

SEC. ___. REVISED EFFECTIVE DATE FOR REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.

Notwithstanding section 103(d)(2)—

(1) each State and locality shall be required to comply with the requirements of section 103(b) on and after January 1, 2004, and shall be prepared to receive registration materials submitted by individuals described in paragraph (2) on and after the date described in such subparagraph; and

(2) the provisions of section 103(b) shall apply to any individual who registers to vote on or after January 1, 2003.

SEC. ___. SAFE HARBOR PROVISIONS.

Notwithstanding sections 104(b), 203(c), 212(d), and 222(d), the safe harbor provisions contained in such sections shall only provide immunity from actions brought under this Act.

SEC. ___. CLARIFICATION OF PROVISIONS RELATING TO COMPLIANCE WITH EXISTING FEDERAL LAW.

(a) STATE PLANS.—The assurances provided by a State under section 202(a)(3) that the State will comply with existing Federal laws, including the laws described in such section, need only be provided insofar as such laws relate to the provisions of this Act.

(b) REQUEST FOR CERTIFICATION.—The specific and detailed demonstration provided by a State or locality under section 212(c)(1)(A) that the State or locality will comply with the laws described in such section need only be provided insofar as such laws relate to the provisions of this Act.

SEC. ___. STUDY AND REPORT ON FIRST TIME VOTERS WHO REGISTER BY MAIL.

(a) STUDY.—

(1) IN GENERAL.—The Election Administration Commission established under section 301 (in this section referred to as the ''Commission'') shall conduct a study of the impact of section 103(b) on voters who register by mail.

(2) SPECIFIC ISSUES STUDIED.—The study conducted under paragraph (1) shall include—

(A) an examination of the impact of section 103(b) on first time mail registrant voters who vote in person, including the impact of such section on voter registration;

(B) an examination of the impact of such section on the accuracy of voter rolls, including preventing ineligible names from being placed on voter rolls and ensuring that all eligible names are placed on voter rolls; and

(C) an analysis of the impact of such section on existing State practices, such as the use of signature verification or attestation procedures to verify the identity of voters in elections for Federal office, and an analysis of other changes that may be made to improve the voter registration process, such as verification or additional information on the registration card.

(b) REPORT.—Not later than 18 months after the date described in section 103(b)(2)(A), the Commission shall submit a report to the President and Congress on the study conducted under subsection (a)(1) together with such recommendations for administrative and legislative action as the Commission determines is appropriate.

SEC. ___. REVISION OF RELATIONSHIP TO OTHER LAWS.

Notwithstanding section 402(a), nothing in this Act may be construed to authorize or require conduct prohibited under the following laws, or supersede, restrict, or limit any of the laws described in such section.

SA 2969. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. ___. MODIFICATION TO REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.

Section 103(b)(1)(B) is amended to read as follows:

''(B)(i) the individual has not previously voted in an election for Federal office in the State; or

''(ii) the individual has not previously voted in such an election in the jurisdiction and the jurisdiction is located in a State that does not have a computerized list that complies with the requirements of section 103(a).''.

SEC. ___. INAPPLICABILITY OF REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL TO CERTAIN STATES.

In addition to the exceptions under paragraph (3) of section 103(b), paragraph (1) of such section shall not apply in the case of a person who votes by mail-in-ballot and who is registered to vote in a State in which in excess of 45 percent of the voting population voted by mail-in-ballot in the November 2000 elections for Federal office.

SEC. ___. CLARIFICATION WITH RESPECT TO MAIL VOTER REGISTRATION.

Materials submitted by individuals under clauses (i) and (ii) of section 103(b)(3)(A) shall not be considered to be a mail voter registration application form described in paragraph (1) of section 6(a) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–4(a)) or a mail voter registration form described in paragraph (2) of such section.

SEC. ___. REVISED EFFECTIVE DATE FOR REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.

Notwithstanding section 103(d)(2)—

(1) each State and locality shall be required to comply with the requirements of section 103(b) on and after January 1, 2004, and shall be prepared to receive registration materials submitted by individuals described in paragraph (2) on and after the date described in such subparagraph; and

(2) the provisions of section 103(b) shall apply to any individual who registers to vote on or after January 1, 2003.

SEC. ___. SAFE HARBOR PROVISIONS.

Notwithstanding sections 104(b), 203(c), 212(d), and 222(d), the safe harbor provisions contained in such sections shall only provide immunity from actions brought under this Act.

SEC. ___. CLARIFICATION OF PROVISIONS RELATING TO COMPLIANCE WITH EXISTING FEDERAL LAW.

(a) STATE PLANS.—The assurances provided by a State under section 202(a)(3) that the State will comply with existing Federal laws, including the laws described in such section, need only be provided insofar as such laws relate to the provisions of this Act.

(b) REQUEST FOR CERTIFICATION.—The specific and detailed demonstration provided by a State or locality under section 212(c)(1)(A) that the State or locality will comply with the laws described in such section need only be provided insofar as such laws relate to the provisions of this Act.

SEC. ___. STUDY AND REPORT ON FIRST TIME VOTERS WHO REGISTER BY MAIL.

(a) STUDY.—

(1) IN GENERAL.—The Election Administration Commission established under section 301 (in this section referred to as the ''Commission'') shall conduct a study of the impact of section 103(b) on voters who register by mail.

(2) SPECIFIC ISSUES STUDIED.—The study conducted under paragraph (1) shall include—

(A) an examination of the impact of section 103(b) on first time mail registrant voters who vote in person, including the impact of such section on voter registration;

(B) an examination of the impact of such section on the accuracy of voter rolls, including preventing ineligible names from being placed on voter rolls and ensuring that all eligible names are placed on voter rolls; and

(C) an analysis of the impact of such section on existing State practices, such as the use of signature verification or attestation procedures to verify the identity of voters in elections for Federal office, and an analysis of other changes that may be made to improve the voter registration process, such as verification or additional information on the registration card.

(b) REPORT.—Not later than 18 months after the date described in section 103(b)(2)(A), the Commission shall submit a report to the President and Congress on the study conducted under subsection (a)(1) together with such recommendations for administrative and legislative action as the Commission determines is appropriate.

SEC. ___. REVISION OF RELATIONSHIP TO OTHER LAWS.

Notwithstanding section 402, the rights and remedies established by such section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by such section nor any other provision of this Act shall supersede, restrict, or limit the application, nor authorize or require conduct that is prohibited by, any of the laws described in such section.

SA 2970. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. . REVISION OF RELATIONSHIP TO OTHER LAWS.

Notwithstanding section 402(a), nothing in this Act may be construed to authorize or require conduct prohibited under the following laws, or supersede, restrict, or limit any of the laws described in such section.

SA 2971. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. . MODIFICATION TO REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.

Section 103(b)(1)(B) is amended to read as follows:

''(B)(i) the individual has not previously voted in an election for Federal office in the State; or

''(ii) the individual has not previously voted in such an election in the jurisdiction and the jurisdiction is located in a State that does not have a computerized list that complies with the requirements of section 103(a).''.

SA 2972. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. . INAPPLICABILITY OF REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL TO CERTAIN STATES.

In addition to the exceptions under paragraph (3) of section 103(b), paragraph (1) of such section shall not apply in the case of a person who votes by mail-in-ballot and who is registered to vote in a State in which in excess of 45 percent of the voting population voted by mail-in-ballot in the November 2000 elections for Federal office.

SA 2973. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. . CLARIFICATION WITH RESPECT TO MAIL VOTER REGISTRATION.

Materials submitted by individuals under clauses (i) and (ii) of section 103(b)(3)(A) shall not be considered to be a mail voter registration application form described in paragraph (1) of section 6(a) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–4(a)) or a mail voter registration form described in paragraph (2) of such section.

SA 2974. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. . REVISED EFFECTIVE DATE FOR REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.

Notwithstanding section 103(d)(2)—

(1) each State and locality shall be required to comply with the requirements of section 103(b) on and after January 1, 2004, and shall be prepared to receive registration materials submitted by individuals described in paragraph (2) on and after the date described in such subparagraph; and

(2) the provisions of section 103(b) shall apply to any individual who registers to vote on or after January 1, 2003.

SA 2975. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the

Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. . SAFE HARBOR PROVISIONS

Notwithstanding sections 104(b), 203(c), 212(d), and 222(d), the safe harbor provisions contained in such sections shall only provide immunity from actions brought under this Act.

SA 2976. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. . CLARIFICATION OF PROVISIONS RELATING TO COMPLIANCE WITH EXISTING FEDERAL LAW.

(a) STATE PLANS.—The assurances provided by a State under section 202(a)(3) that the State will comply with existing Federal laws, including the laws described in such section, need only be provided insofar as such laws relate to the provisions of this Act.

(b) REQUEST FOR CERTIFICATION.—The specific and detailed demonstration provided by a State or locality under section 212(c)(1)(A) that the State or locality will comply with the laws described in such section need only be provided insofar as such laws relate to the provisions of this Act.

SA 2977. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. ___. STUDY AND REPORT ON FIRST TIME VOTERS WHO REGISTER BY MAIL.

(a) STUDY.—

(1) IN GENERAL.—The Election Administration Commission established under section 301 (in this section referred to as the ''Commission'') shall conduct a study of the impact of section 103(b) on voters who register by mail.

(2) SPECIFIC ISSUES STUDIED.—The study conducted under paragraph (1) shall include—

(A) an examination of the impact of section 103(b) on first time mail registrant voters who vote in person, including the impact of such section on voter registration;

(B) an examination of the impact of such section on the accuracy of voter rolls, including preventing ineligible names from being placed on voter rolls and ensuring that all eligible names are placed on voter rolls; and

(C) an analysis of the impact of such section on existing State practices, such as the use of signature verification or attestation procedures to verify the identity of voters in elections for Federal office, and an analysis of other changes that may be made to improve the voter registration process, such as verification or additional information on the registration card.

(b) REPORT.—Not later than 18 months after the date described in section 103(b)(2)(A), the Commission shall submit a report to the President and Congress on the study conducted under subsection (a)(1) together with such recommendations for administrative and legislative action as the Commission determines is appropriate.

SA 2978. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

SEC. ___. REVISION OF RELATIONSHIP TO OTHER LAWS.

Notwithstanding section 402, the rights and remedies established by such section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by such section nor any other provision of this Act shall supersede, restrict, or limit the application, nor authorize or require conduct that is prohibited by, any of the laws described in such section.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to executive session to consider Calendar Nos. 702 and 703; that the nominations be confirmed, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, any statements in relation thereto be printed in the RECORD, and the Senate return to legislative session.

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

The nominations were considered and confirmed, as follows:

DEPARTMENT OF JUSTICE

William Smith Taylor, of Alabama, to be United States Marshal for the Southern District of Alabama for the term of four years.

DEPARTMENT OF ENERGY

Raymond L. Orbach, of California, to be Director of the Office of Science, Department of Energy.

LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. MILLER). Under the previous order, the Senate will return to legislative session.

ORDERS FOR TUESDAY, MARCH 5, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m., Tuesday, March 5; 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 resume consideration of S. 517, the energy bill; 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.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. 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 following the statement of the Senator from Oklahoma.

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

The Senator from Oklahoma.

PEACE IN THE MIDDLE EAST

Mr. INHOFE. Mr. President, I was interested the other day when I heard that the de facto ruler, Saudi Arabian Crown Prince Abdullah, made a statement which was received by many in this country as if it were a statement of fact, as if it were something new, a

concept for peace in the Middle East that no one had ever heard of before. I was kind of shocked that it was so well received by many people who had been down this road before.

I suggest to you that what Crown Prince Abdullah talked about a few days ago was not new at all. He talked about the fact that under the Abdullah plan, Arabs would normalize relations with Israel in exchange for the Jewish state surrendering the territory it received after the 1976 Six-Day War as if that were something new. He went on to talk about other land that had been acquired and had been taken by Israel.

I remember so well on December 4 when we covered all of this and the fact that there isn't anything new about the prospect of giving up land that is rightfully Israel's land in order to have peace.

When it gets right down to it, the land doesn't make that much difference because Yasser Arafat and others don't recognize Israel's right to any of the land. They do not recognize Israel's right to exist.

I will discuss seven reasons, which I mentioned once before, why Israel is entitled to the land they have and that it should not be a part of the peace process.

If this is something that Israel wants to do, it is their business to do it. But anyone who has tried to put the pressure on Israel to do this is wrong.

We are going to be hit by skeptics who are going to say we will be attacked because of our support for Israel, and if we get out of the Middle East—that is us—all the problems will go away. That is just not true. If we withdraw, all of these problems will again come to our door.

I have some observations to make about that. But I would like to reemphasize once again the seven reasons that Israel has the right to their land.

The first reason is that Israel has the right to the land because of all of the archeological evidence. That is reason, No. 1. All the archeological evidence supports it.

Every time there is a dig in Israel, it does nothing but support the fact that Israelis have had a presence there for 3,000 years. They have been there for a long time. The coins, the cities, the pottery, the culture—there are other people, groups that are there, but there is no mistaking the fact that Israelis have been present in that land for 3,000 years.

It predates any claims that other peoples in the regions may have. The ancient Philistines are extinct. Many other ancient peoples are extinct. They do not have the unbroken line to this date that the Israelis have.

Even the Egyptians of today are not racial Egyptians of 2,000, 3,000 years ago. They are primarily an Arab people. The land is called Egypt, but they are not the same racial and ethnic stock as the old Egyptians of the ancient world. The first Israelis are in fact descended from the original Israelites. The first proof, then, is the archeology.

The second proof of Israel's right to the land is the historic right. History supports it totally and completely. We know there has been an Israel up until the time of the Roman Empire. The Romans conquered the land. Israel had no homeland, although Jews were allowed to live there. They were driven from the land in two dispersions: One was in 70 A,.D. and the other was in 135 A.D. But there was always a Jewish presence in the land.

The Turks, who took over about 700 years ago and ruled the land up until about World War I, had control. Then the land was conquered by the British. The Turks entered World War I on the side of Germany. The British knew they had to do something to punish Turkey, and also to break up that empire that was going to be a part of the whole effort of Germany in World War I. So the British sent troops against the Turks in the Holy Land.

One of the generals who was leading the British armies was a man named Allenby. Allenby was a Bible-believing Christian. He carried a Bible with him everywhere he went and he knew the significance of Jerusalem.

The night before the attack against Jerusalem to drive out the Turks, Allenby prayed that God would allow him to capture the city without doing damage to the holy places.

That day, Allenby sent World War I biplanes over the city of Jerusalem to do a reconnaissance mission. You have to understand that the Turks had at that time never seen an airplane. So there they were, flying around. They looked in the sky and saw these fascinating inventions and did not know what they were, and they were terrified by them. Then they were told they were going to be opposed by a man named Allenby the next day, which means, in their language, ''man sent from God'' or ''prophet from God.'' They dared not fight against a prophet from God, so the next morning, when Allenby went to take Jerusalem, he went in and captured it without firing a single shot.

The British Government was grateful to Jewish people around the world, particularly to one Jewish chemist who helped them manufacture niter. Niter is an ingredient that was used in nitroglycerin which was sent over from the New World. But they did not have a way of getting it to England. The German U-boats were shooting on the boats, so most of the niter they were trying to import to make nitroglycerin was at the bottom of the ocean. But a man named Weitzman, a Jewish chemist, discovered a way to make it from materials that existed in England. As a result, they were able to continue that supply.

The British at that time said they were going to give the Jewish people a homeland. That is all a part of history. It is all written down in history. They were gratified that the Jewish people, the bankers, came through and helped finance the war.

The homeland that Britain said it would set aside consisted of all of what is now Israel and all of what was then the nation of Jordan—the whole thing. That was what Britain promised to give the Jews in 1917.

In the beginning, there was some Arab support for this action. There was not a huge Arab population in the land at that time, and there is a reason for that. The land was not able to sustain a large population of people. It just did not have the development it needed to handle those people, and the land was not really wanted by anybody. Nobody really wanted this land. It was considered to be worthless land.

I want the Presiding Officer to hear what Mark Twain said. And, of course, you may have read ''Huckleberry Finn'' and ''Tom Sawyer.'' Mark Twain—Samuel Clemens—took a tour of Palestine in 1867. This is how he described that land. We are talking about Israel now. He said:

> A desolate country whose soil is rich enough but is given over wholly to weeds. A silent, mournful expanse. We never saw a human being on the whole route. There was hardly a tree or a shrub anywhere. Even the olive and the cactus, those fast friends of a worthless soil, had almost deserted the country.

Where was this great Palestinian nation? It did not exist. It was not there. Palestinians were not there. Palestine was a region named by the Romans, but at that time it was under the control of Turkey, and there was no large mass of people there because the land would not support them.

This is the report that the Palestinian Royal Commission, created by the British, made. It quotes an account of the conditions on the coastal plain along the Mediterranean Sea in 1913. This is the Palestinian Royal Commission. They said:

> The road leading from Gaza to the north was only a summer track, suitable for transport by camels or carts. No orange groves, orchards or vineyards were to be seen until one reached the Yavnev village. Houses were mud. Schools did not exist. The western part toward the sea was almost a desert. The villages in this area were few and thinly populated. Many villages were deserted by their inhabitants.

That was 1913.

The French author Voltaire described Palestine as ''a hopeless, dreary place.''

In short, under the Turks the land suffered from neglect and low population. That is a historic fact. The nation became populated by both Jews and Arabs because the land came to prosper when Jews came back and began to reclaim it. Historically, they began to reclaim it. If there had never been any archaeological evidence to support the rights of the Israelis to the territory, it is also important to recognize that other nations in the area have no longstanding claim to the country either.

Did you know that Saudi Arabia was not created until 1913, Lebanon until

1920? Iraq did not exist as a nation until 1932, Syria until 1941; the borders of Jordan were established in 1946 and Kuwait in 1961. Any of these nations that would say Israel is only a recent arrival would have to deny their own rights as recent arrivals as well. They did not exist as countries. They were all under the control of the Turks.

Historically, Israel gained its independence in 1948.

The third reason that land belongs to Israel is the practical value of the Israelis being there. Israel today is a modern marvel of agriculture. Israel is able to bring more food out of a desert environment than any other country in the world. The Arab nations ought to make Israel their friend and import technology from Israel that would allow all the Middle East, not just Israel, to become an exporter of food. Israel has unarguable success in its agriculture.

The fourth reason I believe Israel has the right to the land is on the grounds of humanitarian concern. You see, there were 6 million Jews slaughtered in Europe in World War II. The persecution against the Jews had been very strong in Russia since the advent of communism. It was against them even before then under the Czars.

These people have a right to their homeland. If we are not going to allow them a homeland in the Middle East, then where? What other nation on Earth is going to cede territory, is going to give up land?

They are not asking for a great deal. The whole nation of Israel would fit into my home State of Oklahoma seven times. It would fit into the Presiding Officer's State of Georgia seven times. They are not asking for a great deal. The whole nation of Israel is very small. It is a nation that, up until the time that claims started coming in, was not desired by anybody.

The fifth reason Israel ought to have their land is that she is a strategic ally of the United States. Whether we realize it or not, Israel is a detriment, an impediment, to certain groups hostile to democracies and hostile to what we believe in, hostile to that which makes us the greatest nation in the history of the world. They have kept them from taking complete control of the Middle East. If it were not for Israel, they would overrun the region. They are our strategic ally.

It is good to know we have a friend in the Middle East on whom we can count. They vote with us in the United Nations more than England, more than Canada, more than France, more than Germany—more than any other country in the world.

The sixth reason is that Israel is a roadblock to terrorism. The war we are now facing is not against a sovereign nation; it is against a group of terrorists who are very fluid, moving from one country to another. They are almost invisible. That is whom we are fighting against today. We need every ally we can get. If we do not stop terrorism in the Middle East, it will be on our shores. We have said this again and again and again, and it is true.

One of the reasons I believe the spiritual door was opened for an attack against the United States of America is that the policy of our Government has been to ask the Israelis, and demand it with pressure, not to retaliate in a significant way against the terrorist strikes that have been launched against them.

Since its independence in 1948, Israel has fought four wars: The war in 1948 and 1949—that was the war for independence—the war in 1956, the Sinai campaign; the Six-Day War in 1967; and in 1973, the Yom Kippur War, the holiest day of the year, and that was with Egypt and Syria.

You have to understand that in all four cases, Israel was attacked. They were not the aggressor. Some people may argue that this was not true because they went in first in 1956, but they knew at that time that Egypt was building a huge military to become the aggressor. Israel, in fact, was not the aggressor and has not been the aggressor in any of the four wars.

Also, they won all four wars against impossible odds. They are great warriors. They consider a level playing field being outnumbered 2 to 1.

There were 39 Scud missiles that landed on Israeli soil during the gulf war. Our President asked Israel not to respond. In order to have the Arab nations on board, we asked Israel not to participate in the war. They showed tremendous restraint and did not. Now we have asked them to stand back and not do anything over these last several attacks.

We have criticized them. We have criticized them in our media. Local people in television and radio often criticize Israel, not knowing the true facts. We need to be informed.

I was so thrilled when I heard a reporter pose a question to our Secretary of State, Colin Powell. He said:

> Mr. Powell, the United States has advocated a policy of restraint in the Middle East. We have discouraged Israel from retaliation again and again and again because we've said it leads to continued escalation—that it escalates the violence. Are we going to follow that preaching ourselves?

Mr. Powell indicated we would strike back. In other words, we can tell Israel not to do it, but when it hits us, we are going to do something.

But all that changed in December when the Israelis went into the Gaza with gunships and into the West Bank with F–16s. With the exception of last May, the Israelis had not used F–16s since the 1967 6–Day War. And I am so proud of them because we have to stop terrorism. It is not going to go away. If Israel were driven into the sea tomorrow, if every Jew in the Middle East were killed, terrorism would not end. You know that in your heart. Terrorism would continue.

It is not just a matter of Israel in the Middle East. It is the heart of the very people who are perpetrating this stuff. Should they be successful in overrunning Israel—which they won't be—but should they be, it would not be enough. They will never be satisfied.

No. 7, I believe very strongly that we ought to support Israel; that it has a right to the land. This is the most important reason: Because God said so. As I said a minute ago, look it up in the book of Genesis. It is right up there on the desk.

In Genesis 13:14–17, the Bible says:

> The Lord said to Abram, ''Lift up now your eyes, and look from the place where you are northward, and southward, and eastward and westward: for all the land which you see, to you will I give it, and to your seed forever. . . . Arise, walk through the land in the length of it and in the breadth of it; for I will give it to thee.''

That is God talking.

The Bible says that Abram removed his tent and came and dwelt in the plain of Mamre, which is in Hebron, and built there an altar before the Lord. Hebron is in the West Bank. It is at this place where God appeared to Abram and said, ''I am giving you this land,''—the West Bank.

This is not a political battle at all. It is a contest over whether or not the word of God is true. The seven reasons, I am convinced, clearly establish that Israel has a right to the land.

Eight years ago on the lawn of the White House, Yitzhak Rabin shook hands with PLO Chairman Yasser Arafat. It was a historic occasion. It was a tragic occasion.

At that time, the official policy of the Government of Israel began to be, ''Let us appease the terrorists. Let us begin to trade the land for peace.'' This process continued unabated up until last year. Here in our own Nation, at Camp David, in the summer of 2000, then Prime Minister of Israel Ehud Barak offered the most generous concessions to Yasser Arafat that had ever been laid on the table.

He offered him more than 90 percent of all the West Bank territory, sovereign control of it. There were some parts he did not want to offer, but in exchange for that he said he would give up land in Israel proper that the PLO had not even asked for.

And he also did the unthinkable. He even spoke of dividing Jerusalem and allowing the Palestinians to have their capital there in the East. Yasser Arafat stormed out of the meeting. Why did he storm out of the meeting? Everything he had said he wanted was offered there. It was put into his hands. Why did he storm out of the meeting?

A couple of months later, there began to be riots, terrorism. The riots began when now Prime Minister Ariel Sharon went to the Temple Mount. And this was used as the thing that lit the fire and that caused the explosion.

Did you know that Sharon did not go unannounced and that he contacted the Islamic authorities before he went and secured their permission and had permission to be there? It was no surprise.

The response was very carefully calculated. They knew the world would not pay attention to the details.

They would portray this in the Arab world as an attack upon the holy mosque. They would portray it as an attack upon that mosque and use it as an excuse to riot. Over the last 8 years, during this time of the peace process, where the Israeli public has pressured its leaders to give up land for peace because they are tired of fighting, there has been increased terror.

In fact, it has been greater in the last 8 years than any other time in Israel's history. Showing restraint and giving in has not produced any kind of peace. It is so much so that today the leftist peace movement in Israel does not exist because the people feel they were deceived.

They did offer a hand of peace, and it was not taken. That is why the politics of Israel have changed drastically over the past 12 months. The Israelis have come to see that, ''No matter what we do, these people do not want to deal with us. . . . They want to destroy us.'' That is why even yet today the stationery of the PLO still has upon it the map of the entire state of Israel, not just the tiny little part they call the West Bank that they want. They want it all.

We have to get out of this mindset that somehow you can buy peace in the Middle East by giving little plots of land. It has not worked before when it has been offered.

These seven reasons show why Israel is entitled to that land.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate is adjourned until 10 a.m. on Tuesday, March 5, 2002.

Thereupon, the Senate, at 7:15 p.m., adjourned until Tuesday, March 5, 2002, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate March 4, 2002:

DEPARTMENT OF STATE

ROBERT PATRICK JOHN FINN, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO AFGHANISTAN.

STEPHEN GEOFFREY RADEMAKER, OF DELAWARE, TO BE AN ASSISTANT SECRETARY OF STATE (ARMS CONTROL), VICE AVIS THAYER BOHLEN.

THE JUDICIARY

ROBERT R. RIGSBY, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE REGGIE BARNETT WALTON, ELEVATED.

UNITED STATES POSTAL SERVICE

ALBERT CASEY, OF TEXAS, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2009, VICE TIRSO DEL JUNCO, TERM EXPIRED.

DEPARTMENT OF JUSTICE

JAMES B. COMEY, OF NEW YORK, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS, VICE MARY JO WHITE, TERM EXPIRED.

THOMAS A. MARINO, OF PENNSYLVANIA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE DAVID M. BARASCH, TERM EXPIRED.

PATRICK E. MCDONALD, OF IDAHO, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF IDAHO FOR THE TERM OF FOUR YEARS, VICE JAMES HOWARD BENHAM, TERM EXPIRED.

JOHN EDWARD QUINN, OF IOWA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF IOWA FOR THE TERM OF FOUR YEARS, VICE DENNIS H. BLOME, TERM EXPIRED.

DON SLAZINIK, OF ILLINOIS, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE TERRENCE EDWARD DELANEY, TERM EXPIRED.

KIM RICHARD WIDUP, OF ILLINOIS, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE JAMES L. WHIGHAM.

FEDERAL ELECTION COMMISSION

MICHAEL E. TONER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2007, VICE DARRYL R. WOLD, TERM EXPIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 4, 2002:

DEPARTMENT OF ENERGY

RAYMOND L. ORBACH, OF CALIFORNIA, TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF JUSTICE

WILLIAM SMITH TAYLOR, OF ALABAMA, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS.