The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. Boozman).

DESIGNATION OF THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 11, 2002.
I hereby appoint the Honorable John Boozman to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAayer
The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, our strength and courage, You have been and remain our Saviour. Your people in their desert exodus from bondage to freedom were shielded by a cloud during the day and protected by a pillar of fire at night. Again, Your overshadowing spirit brought Your word to life in the virgin womb and You brighten the world with everlasting light.

As we pray today, we acknowledge the cloud as a sign of Your abiding presence and the fire as the enlightenment needed by this Congress and this Nation at this time in our history. Six months have passed since the day of our evacuation from this hallowed Chamber. Now here we stand. Our life has changed. Our determination is strong. Our cause is just. And our desire is a secure peace.

Manifest Your presence to Your people once again. Guard us and guide us. For we do not know the next move of terror as we journey to keep covenant with You, Almighty God, now and forever. Amen.

THE JOURNAL
The SPEAKER pro tempore. The CHAIR has examined the Journal of the last day’s proceedings and announces to the House his approval thereof. Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. The CHAIR will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE
The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
March 8, 2002.
Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 8, 2002 at 10:43 a.m.

That the Senate agreed to the House amendment to the Senate amendment to the bill H.R. 3090.

With best wishes, I am
Sincerely,
MARTHA C. MORRISON,
Deputy Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Friday, March 8, 2002:

H.R. 3090, to provide tax incentives for economic recovery.

REMOVAL AS CONFEREE AND APPOINTMENT OF CONFEREE ON H.R. 2646, FARM SECURITY ACT OF 2001
The SPEAKER pro tempore. Without objection, and pursuant to clause 11 of rule I, the Chair removes the gentleman from North Carolina (Mr. Baleneger) as a conferee on H.R. 2646, Agriculture, Conservation and Rural Enhancement Act of 2002, and appoints the gentleman from Maryland (Mr. Bartlett) to fill the vacancy.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

ENROLLED BILL SIGNED
Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill
of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3090. An act to provide tax incentives for economic recovery.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 12:30 p.m. tomorrow for morning hour debates. There was no objection. Accordingly, at 2 o’clock and 5 minutes p.m., under its previous order, the House adjourned until tomorrow, Tuesday, March 12, 2002, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:

5801. A letter from the Assistant Secretary of Defense, Force Management Policy, Department of Defense, transmitting a notification to close five Department of Defense commissary stores; to the Committee on Armed Services.

5802. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Board’s semiannual Monetary Policy Report, pursuant to 12 U.S.C. 225a; to the Committee on Financial Services.

5803. A letter from the Assistant Secretary, Department of Education, transmitting Final Rule: Student, Family, and Adult Training: National Rehabilitation Leadership Institute, pursuant to 20 U.S.C. 1222(f); to the Committee on Education and the Workforce.

5804. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency’s annual report entitled, “Progress Toward Implementing Superfund Fiscal Year 1998,” pursuant to 46 U.S.C. 9651; to the Committee on Energy and Commerce.

5805. A letter from the Assistant Secretary for Legislative and Public Affairs, Department of State, transmitting the forty-ninth report on the extent and disposition of United States contributions to international organizations for fiscal year 2001; to the Committee on International Relations.

5806. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department’s final rule—Implementation of the Wasecaarrangement List of Dual-Use Items Revisions: Computers; and Revisions to License Exception CTP: Implementation of Presidential A nnouncement of January 2, 2002 [Docket No. 02322804-2041-01] (RIN: 0994-AC42) received March 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5807. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department’s final rule—Revisions to License Exception CTP [Docket No. 02322804-2041-01] (RIN: 0994-AC56) received March 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5808. A letter from the Assistant Administrator for Legislative and Public Affairs, Agency for International Development, transmitting the Agency’ s Accountability Report for FY 2001; to the Committee on Government Reform.

5809. A letter from the Executive Secretary and Chief of Staff, Agency For International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5810. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5811. A letter from the Secretary, Department of the Treasury, transmitting the Department’s Accountability Report for FY 2001; to the Committee on Government Reform.

5812. A letter from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department’s final rule—Treasury Rate Direct Loan Program (RIN: 0572-AB71) received March 6, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5813. A letter from the Secretary, Department of Commerce, transmitting the Department’s Accountability Report for FY 2001; to the Committee on Government Reform.

5814. A letter from the Assistant Director for Executive Secretariat, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5815. A letter from the Secretary, Department of Energy, transmitting the Department’s Performance and Accountability Report for FY 2001; to the Committee on Government Reform.

5816. A letter from the Secretary, Department of State, transmitting the Department’s Accountability Report for FY 2001; to the Committee on Government Reform.

5817. A letter from the Secretary, Department of Transportation, transmitting the Department’s Accountability Report for FY 2001; to the Committee on Government Reform.

5818. A letter from the Comptroller General, General Accounting Office, transmitting the Office’s Performance and Accountability Report for FY 2001; to the Committee on Government Reform.

5819. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration’s Accountability Report for FY 2001; to the Committee on Government Reform.

5820. A letter from the Deputy General Counsel and Designated Reporting Official, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5821. A letter from the Secretary, Department of Labor, transmitting the Fiscal Year 2001 Annual Report on Performance and Accountability; to the Committee on Government Reform.

5822. A letter from the Acting Associate Deputy Administrator for Management and Administration, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5823. A letter from the Acting Assistant Administrator for Ocean Services and Coastal Zone Management, Department of Commerce, transmitting the Department’s final rule—Regulation of the Operation of Motorized Personal Watercraft in the Gulf of the Farallones National Marine Sanctuary [Docket No. 9706156-1021-01] (RIN: 0648-AG01) received March 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5824. A letter from the Assistant Administrator, National Oceanic and Atmospheric Administration, transmitting the 2001 report on the Apportionment of Membership on the Regional Fishery Management Councils pursuant to section 302 (b)(2)(B) of the Magnuson-Stevens Fishery Conservation and Management Act; to the Committee on Resources.

5825. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule—Airworthiness Directives: Bell Helicopter Textron Canada Model 430 Helicopters [Docket No. 2001-CE-33-AD; Amendment 9-12650; AD 2002-01-09] (RIN: 2230-AA65) received February 26, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.


5828. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule—Airworthiness Directives: Pilatus Aircraft Ltd. Model PC-7, PC-12, and PC-12/45 Airplanes [Docket No. 2001-CE-33-AD; Amendment 9-12660; AD 2002-01-09] (RIN: 2230-AA65) received February 26, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.


5830. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule—Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department’s final rule—Security Zone in View of Lightship Tampico, Florida [COTP TAMPA 01-117] (RIN: 2115-AA97) received March 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5831. A letter from the Assistant Secretary, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5832. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department’s final rule—Security Zone; San Diego, CA (COTP San Diego 01-020) [RIN: 2115-AA97] received March 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5833. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department’s final rule—Security Zones; San Francisco Bay, San Francisco, CA and Oakland,
CA [COTP San Francisco Bay 01–011] (RIN: 2115–AA97) received March 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5834. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone: Port of Miami, Miami, Florida [COTP Miami–01–116] (RIN: 2115–AA97) received March 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5835. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone: Port of Port Everglades, Fort Lauderdale, FL; Port of Miami, Miami, Florida [COTP Miami–01–116] (RIN: 2115–AA97) received March 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5836. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone: Port of Port Everglades, Fort Lauderdale, FL; Port of Port Everglades, Fort Lauderdale, FL; Port of Miami, Miami, Florida [COTP Miami–01–116] (RIN: 2115–AA97) received March 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5837. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone: Charleston Harbor, Cooper River, South Carolina [COTP Charleston–02–003] (RIN: 2115–AA97) received March 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5838. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting the Department's first annual report of the Task Force on the Prohibition of Importation of Products of Forced Labor or Prison Labor; to the Committee on Ways and Means.

5839. A letter from the Regulations Coordinator, Center for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Correction of Certain Calendar Year 2002 Payment Rates Under the Hospital Outpatient Prospective Payment System and the Pro Rata Reduction on Transitional Pass-Through Payments; Correction of Technical and Typographical Errors [CMS–1199–F4] (RIN: 0938–AK54) received March 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

(The following action occurred on March 8, 2002)

Mr. STUMP: Committee on Armed Services. H.R. 2581. A bill to provide authority to control exports, and for other purposes; with amendments (Rept. 107–197 Pt. 2).

DISCHARGE OF COMMITTEE

(The following action occurred on March 8, 2002)

Pursuant to clause 2 of rule XII the Committees on Agriculture, Energy and Commerce, the Judiciary, Rules, Ways and Means and the Permanent Select Committee on Intelligence discharged from further consideration. H.R. 2581 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BURTON of Indiana (for himself and Mr. TOM DAVIS of Virginia): H.R. 3921. A bill to amend the Clinger-Cohen Act of 1996 to extend until January 1, 2005, a program applying simplified procedures to the acquisition of certain commercial items, and to require the Comptroller General to submit to Congress a report regarding the effectiveness of such program; to the Committee on Government Reform.

By Mr. MALONEY of Connecticut: H.R. 3922. A bill to amend the Internal Revenue Code of 1986 to prevent corporations from avoiding the United States income tax by reincorporating in a foreign country; to the Committee on Ways and Means.

By Ms. NORTON: H.R. 3923. A bill to promote the economic recovery of the District of Columbia, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 638: Mr. JACKSON of Illinois, Mr. ANDREWS, Mr. McDERMOTT, and Mr. KUCINICH.

H.R. 745: Mr. DOYLE and Mr. FISHER.

H.R. 1294: Mr. FALEOMAVAEGA, Mr. FORBES, Mr. TERRY, Mr. TOWNS, and Mr. GEKAS.

H.R. 1307: Mr. CARSON of Oklahoma, Mr. BRADY of Pennsylvania, Mr. GEKAS, Mr. HOLT, Mr. HINOJOSA, Mr. HASTINGS of Florida, Ms. WATERS, Mrs. MCCARTHY of New York, and Ms. BROWN of Florida.

H.R. 1360: Mr. WU.

H.R. 1364: Mr. ROHRABACHER and Mr. CALVEZ.

H.R. 2144: Mr. DEFAZIO.

H.R. 2462: Mrs. MORELLA, Mr. PRICE of North Carolina, and Mr. PASCRELL.

H.R. 2487: Mr. BLAGOJEVICH.

H.R. 2592: Mr. CAPUANO.

H.R. 2677: Ms. WOOLSEY.

H.R. 3236: Mr. ALLEN, Mr. FRANK, Mr. McGovern, Mr. UNDERWOOD, Mr. WEXLER, and Mr. LANTOS.

H.R. 3339: Mr. LAMPSON.

H.R. 3640: Mr. PAYNE.

H.R. 3657: Mr. SCHIFF, Mr. WATT of North Carolina, Mr. EVANS, and Mr. BORSKI.

H.R. 3676: Mr. EVANS and Mr. PETRIE of Minnesota.

H.R. 3738: Mr. COYNE.

H.R. 3738: Mr. COYNE.

H.R. 3740: Mr. COYNE.

H.R. 3409: Mr. STARK and Mr. SCHIFF.

H. Con. Res. 4: Mr. TIBERI, Mr. DAVIS of Illinois, Ms. CARSON of Indiana, and Mr. LIPINSKI.

H. Con. Res. 42: Mr. CROWLEY, Mr. OWENS, and Mr. ACKERMAN.

H. Con. Res. 99: Mr. McGovern and Mr. KILDEE.

H. Con. Res. 320: Mr. KILDEE.
The Senate met at 3 p.m. and was called to order by the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska.

PRAYER

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

Dear God, this is a day of memory, of a day of infamy. Life never can be the same again. The vivid, haunting images of the shocking attack by terrorists flash on the screen of our memory: the horror of the Trade Center towers crashing down; a crushing inferno filled with loved ones and friends; a gaping hole in the Pentagon torn by an airliner turned missile; a downed airplane in Pennsylvania kept from its destination here in the Capitol by heroes and heroines.

Six months later there has been some healing of our grief, a great rebirth of patriotism, and an indomitable resolve to win the war against terrorism. Most important of all is our confrontation with evil, death, and tragedy. These have made us reevaluate our priorities and once again put You first in our lives, our families second, our loyalty to our beloved Nation third, and our work and careers and the things money can buy last of all. We've vividly seen the shortness of life and the length of eternity.

On this 6-month anniversary of September 11, we turn our hearts to those who lost loved ones, especially the families and friends of the firefighters and police officers who made the supreme sacrifice. This will not be an easy day for them. Bless them with Your perfect peace and Your courage. Hear our prayer for our military engaged in the war against terrorism. We are united, we are one, we are Americans! And You are our Lord and Saviour, Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U. S. SENATE,
President pro tempore,

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

ROBERT C. BYRD,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

SCHEDULE

Mr. BINGAMAN. Mr. President, for the information of all Senators, the Senate will be on the energy bill for the remainder of the day. There are no rollcall votes to occur today. The next rollcall vote will occur on Tuesday at approximately 10:30 a.m. Today, the floor will be open for debate on any amendment or for the consideration of any amendment that does not require a rollcall vote.

NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 517, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

Pending:

Daschle/Bingaman further modified amendment No. 2917, in the nature of a substitute.

Feinstein amendment No. 2989 (to amendment No. 2917), to provide regulatory oversight over energy trading markets.

Bingaman/Domenici amendment No. 2990 (to amendment No. 2917) to promote collaboration between the United States and Mexico on research related to energy technologies.

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

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

The legislative clerk proceeded to call the roll.

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

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

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

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

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

(The remarks of Mr. THOMAS are located in today’s RECORD under “Morning Business.”)

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

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

The legislative clerk proceeded to call the roll.
Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DORGAN. Mr. President, I wish to speak generally today about the energy policy in this country and especially about the energy bill we are debating in the Senate. I also want to offer an amendment—a noncontroversial amendment. I think both sides have been apprised of it. I would like to get it pending. I will not ask that we vote on it today. I ask unanimous consent that the amendment now pending be set aside so I might offer an amendment.

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

AMENDMENT NO. 2930 TO AMENDMENT NO. 2971

Mr. DORGAN. Mr. President, I send an amendment to the desk.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. Dorgan] proposes an amendment numbered 2961.

Mr. DORGAN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

Purpose: To provide for training of electric power generation plant operators

In section 1503(a)(1), strike “nuclear power industry” and insert “the electric power generation industry (including the nuclear power industry)”.

At the end of title XV, add the following new section:

SEC. 1506. NATIONAL POWER PLANT OPERATIONS TECHNOLOGY AND EDUCATION CENTER.

(a) ESTABLISHMENT.—The Secretary shall establish a National Power Plant Operations Technology and Education Center (the “Center”), to address the need for training and educating certified operators for electric power generation plants.

(b) ROLE.—The Center shall provide both training and continuing education relating to electric power generation plant technologies and operations. The Center shall conduct training and education activities on site and through Internet-based information technologies that allow for learning at remote sites.

(c) CRITERIA FOR COMPETITIVE SELECTION.—The Secretary shall establish the Center at an institution of higher education with electrical power system technology and operation and that can provide on-site as well as Internet-based training.

Mr. DORGAN. Mr. President, I rise to introduce an amendment to establish a national energy technology training and education center. This amendment is critical, because, as of yet, no comprehensive education program exists for electric system operators. Meanwhile, our energy sector and electricity grid are becoming increasingly complex.

These changes in the electric industry and changes in electricity market structures require educated, highly-skilled operators and technicians. In addition, electric system operators are essential to reliable and safe generation, transmission, and distribution of electric power. Education programs that provide training specific to the electric industry are rare, because of the diverse and specialized structure and because, for example, most transmission system operators are promoted from within and trained on the job, rather than having had formal training.

One goal of an energy training center, such as the one this amendment would create, would be to provide quality education programs for workers who are often unable to participate in college programs, due to their shift schedules or other reasons. These programs would be offered via the Internet, for example, to accommodate these workers. The programs offered through this Energy Center would be directly related to the industry, to ensure that a pool of multi-skilled workers are trained to meet the future needs of the industry.

The energy industry needs an Internet program to train power plant operators and other technicians in the various aspects of the energy industry. To respond to this growing need, a certificate and degree program is being developed in collaboration with regional transmission representatives, utility experts, the American Electric Power Research Institute, and others. The objectives of this program are (1) to prepare well-trained electricity system operators who can adapt and be productive in power plant and process plant technologies and environments; (2) to provide anywhere, anytime learning opportunities through Internet courses for presently employed personnel who are unable to leave their workplaces to attend courses and/or are restricted by 12-hour work schedules, in relation to the educational site, and (3) to provide an associate degree option in this field.

Over the next 10 years, the demand for electric power plant operators is expected to increase by approximately 25 percent. Constraints on electric transmission line capacity will result in additional transmission line construction and improvements that will increase the need for skilled line operators. Due to technological advances, line operators will continue to need to update their knowledge base. Moreover, we will need specially trained people to ensure the continued reliability of our energy infrastructure.

The Energy Center would:

Work in conjunction with the North American Electric Reliability Council to promote flexible continuing education opportunities for system operators to help maintain their required certifications:

Offer flexible education opportunities related to the security of the electric industry infrastructure and emergency preparedness

Provide flexible education offerings directly related to the generation, transmission and distribution sectors.

Provide national communication to the electric industry by hosting conferences, forming national advisory boards, and facilitating chat rooms and web-casts; and

Provide simulation opportunities for students to operate sophisticated control stations and distributive control systems in a supervised environment.

This is an amendment to which I believe both sides will agree. We have had discussions with both sides. As I indicated, I will wait until later to ask that it be voted on. I don’t believe it would require a record vote.

This amendment would establish a national energy technology training and education center. Changes in the electric industry and especially changes in the electricity market structures, require a different set of skills, a different education for operators and technicians of electric power plants. In addition to trying to establish that, we would establish an energy technology center, which would provide quality education programs for workers who were often unable to participate in other programs that would give them the kinds of disciplines that are necessary in this new energy climate.

Let me talk more about the energy bill on the floor of the Senate. I spoke last week at some length about it. The energy bill includes four pieces. First, we need to produce more energy. All of us agree on that. We are going to have a disagreement on the issue of ANWR, but there is no disagreement over whether we should or whether we need to produce more energy. The answer is yes, of course, we must.

We have had votes on the floor in recent months on the subject of opening up portions of the Gulf of Mexico off the coast of Florida for additional energy production. I voted for that. We have also had discussions and votes on other legislative efforts to put in other areas to enhance incentives for the production of oil, natural gas, and coal to be used in an environmentally sensitive way to extend America’s energy supply. We have to do that.

The point is, if that is all we do when we come to the floor of the Senate in March of 2002, just to increase the supply of energy, this country will be consigned to a strategy that I call “yesterday forever.” Twenty-five years ago, when we debated energy, this is what we did; 25 years later, when we debate energy, this is what we will discuss. It is a “yesterday forever” strategy—just dig and drill, dig and drill, and somehow, that represents America’s policy. That is not enough.

Drilling and digging is important. It is important to do it, and it is important to do it the right way, but there is much more to be done. So production, No. 1. I would add, conservation. We waste an enormous amount of energy in our country. We need a title in this energy bill, which is included in the bill that is now on the floor of the Senate, that
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talks about conservation—conservation in a range of areas.

One important area in this legislation that will be controversial will be a new SEER standard for air-conditioners, called SEER 13. We will have devil’s advocacy out there, but the fact is conservation means conservation in transportation, conservation with respect to efficiency of appliances, and a whole range of areas by which you can save a barrel of oil. A barrel of oil saved is just the same as a barrel saved. So it is important for us, it seems to me, to be concerned about those areas.

We also need to be concerned about additional production of energy from renewables and limitless sources of energy. That includes biodiesel, biomass, wind energy, and a range of others—especially something I am very interested in, called fuel cells.

When I talked about “yesterday forever,” I talked about the fact that the automobile changed in a hundred years. You still pull up to the tank and put the hose in the tank and pump gas. They did it 100 years ago, and we do it now. The internal combustion engine still sucks gas and uses oil. That is what some interesting work on the horizon suggesting to us, perhaps for the first time, that there will be significant changes. An article in Energy Tech Online by Drew Robb is titled “Houston, We’ve Got a Solution: Fuel Cells Come Back to Earth.” It talks about much of the initial fuel cell research that was funded by NASA, and although the technology of fuel cells showed enormous promise, sky-high costs kept any commercial interest pretty much as low ebb. Then, in the 1990s, investment poured in as a method of reducing toxic emissions and greenhouse gases, and we began to see some real progress. Commercial interests—many which are in the development of funding for fuel cells—now come from the transportation power generation and oil suppliers.

I drove a fuel cell vehicle on the grounds of the Capitol Building some months ago. It did not make any noise. It did not have an internal combustion engine. It used oxygen and hydrogen that combine to create a fuel supply by which this automobile moved, and it pushed water vapor out the back end.

That is a pretty good deal, it seems to me: A fuel cell engine, and the effluent from the back end of that automobile is water vapor.

Does all of that make sense? It does to me.

DaimlerChrysler, for example, plans to spend $5 billion on the coming years on fuel cell research. In April of last year, it unveiled its hydrogen-powered car called NECAR 4, based on the Mercedes A series. They developed a prototype hydrogen fuel cell, which is one-third the size of previous versions. Ford, GM, Ballard, and others are pursuing similar projects.

The reason I talk about the fuel cell is because it is one of those new technologies that offers the promise of unlimited, clean, quiet, safe, and low-cost energy for the long term. It just makes sense for us to move in that direction if we can.

How do we do that? As I said, we have been putting hydrogen into automobiles the new way for a century. Just because every debate in the Senate for 25 years has been a debate about doing more tomorrow that which we did yesterday—that is not a debate, that is just a thoughtless policy.

I come back to the idea that produces a fair amount of energy. We produce oil, coal, some natural gas. We also have the capacity to produce a substantial amount of wind energy. Last Friday’s vote in the Senate to extend the production tax credit for wind energy and renewables is very important. Taking the energy from the wind and using it to turn the blades of a new technology turbine, create electricity, and have that electricity course through transmission lines and be sent to somewhere in the country that needs it is a very important step in changing our energy mix from an overreliance on natural gas, oil, and coal to a reliance as well on limitless and renewable energy supplies.

One of the amendments we are going to be discussing in the Congress in the next week or so will be what is called the renewable portfolio standard. That is creating an aspiration or a goal on the part of this country to have a certain percent of our energy needs coming from renewable energy sources by the year 2020.

If we have a renewable portfolio standard of 10 percent, utilities will be required to sell 10 percent of their electricity from renewable energy by the year 2020. That makes good sense to me. We will have people in the Chamber of the Senate who think it is not a good idea. I think they are wrong.

Recently, I was in that part of the world that has so much instability. I was in central Asia. I was in the “stans”—countries—Afghanistan, Uzbekistan, Kyrgyzstan. One only has to go to the Middle East and central Asia to understand how fragile our energy supply is in this country. A substantial amount of our energy, 57 percent, comes from imported oil. A substantial amount of that comes from the Middle East and central Asia.

If, God forbid, tonight after midnight found a way to create an act of terror against the energy supply that comes from the Middle East, our economy would be flat on its back tomorrow morning. It is just that simple.

Shouldn’t we be concerned about that? Of course. The answer is yes.

Today is the 6-month anniversary of the terror that was visited upon this country on 9-11 last year. We have talked a lot in the last 6 months about American security, national security, and it is important to understand that national security also means energy security.

When you take a look at what is happening in the Middle East today, look at what is happening in central Asia, then ask yourself: Does it make sense for the biggest, the strongest, the largest economy in the world to be this overly dependent on energy supplies from the Middle East and central Asia? The answer is no.

How do we decide to change that? We pass legislation that has some real bite to it in a number of important areas. One of them is, as I mentioned, renewable portfolio standards by which we describe that we want the generation of electricity in our country in the future to come increasingly from renewable and limitless sources of energy.

We can do this if we decide we want to do it, or we can just slip back into the same comfortable debate we have had decade after decade.

Will Rogers once said: When there is no place left to spit, you either have to swallow your tobacco juice or change with the times. On energy there is really no place left. It is an indecipherable, perhaps, of description, but anyone who understands it understands we have a requirement to do this differently.

It is our obligation now to make a difference with respect to energy policy. This is not the best time to be debating energy. I bought gasoline yesterday for $1.08 a gallon. In fact, go to a gas station these days and buy a gallon of gas or buy 4 quarts of water. They sell water now in quart jars in the cooler. It will cost you more to buy the 4 quarts of water than it will a gallon of gasoline. It says a little something about priorities, I suppose. But it is not a great time to be debating an energy bill when gasoline costs less than water at a gas station.

Nonetheless, we were ill advised as a Senate to believe this is a good time for America’s energy supply because somehow the prices are low and that reflects stability for the future. It does not.

We must pass an energy bill now. In the next several-week period, it is the right thing for this Congress to pass a comprehensive energy bill. It ought not be a bill like that which the House of Representatives passed which, as I said, is a yesterday forever policy. It ought to be legislation that is balanced, that has all four pieces: Encouraging additional production, encouraging additional conservation, paying attention to additional efficiencies, and providing incentives for additional renewable and limitless supplies of energy.

All four of those elements are part of a comprehensive and smart energy policy for this country. It is not a smart energy policy to do as the House of Representatives did and simply say we return to the same basis of increased production. That is not a smart energy policy.

Senator BINGAMAN and my colleagues on the Energy Committee have worked
on this legislation. It has some significant points of disagreement, no question about that. ANWR will be hotly debated. My colleague from Alaska has a passionate feeling about that, as do some others. CAFE standards will be passionately debated, and the Senate will make decisions about both of them.

In the longer term, the question of whether we succeed for this country in developing an energy policy that moves this country ahead, reduces its dependence on foreign sources of energy, and increases this country’s energy and national security will depend on whether we pass legislation that is balanced in all four areas I have mentioned.

At the start of my presentation, I offered an amendment. It is now pending. I believe it will be accepted by both sides at some point when they have considered other legislation.

I thank the Senator from Alaska for allowing me to proceed. He has something like 564 charts or close to that. I suspect he will be making a long presentation on a subject about which he is very passionate.

Mr. President, I say to the Senator from Alaska, I have visited Alaska. It is a beautiful place. We have disagreements about certain production in Alaska, but I think he certainly speaks aggressively on behalf of his view of those issues. I do think he is right on the point that we must produce more. The question is not whether: the question is how do we produce more and where do we produce more.

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

The ACTING PRESIDENT pro tem. 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 recess be rescinded. The question is whether: the question is not whether, the question is how do we produce more and where do we produce more.

I yield the floor to Senator BINGAMAN of New Mexico.

Mr. BINGAMAN of New Mexico. Mr. President, I rise in support of the amendment our colleague from Alaska is offering. It is an amendment in the spirit of moving efficiently. Therefore, I have no objection to the amendment. My only concern is we have some norm that is reasonable in the training, but I want to assure the Senator we will accept the amendment in the spirit of moving along with the energy bill. I want to comment on several aspects of amendments which we are going to be taking up very soon. There are a couple of points I want to address specifically. One is the Alaska-Hawaii oil study which makes technical changes to the study language which is contained in section 1702 of the original Daschle bill. It requires the Department of Energy to assess the economic implications and dependence on oil as a resource for most of its energy needs.

I remind my colleagues the oil that Hawaii receives comes from Alaska. It comes in U.S. ships because the Jones Act makes the carriage of commodities between two American ports has to be on a U.S. vessel. So this is a significant contributor to the American merchant marine inasmuch as it must use a U.S. vessel built in a U.S. yard with U.S. crews for the benefit of Hawaii.

I want to assure the Senator from Hawaii that the amendment has been cleared by both sides. It is an amendment of a technical nature. It specifies—of Energy to assess the economic implications of the dependence on oil as its principal source of energy for the Hawaiian Islands. I have indicated I support the amendment.

We will be concerned about the economic dependence of our States on imported oil. Hawaii uses about 99.8 percent of its electricity needs generated from oil. Of the 50-plus million barrels of oil consumed in Hawaii, it comes primarily from Alaska. There is some that is imported as well, but the imported oil comes in foreign ships with foreign crews. As a consequence, the State Department indication on tourism indicated the transportation fuel prices caused substantially high impacts on the Hawaiian economy. Higher fuel means higher airplane tickets. Higher energy costs means higher hotel bills.

So I agree with my friends from Hawaii, we should investigate our options to ensure energy security. I know the Senator from Hawaii has been working on the strategic petroleum reserve in case there are interruptions because of Hawaii’s dependence on imported fuel, and I support that.

There is also an amendment we can accept, and that is the Bingaman U.S.-Mexico energy technology cooperation. This amendment authorizes $23 million over the next 5 years for projects to improve and reduce environmental impacts of economic development along the U.S.-Mexican border. It is the same as a bill approved by the Senate in the 106th Congress. I am pleased to join with Senator BINGAMAN in supporting this.

The amendment improves environmental quality and protection of public health along the southern border with Mexico, and it prompts energy-efficient, environmentally sound, and economic development. As we address transboundary problems like air pollution and climate change, we are going to need these kinds of partnerships with other nations obviously, sharing the recommendations of Members from those States that join our southern border. Clearly, they know what is in the best interest of their area and their State. As a consequence, I respect that, and, hence, support the Bingaman U.S.-Mexico energy technology cooperation.

We have an amendment that we will be taking up tomorrow, and it is the Feinstein energy trading market oversight. I think we are going to probably be having some spirited discussions on this amendment. I am anxious to learn a little more from California. As I understand, the amendment could potentially disrupt both the electrical and natural gas trading markets. I hope that would not be the case, and perhaps this could be brought out in the debate, but if it is the case it could lead to significant increases in the price of electricity and natural gas to consumers throughout the country. It could also lead to energy price and supply problems on the level—I would hope not—of the California disaster of last year. It seems to have a national-wide application.

I want to emphasize that these could be problems because, frankly, we do not really know. The amendment has material witness, without any hearings, without any witnesses, without any testimony from the Federal Energy Regulatory Commission and the SEC or the Justice Department. So we do not have any real analysis. I do not know what problem this amendment is trying to fix. On the other hand, I look forward to the debate. Perhaps we will be enlightened by the Senator from California. We do not know if this amendment actually fixes the problem, let alone recognizes the problem. We do not know if this amendment has the right problem. So we look forward to some clarification. One thing is clear, if this amendment is intended to prevent another Enron collapse, in my opinion it will not work. Enron’s collapse had nothing to do with the energy trading business. It was triggered when Enron’s other business activities raised questions of accounting irregularities and conflict of interest among the company’s executives. In other words, Enron’s bankruptcy was not the result of unregulated energy trading. It was the result of Enron’s bad judgment, bad accounting practices, a fundamental lack of honesty, and a loss of investors’ confidence.

Even if this amendment had been adopted 10 years ago, I do not see how it would have done anything but recognize the free market would dictate an environment where Enron still would have collapsed.

Many other honest and legitimate energy trading businesses have done, and are continuing to do, the very same kind of energy trading in which Enron was engaged. They have not gone bankrupt.

We all want information disclosure, and good corporate management. We all want to fix the problem and prevent...
another Enron from occurring, we want to protect the stockholders and employee pension funds, and not inadvertently sow the seeds of an even greater problem.

Let us not throw the baby out with the bathwater, and let us make sure we know what is being done. Let us fix the problem that needs to be fixed. Let us not make the problem worse.

This amendment preferably should be introduced as legislation. Hearings should occur with testimony from the FERC, the Commodities Future Trading Commission, the Department of Justice, and others. The committee of jurisdiction should consider testimony, weigh the evidence, and report a well thought out bill that really fixes the problem. I would encourage that we become enlightened because it is rather inconsistent to recognize that some of these bills that have not had a full evaluation could be dropped in conference, and that is not fair to anybody whose work has worked so hard and presented responsible legislation.

So let us not just satisfy a pile-on, so to speak, to do something regardless of whether it works or not. Our $200 billion electric power system is too important to toy with. Confidence in our future trading businesses is too important not to fix it properly, assuming there is something that needs to be fixed.

As a consequence I remain open and yet somewhat guarded in my evaluation of whether this amendment is going to do anything other than pile on more criticism for the manner in which the Enron failure occurred.

I would like to remind my colleagues, and staff particularly, that when Enron collapsed two things did not happen. First, we didn’t see an increase in electric rates. Second, we didn’t see a decrease in supply.

The conclusion we can draw is, clearly the system worked. There was a transition where the open market simply picked up the volume that Enron was trading and transferred that over to other organizations to continue that function. I would hate to have seen a situation occur where you would have to get approval from FERC on who was going to do anything other than pile on and staff particularly, that when Enron collapsed two things did not happen. I would like to remind my colleagues, and staff particularly, that when Enron collapsed two things did not happen.

I have a couple of other points I want to bring up relative to where we are going with this legislation. I doubt very much we are going to get anything introduced today on CAPE, although I had hoped that might occur. I gather the principals are still in the process of some discussion.

I would like to comment briefly on the wind farm that would be held, with testimony from the Senate wants electricity reform, that is exciting to many of us; that is, that power is flowing birds don’t have that problem.

I would also like to take a look at the other types of generation.

I have one more renewable energy source that might get the attention of some of my colleagues. In the State of the current occupant of the chair, the senator from California, there is a wind farm located between Banning and Palm Springs in San Gorgonio. She is quite familiar with it. I have been through there many, many times. I don’t know how many windmills there are on this wind farm, but I do know it is significant. Some suggest it is a Cuisinart for the birds because while flying low they occasionally have a problem getting through there. On the other hand, higher flying birds don’t have that problem.

The point is, you can look at it and say it is a pretty picture, or you can say that there is a rather dramatic footprint that has its own attraction, but I think it is important to look at the environmental benefit.

I understand this particular area is a little over 1,500 acres of wind generators, but 2,000 acres of wind generators produce the energy equivalent of 1,815 barrels of oil. Yet 2,000 acres of ANWR would produce only 1 million barrels of oil a day. Two thousand acres in the Arctic National Wildlife Refuge would produce roughly 1 million barrels of oil per day. I think that gives you a little comparison, if you will, of the foot print associated with renewables in the sense of a meaningful and significant contribution. It is important. We want to continue to look toward the renewables in the future. But we should recognize that there is a legitimate tradeoff.

We are going to debate ethanol, and it is only one of the potential sources of energy. It comes from corn, primarily. If we were to take 2,000 acres of ethanol farmland and plant corn, we would produce the equivalent of 25 barrels of oil a day from 2,000 acres. Take 2,000 acres of ANWR and it will produce 1 million barrels of oil a day.

To produce a million barrels of oil, it would take corn fields covering the entire States of New Mexico and Connecticut. You would have to plant all the acres in the State of my friend, Senator BINGMAN, in corn, plus all the acres in Connecticut to get 1 million barrels of oil. In Alaska, you could get 1 million barrels of oil from ANWR’s 2,000 acres.

I think that gives you a little comparison. If we were to take 2,000 acres of ANWR and it would produce the energy equivalent of 1,815 barrels of oil, yet 2,000 acres of ANWR would produce only 1 million barrels of oil a day. Two thousand acres in the Arctic National Wildlife Refuge would produce roughly 1 million barrels of oil per day. I think that gives you a little comparison, if you will, of the foot print associated with renewables in the sense of a meaningful and significant contribution. It is important. We want to continue to look toward the renewables in the future. But we should recognize that there is a legitimate tradeoff.

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The conclusion we can draw is, clearly the system worked. There was a transition where the open market simply picked up the volume that Enron was trading and transferred that over to other organizations to continue that function. I would hate to have seen a situation occur where you would have to get approval from FERC on who would pick up that additional responsibility after Enron’s failure, as opposed to the clear and workable process that filled the vacuum left by Enron. When Enron collapsed, we didn’t see price increases, and we didn’t see a shortage of supply.

I have a couple of other points I want to bring up relative to where we are going with this legislation. I doubt very much we are going to get anything introduced today on CAPE, although I had hoped that might occur. I gather the principals are still in the process of some discussion.

I would like to comment briefly on the wind farm that would be held, with testimony from the
energy we use to move America, whether it is in our automobiles, our planes, our trains, and so forth, and that there is a significant footprint associated with renewables. As indicated, for example, the wind does not blow all the time.

So when we look at various aspects associated with the electric portion that covers renewables, I think we have to keep in mind, indeed, there is a trade-off.

The philosophical difference is apparent when you compare the electric legislation I had introduced earlier this year with the pending Daschle bill.

My legislation was bipartisan. It was S. 388. We had three electric provisions: We had PURPA, we had PURPA, and we had reliability. The PURPA and PURPA repeal provisions promote competition by reducing Federal interference with the marketplace.

The electric reliability provision protects consumers by creating an industry-run, Government-overseen, electric reliability organization that has clear enforcement authority. Consumers will continue to be fully protected because, first, the States will continue to regulate retail rates, and, second, FERC will regulate wholesale, or transmission, rates, which I feel quite comfortable with and which has worked quite well, in my opinion.

Let me identify some of the provisions in the majority leader’s electric title which creates new Federal authority or preempts State authority.

Section 202 expands FERC’s jurisdiction over utility mergers and acquisitions.

Section 203 gives FERC new authority to restructure the electric power industry with no guidance—absolutely none—from Congress.

Section 205 gives FERC authority to order the construction of new transmission lines and to order the sale of electricity by its own motion.

Section 206 gives FERC new authority over publicly owned utilities to order open access transmission. Although this section exempts all but the largest publicly owned utilities, we all know what happens in conference to those exemptions once the principle has been established.

Section 207 gives FERC new authority to establish and enforce electric reliability standards, notwithstanding the view that FERC, in my opinion, does not have the expertise in this area.

Section 256 prevents States’ consumer protection provisions if they go beyond or are different from Federal consumer protection provisions established by the Federal Trade Commission.

Section 263 places a Federal mandate on the Federal Government to purchase renewable energy. I have a hard time with that—even if it is too costly or not available.

Section 265 imposes a Federal Btu tax in the form of what I consider an unrealistic, unachievable renewable portfolio mandate, which will cost consumers an estimated $12 billion next year.

Madam President, I could mention other provisions, but I think you get the sense of my concern.

But just as important as what is in Senator Daschle’s bill is what is not in it. There are no incentives to build significant new generation. Instead, the majority leader’s bill places our future in the hands of conservation and renewable energy. Turn off the lights; put a windmill in your backyard.

I have long had three principles for good electric legislation: We should deregulate where we can; we should strengthen where we can; and we should not interfere with States’ efforts to protect their own consumers.

The electricity provision of Senator Daschle’s bill, in my opinion, falls on its face. It does not do anything significant to encourage the construction of new electric generation or transmission.

Over the past several years, we have seen significant electric supply problems on our electric grid due to inadequate generation of transmission. This became particularly acute in California and resulted in price spikes and electric blackouts. California is often cited as being on the leading edge of our future, and in many ways that is true. Yet I am worried. If you think the Federal Government can fix all the problems, then you should like the approach taken by the Daschle electric title. If you are like me, you would be somewhat worried about this approach.

I mentioned earlier the need for bipartisan efforts in this regard. That would have been the case had the majority leader allowed the Energy Committee to initiate and complete its work. In fact, we had the chairman’s mark on electricity pending before us when the majority leader preempted the committee.

The Energy Committee has held 20 hearings on electricity in the 106th and 107th Congresses. Last year, the committee even held several days of business meetings exploring and marking up energy legislation. And last Congress, the Senate, in an overwhelming, bipartisan effort, unanimously passed the Energy Committee’s legislation directly on the Senate calendar.

I hope we are able to create an energy policy that enhances domestic energy supply, makes the supply more reliable and affordable, and reduces our dependence on imported oil. We need to foster a regulatory and investment climate that encourages new energy sources of all types. We are going to need them all. We are going to need oil. We are going to need natural gas. We are going to need coal, electricity, and certainly renewables.

We need to encourage the construction of energy infrastructure, including transmission lines. I think that is what the administration is trying to do. That is certainly what I stand for. I know that is what the American people expect Congress to do.

So I look forward to working with Senator Bingaman and other Members as we address an objective, from our opinion, to take a bill that is not of our liking and to change it by amendment, and work to get this bill into conference, because it is one of the priorities of the administration and certainly one of the priorities, I know, of Senator Bingaman and myself.

Madam President, I am going to take a few minutes to enlighten Members on the concern over several articles that appeared in the Washington Post and the New York Times over the weekend that I think either blatantly misrepresent the facts in relation to the issue of opening up the Arctic National Wildlife Refuge to responsible oil and gas development or, indeed, are simply concocted with the purpose of twisting factual information to represent the editorial policies of various newspapers, specifically the Washington Post and New York Times.

In Sunday’s edition of the New York Times, it illustrates the height of misinformation that has clouded this debate. This is a picture that was taken from the New York Times of March 10. It is rather interesting to read this article because it is so inaccurate that it simply is not true.

This was March 10, the Sunday edition, and it shows an extraordinary area under a title that reads “Oil Industry Hesitates Over Moving Into Arctic Refuge.”

When one looks at this, one has to reflect on what they are looking at because it says directly above the picture: Oil Industry Hesitates Over Moving Into The Arctic Refuge.

Here is the same picture we are seeing says: Drilling In the Arctic National Wildlife Refuge could soon be legal, but it is far from certain how much oil may be found if exploration proceeds.

The only problem is, that is not the 1.6 million acres of ANWR that might be opened to leasing or development. This is perhaps somewhere in the Brooks Range. It shows a valley, it shows mountains. It shows an extraordinary landscape. But it is very misleading because it is not the 1.6 million acres in question. This is the area in question. This is what it looks like on a clear day.
I have been up there. This is my State. I live there. You have what they call whiteouts where the wind and snow blow and you can’t see the sky. It is all white. If the New York Times chose to put that as depicting the 1002 area, I would not have an issue. That is what it looks like 10 months a year. The year there is ice and snow on the ground. The Arctic Ocean is open for 40 days a year ice free. That is all.

I am very disappointed that the New York Times did not show an actual portrayal of a picture of the mountains and suggested this is the area being debated.

It is important Members who are watching at least have some idea. This Coastal Plain is the green area. That is the 1002 area. That is the area where we are considering to whether open for oil and gas exploration. It consists of 1.5 million acres. Then this area down below, the wilderness area, is about 8.5 million acres. And the area in the dark buff is the 9 million acres. I suspect this picture might have been taken somewhere in the refuge down below where the mountains are because that is the mountain area. I have said this area is 19 million acres, the size of the State of South Carolina.

I also take issue with some of the narrative because they totally misrepresent reality. I will just read from the sixth paragraph:

Oil companies and industry experts say it is cheaper and more environmentally right to exploit large reservoirs of oil elsewhere in the world. And it is easier: many companies fear that drilling in the wilderness area

There will be no drilling in any wilderness area, none whatsoever. This is a refuge. It is not a wilderness area. The Coastal Plain up there is the area in question. So when they characterize this as drilling in wilderness, it is a total inaccuracy. They should be taken to task for it.

Let me show a couple more pictures relative to this ANWR area, what it generally looks like relative to what is there. We have one village up there called Kaktovik where real people live. This is the only village in the 1002 area and ANWR. You can see the Arctic Ocean out there in the white, covered with ice. And that is the way it is most of the year. This is in the spring. Again, I reflect on the reality that this doesn’t look at all like the picture we had prior to the 1002 area because there are no mountains in the 1002 area. It is a Coastal Plain. It does not look like that. If you can somehow generate or pull out the Coastal Plain or an ocean anywhere near that area, obviously I will stand corrected.

We have other pictures. This is some of the village activities and so forth. I think it is important to note how inaccurate some of this information is.

I would oppose any amendment that would open the wilderness area of ANWR to oil development. But that is really not what this debate is about. As I have indicated, the 1002 area of ANWR is situated on the shores of the Arctic Ocean. It is several thousand miles from the lower 48. Somebody asked me how many visitors visited ANWR last year. Roughly 1,100 people have gone up to see for themselves. It is a remote area, and it has certainly been the target of frequent misinformation.

There are some cuddly polar bears that we occasionally see in ads. This is one of them. This was run in the Washington Post. This is something that appeared on May 13, 1999. It shows Philipipse Petroleum operation on the north shore, a very small footprint. That particular facility is producing about 100,000 barrels a day, which puts it in the top dozen fields in the United States.

The picture says: A polar bear and her cubs at rest in Alaska’s Arctic National Wildlife Refuge. That picture was taken near Barrow, roughly 900 miles further west. It is kind of interesting. I have never heard an environment emanating from this area. And I mean, I have seen, one of the greatest savours of the polar bear; and that is, they are marine mammals and under Federal law, they cannot be taken as trophies. You can go to Canada and Russia and take a polar bear. But you cannot take one in Alaska. The Natives that live there occasionally take a few for subsistence, but very few. So for all practical purposes, they are protected. To suggest that some action associated with oil and gas exploration would be allowed under the President’s plan. The Offshore Oil Transportation Act of 1987. It is also 1987. This was run in the State of South Carolina. I live there. You have what they call the Coastal Plain going back in the distance. It is the area of 60 to 90 miles away, immediately north of the Brooks Range. This area is designated wilderness in the central portion of the Arctic National Wildlife Refuge.

The New York Times is in the business of selling papers and probably it is a matter of fact, you don’t go out for a walk. You can get totally disoriented. One of the posters we have was supposed to show caribou in undisturbed ANWR. But what they didn’t tell you, the photo was taken on the roof of a building in the small village of Kaktovik. That is the picture. That shows the mountain ranges that blank white chart we just showed which is the way it looks a good deal of the time in a whiteout. As a matter of fact, you don’t go out for a walk. You can get totally disoriented. There are very beautiful. That is some of the coastal area being debated.

The Coastal Area that shows the Coastal Plain going back is the 1002 area. Again, it is a remote area, and it has certainly been the target of frequent misinformation. The Coastal Area that shows the Coastal Plain going back is the 1002 area. Again, it is a remote area, and it has certainly been the target of frequent misinformation. It is not pristine. It is not pristine. It is a rich environment, and it has a uniqueness and beauty all its own; but there are buildings, an airport, schools, and a radar installation.

I would like to address the fact that the Secretary of the Interior also touched on the issue of accuracy in the debate on ANWR and directed a letter to Mr. Tom Brokaw, of “NBC Nightly News” among others. She enclosed a tape—which they were free to use—showing the North Slope of ANWR in the winter, the only time when energy exploration would be allowed under the President’s plan. The video was produced for Arctic Power, an organization funded primarily by Alaskans and our State government. She indicates she thinks it is important that you have a factual idea from the video of the actual part of ANWR being discussed so that the viewers can have a more accurate understanding of the issue.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Mr. Tom Brokaw,
NBC Nightly News,
New York, NY.

DEAR TOM: As the U.S. Senate debates President Bush’s bipartisan national energy strategy over the next several weeks, I encourage NBC Nightly News to report about the President’s initiative to allow environmentally sensitive energy production in the Brooks Range—commonly called the 1002 Area—of the Arctic National Wildlife Refuge.

Enclosed is a betacam tape, which you are free to use, showing the north slope of ANWR in the winter—the only time when energy exploration would be allowed under the President’s plan. The video was produced for Arctic Power, an organization funded primarily by the Alaska State government.

I think it is important that you have video of the actual part of ANWR being discussed, so that your viewers can have a more accurate understanding of the issue. Frequently during the energy debate, I have watched television programs feature video that resembles ANWR’s Brooks Range. This area is designated wilderness in the central portion of the Refuge and is not the area proposed for energy development.

Winter-only exploration in ANWR is just one example of the President’s commitment to impose the toughest environmental standards ever applied to oil production. For example, the administration will also require the use of ice roads that melt away in the spring and protect the wildlife.

Moreover, the administration will require directional drilling and smaller production
pads, so that energy exploration can be accomplished utilizing just 2,000 of the 1002 Area’s 1.5 million acres. These stringent requirements must be adopted so we can reduce the dependence on foreign oil and protect ANWR’s habitat and the wildlife that call it home.

Please call Interior Department communications at 202/208-6416 with further questions.

Sincerely,

gale a. norton

Mr. Murkowski. Again, I want to make reference to some of these refuges because some people make an automatic mental transfer that somehow this is a refuge. Therefore, there should not be any exploration occurring or any activity of any kind. This chart shows activities associated with oil and gas in various refuges. In California, there are four refuges that produce oil and gas. We only have one in our State of Alaska, the Kenai National Wildlife Refuge. There are nine in Texas and there are many in Louisiana. These are species that are special to California, the popular Hopper Mountain National Wildlife Refuge, the Sacramento National Wildlife Refuge, Seal Beach National Wildlife Refuge, and the Sutter National Wildlife Refuge, where oil production is taking place and some of them are involved in various other discoveries, such as gravel, desalinization, and so forth. So, again, saying we are somehow initiating an action in Alaska that is unique and unfounded doesn’t face the same reality.

I will conclude by making a reference to the Washington Post and New York Times then and now. As I have already indicated, the editorial policy of the Washington Post is not in support of exploring in ANWR.


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

(from the New York Times, April 23, 1987)

IN ALASKA: DRILL, BUT WITH CARE

Alaska’s Arctic National Wildlife Refuge is an untouched and fragile place that supports rare mammals and myriad species of birds. It is also the most promising untapped source of oil in North America. Should America drill it?

What Congress decided, in 1980, was not to decide. It ordered a long study. The assessment is now in, and for Interior Secretary Hodel the decision isn’t even close: leasing drilling rights to oil companies is “vital to our national security” because it “would reduce America’s dependence on unstable sources of foreign oil.”

Mr. Hodel is guilty of oversell. A single discovery can’t save us from increasing dependence on Persian Gulf oil but the potential economic development of billions of barrels of oil could make the difference—perhaps tens of billions of dollars of oil—outweighs the risks. The unanswered question is whether environmentalists and developers can cooperate to minimize damage to the refuge.

The Interior Department estimates that between 600 million and 9.2 billion barrels of oil are recoverable from a 20-by-100-mile strip along the Arctic coast. But no matter how carefully done, development of the coastal strip would displace animals and scar the landscape, says the Fish and Wildlife Service. Last month, Conservation Director George Miller, a California Democrat and opponent of drilling within the refuge, asked the Fish and Wildlife Service to compare the environmental impact of drilling in ANWR to Prudhoe Bay with the actual impact. The report from the local field office, never released by the Administration, offers a long list of effects, ranging from tons of oil spilled to tons of nitrous oxide released into the air.

According to the authors, development used more land, damaged more habitat acreage, and generated more effluent than answers. But it is hard to see why absolute answers can and should be kept to a bare minimum until test wells are completed. Dense caribou calving grounds should be left alone until the animal herd is judged adequate.

A decade ago, precautions in the design and construction of the 1,000-mile-long Alaska pipeline saved the land from serious damage. If the Administration and the Interior Department approach the development of the refuge with comparable care, disaster should be avoidable.

(from the New York Times, June 2, 1988)

RISKS WORTH TAKING FOR OIL

Can Big Oil and its Government regulators be trusted with the fragile environment of Alaska’s Arctic Wildlife Refuge? Congress, at the behest of President Jimmy Carter, has allowed exploratory drilling in what may be North America’s last great oil reserve, has been written off by the U.S. Government.

Then, last month, opponents’ skepticism was heightened by a leaked report from the Fish and Wildlife Service saying that environmental disruption in the nearby North Slope oil fields is far worse than originally believed.

The North Slope development has been America’s biggest test bed of the proposition that it is possible to balance energy needs with sensitivity for the environment. The public therefore deserves an independent assessment of the ecological risks and an honest assessment of the energy awards.

No one wants to ruin a wilderness for small gain. But in this case, the potential is enormous and the environmental risks are modest. Even if the report’s findings are confirmed, the likely value of the oil far exceeds plausible estimates of the environmental cost.

The amount of oil that be recovered from the coastal strip would displace animals and scar the landscape, says the Fish and Wildlife Service. Last month, Conservation Director George Miller, a California Democrat and opponent of drilling within the refuge, asked the Fish and Wildlife Service to compare the environmental impact of drilling in ANWR to Prudhoe Bay with the actual impact. The report from the local field office, never released by the Administration, offers a long list of effects, ranging from tons of oil spilled to tons of nitrous oxide released into the air.

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A decade ago, precautions in the design and construction of the 1,000-mile-long Alaska pipeline saved the land from serious damage. If the Administration and the Interior Department approach the development of the refuge with comparable care, disaster should be avoidable.

(from the New York Times, Apr. 23, 1987)

OIL ON THE WATER, OIL IN THE GROUND

Does the Exxon tanker spill show that Arctic oil shipping is being mismanaged? Should Congress have been better prepared to cope with the accident? Should the spill disable the President from exploring ANWR?

Six days after the Exxon Valdez dumped 21 million gallons of crude oil into Prince William Sound, questions come more easily than answers. But it is not too early to distinguish between the issue of regulation and the broader question of exploiting energy resources in the Arctic. The accident doesn’t change one thing: Alaskan oil is too valuable to leave in the ground.

Exxon has much to explain. The tanker captain has a history of alcohol abuse. The officer in charge of the vessel at the time of the spill was not certified to navigate in the sound. The company’s emergency response has been woefully ineffective. Local industries, notably fishing, face potentially disastrous consequences, and the Government needs to hold the company to its promise to pay.

More important, Washington has an obligation to impose and enforce rules strict enough to reduce the risks of another spill. That said, it’s worth putting the event in perspective. Before last Friday, tens of thousands of tanker runs from Valdez has been completed without a serious mishap. Alaska refineries have pumped millions of gallons through a single pipeline each day. And it would be almost unthinkable to restrict access to one-fourth of the nation’s total oil production.

A tougher question may be whether the current system is sufficient reason to slow exploitation for additional oil in the Arctic. The
The first lesson of the oil spill is that it's time for this country to get serious about energy conservation. The second is that, despite energy's dangerous and even a company as well equipped as Exxon can't be counted on the maintain discipline, the government will have to do more of it—and Exxon will have to thank itself. The lesson that conventional wisdom seems to be drawing—that the country should produce less and turn to even greater imports—is exactly wrong.

[From the Washington Post, Apr. 21, 1987]

CARIBOU VS. MOTORIST

It's the only reason the motorist, again, Secretary of the Interior James A. Watt and Interior Secretary James A. of the Arctic National Wildlife Refuge in Alaska to oil drilling. That was what the oil companies hoped he might do. A predictable shriek has gone up from the defenders of the refuge. The decision is up to Congress. Environmental quarrels always seem to generate bellowing exaggeration. Another major oil discovery in Alaska would certainly be convenient, postponing the effects of the decline in drilling that the government expects within the next year or so. But it's not quite so vital as Secretary Hodel suggests. With or without more Alaskan wells, the country is likely to stay on a downward trend.

As for the caribou, however, oil drilling seems very unlikely to be the dire threat to them that their friends here in Washington claim. While the two cases are not entirely comparable, the Interior Department points out that the number of caribou around Prudhoe Bay, the center of the refuge, has tripled in the 19 years since oil operations began there. The aesthetic objections to oil drilling may be substantial, but the caribou do not seem to care. Preservation of wilderness is important, but much of Alaska is already under the strictest of conservation laws. The area that Mr. Hodel would open to drilling is 1.5 million acres, running about 100 miles along the state's north coast near the Canadian border. He points out that adjacent to it is an area five times as large that remains legally designated as wilderness, putting it off limits to any development whatever.

Human beings scale of oil exploration always makes a difference in a landscape. But that part of the arctic coast is one of the bleakest, most remote places on this continent, and there is hardly any other place where drilling would have less impact on the surrounding life.

Drilling in the Arctic Refuge is not crucial to the country's future. But there is a respectable chance—about one in five, the department's geologists say—that exploration would find enough oil to be worth producing commercially. That oil could help ease the country's transition to lower oil supplies and, by a small but useful amount, reduce its dependence on uncertain imports. Congress would be right to go ahead and, with all the conditions and environmental precautions that apply to Prudhoe Bay, see what's under the refuge's tundra.

Mr. MURKOWSKI. Madam President, the editorial in the Washington Post indicates that we can't drill our way out of our ties to the world oil market. Well, I agree with that. They further state that they feel we can generate from conservation what we would potentially recover from opening ANWR. It is kind of interesting to see what they said back in 1987. I will read a portion of it. The Washington Post, April 23, 1987:

Preservation of wilderness is important, but much of Alaska is already under the strictest of preservation laws. . . . We have 56 million acres of wilderness in our State. But that part of the arctic coast is one of the bleakest, most remote places on this continent, and there is hardly any other place where drilling would have less impact on the surrounding life. . . .

That oil could help ease the country's transition to lower oil supplies and . . . reduce its dependence on uncertain imports. Congress would be right to go ahead and, with all the conditions and environmental precautions that apply to Prudhoe Bay, see what's under the refuge's tundra. . . .

April 4, 1989:

But if less is to be produced here in the United States, more will have to come from other countries. The effect will be to move oil spills to other shores. As a policy to protect the global environment, that's not very helpful.

The lesson that conventional wisdom seems to be drawing—that the country should produce less and turn to even greater imports—is exactly wrong. I had an opportunity to meet with the editorial board of the Washington Post and I asked them if they had changed their position from 1987, 1989, and 2001. Their response was rather interesting. They indicated they thought President Bush was too forward in pushing the development of a national resource on domestic areas of the United States and, therefore, they were in opposition. I didn't accept that, but that is the rationale they gave me.

The New York Times is also very interesting because back in 1987, April, they said:

Alaska's Arctic National Wildlife Refuge . . . the most promising untapped source of oil in North America. A decade ago, precautions in the design and construction of the 1,000-mile-long Alaska pipeline saved the land from serious damage. If oil companies, government agencies and environmentalists approach the development of the refuge with comparable care, disaster should be avoidable.

June 2, 1988:

. . . the potential is enormous and environmental risks are modest . . . the likely value
of the oil far exceeds plausible estimates of the environmental cost.

. . . the total acreage affected by development represents only a fraction of one percent of the overall area.

They did a little licensing there because it is not wilderness.

But it is hard to see why absolutely pristine preservation of this remote wilderness should take precedence over the nation’s energy needs.

The last was March 30, 1989: Alaskan oil is too valuable to leave in the ground.

The single most promising source of oil in America is the North coast of Alaska, just a few hundred miles east of the big fields at Prudhoe Bay.

Washington can’t afford . . . to treat the Exxon Valdez accident as a reason for fencing off what may be the last great oilfield in the nation.

I went up to New York and asked the editorial board why they changed their position and that, too, was rather enlightening. Well, the sequence of the editorial board had been transferred to California and, as a consequence, they had changed their position because they had a change of the editor of the editorial board.

It is to see how these major newspapers change their opinions on national issues, and one can only guess at what the motivation was. We will have to leave that for another day and perhaps another explanation.

I ask unanimous consent that an editorial called ‘A Better Energy Bill,’’ which appeared in the Washington Post today, also be printed in the RECORD.

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

A BETTER ENERGY BILL

As the Senate opened debate on an energy bill last week, the White House fired a shot across its bow. The bill on the Senate floor is not comprehensive energy legislation, said the Office of Management and Budget, because it doesn’t do enough to increase domestic oil production, falling in particular to operational National Wildlife Refuge to drilling. The administration opposes the higher automobile fuel efficiency standards that are in the bill, and it objects to a provision in the Senate bill’s emphasis on conservation, new technology and new sources of energy. Raising auto fuel efficiency standards, unchanged in nearly three decades, is a proposal that the Senate bill’s proposed tougher efficiency standards for new air conditioners and its demand that, by 2020, 10 percent of electricity come from renewable sources; several states already have used this kind of requirement to boost generation from wind and other renewable sources. As debate opened Wednesday, Alaska’s Senator Frank Murkowski accompanied described these initiatives as an “unacceptable intrusion of the federal government into the marketplace.” But they’re no more of an intrusion than the Republicans’ tax breaks for drilling. The difference, as Democratic Sen. Jeff Bingaman (D-N.M.) said, is that his bill’s incentives seeks to bring about change that would support the President. Republican-approved approach renders more profitable activity that likely would take place anyway, or (as in the case of Alaska) encourage activity that we’d be better off without.

Mr. MURKOWSKI. Madam President, I ask unanimous consent that letters to the editors of the Washington Post and New York Times dated today also be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE NEW YORK TIMES, New York, NY.

TO THE EDITORS: I was deeply concerned by the misleading photograph that accompanied your recent article discussing the safe exploration of oil in the Arctic National Wildlife Refuge (ANWR).

The presence of such a large mountain range in your picture tells me that the photograph is not located in the area of ANWR discussed in the story. In fact, it is probably more than 75 miles away. This would be unlike using a photograph from an area that is not where oil exploration is taking place.

More importantly, this photograph is not located in the area of ANWR discussed in the story. Your picture was taken from the area of the Meadowlands for a story about JFK International Airport. They are simply not interchangeable because they are in different locations.

Fewer than 1,000 visitors a year have a chance to see for themselves what is—and what isn’t—ANWR. This remoteness makes it very important that ANWR be preserved for the American people for future generations. It is important to educate the public about what is going on in ANWR and to have correct information and accurate portrayals.

ANWR is composed of 19 million acres—an area the size of all of South Carolina. 1.75 million acres that are off-limits is the actual home to the mountains and wildlife that, during a brief spring, make for some of the picturesque photos. It is conceivable that this is not the area where oil exploration will occur.

If allowed, oil exploration will be limited to a 15 million acre coastal plain—a section set aside for the express purpose of oil exploration because of the tremendous oil reserves geologists believe exist there.

The Washington Post, Washington, DC.

This is wrong on the facts, the only thing I can do is correct the record.

TO THE EDITORS: I do not disagree with your statement that “as long as . . . most modes of transportation rely on oil, America will remain economically tied to the world oil market.” But it makes ecological sense to reduce dependence on oil, foreign or domestic, and on other fossil fuels. As part of President Bush’s new energy program, he set a goal of doubling the nation’s fuel efficiency standards by 2010. This would be not unlike using a photo of the Meadowlands for a story about JFK International Airport. They are simply not interchangeable because they are in different locations.

What has happened since 1989? We fought a war over oil in the Gulf. Our dependence on foreign oil has increased. The Middle East has grown more unstable. And never before in our history have we gained a greater appreciation of national security and the impact of ensuring our energy security.

Domestic energy production must be part of the Senate’s efforts to construct a national energy plan. Any plan that fails is no solution at all.

Mr. Murkowski. I ask unanimous consent that a portion of the Sunday New York Times which factually mischaracterizes the issue of ANWR be printed in the RECORD.

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

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What has happened since 1989? We fought a war over oil in the Gulf. Our dependence on foreign oil has increased. The Middle East has grown more unstable. And never before in our history have we gained a greater appreciation of national security and the impact of ensuring our energy security.

Domestic energy production must be part of the Senate’s efforts to construct a national energy plan. Any plan that fails is no solution at all.

Very truly yours,

Senator Frank H. Murkowski, Ranking Member, Senate Energy and Natural Resources Committee.

Mr. Murkowski. I ask unanimous consent that a portion of the Sunday New York Times which factually mischaracterizes the issue of ANWR be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:
More than three decades ago, the world’s largest energy companies led the charge to drill on the North Slope of Alaska. But now, as the debate rages over opening the Arctic National Wildlife Refuge to oil exploration, those same companies remain surprisingly silent.

Drilling in the Arctic refuge, which has already been approved by the House, has become a touchstone issue for the Bush administration and promises to become a nasty fight in the current debate over the energy bill in the Senate. Publicly, the biggest multinational petroleum companies, like Exxon Mobil, Royal Dutch/Shell and ChevronTexaco, back the Bush administration’s assertion that developing the oil in the refuge is critical to the American economy. But privately, many large companies say the prospect, solely on business terms, is not terrrifically appealing.

“Big oil companies go where there are substantial fields and where they can produce oil economically,” said Ronald W. Chappell, a spokesman for BP Alaska, which officially supports the drilling. “Using the acronym for the refuge, he continued, “Does ANWR have that? Who knows?”

Oil companies and industry experts say it is chemically promising right now to exploit large reservoirs of oil elsewhere in the world. And it is easier: many companies fear that drilling in the wilderness area may be blocked by persistent litigation, or that a future president or Congress could put the refuge off limits once more.

“There is still a fair amount of exploration risk here, and companies would be interested in exploration if the refuge is opened to drilling,” said Gerald J. Kepes, the managing director for exploration and production issues at the Petroleum Finance Company, a Washington consulting firm for oil companies. “It’s not clear that this is particularly bonanza some have said.”

Supporters and opponents alike of drilling in the Arctic refuge have noted the reticence of the largest multinational oil conglomerates on the issue because “they are not present at all,” a Senate aide said.

Claire Buchan, a White House spokeswoman, said that the administration believed that drilling would be “an issue of great interest in exploration if the refuge is opened to drilling. “What’s important is that we have this option due to the vast potential to reduce our reliance on foreign sources of energy,” she said.

The fight over oil drilling in the refuge has flared in Congress every few years, and so far, opponents of drilling have kept the area off limits. Now, proponents of drilling smell the sharpest whiff of victory ever.

They still face a uphill battle. The energy bill narrowly passed last year by the House included a passage permitting oil exploration in the refuge. But in the Senate, two Democrat of Massachusetts and Joseph I. Lieberman of Connecticut, have threatened to filibuster any amendment on drilling, meaning that proponents will have to muster 60 votes to force a vote. Given the deepness of the divisions, the entire energy bill could unravel if both sides tug hard enough at this single issue, Congress aids and energy industry executives said.

The battle centers on drilling on the coastal plain of the refuge, a narrow ribbon of land that is 100 miles long between the Beaufort Sea. Environmentalists and wildlife biologists say that in the summer, the coastal plain teems with caribou and millions of migratory birds. Drilling for oil there, they argue, would ruin one of the few pristine wilderness areas left on the planet.

Those who believe the issues are varied and formidable, including a bipartisan array of politicians from southern and western states, nearly the entire political establishment of Alaska, and the Teamsters. They contend that the coastal plain is a snowbound wasteland, and the oil there could be developed with little environmental impact. Reservoirs of oil are accessible for drilling. Major reserves hold about 16 billion barrels of oil, or enough to meet the country’s appetite for petroleum for a little more than two years.

But there are other reasons. For one, they are less certain of how much oil lies below the coastal plain. No precise data about the amount of oil in the plain is publicly available. In the 1980’s BP and what then was the Chevron Corporation drilled an exploratory well on private land owned by Alaskan natives that is inside the refuge, but BP said that those results were a proprietary secret. The United States Geological Survey estimates that at oil prices around $20 a barrel, the amount of oil that could be recovered economically from the federally controlled part of the coastal plain is 3.2 billion barrels.

Oil companies face severe difficulties in developing fields overseas, from the rough winters in the North Sea to the endemic corruption in Nigeria to the long-runnings civil war in Angola. But the size of the discoveries and the advantages of exploiting them often make the investments worthwhile. Within each oil company, prospects in the Arctic refuge would be measured against profits from fields in the Persian Gulf and Latin America. Executives would have to consider the cost of drilling, the cost of litigation, the risk of political mandates, or even the need to compete for leases with the global oil industry.

“The calculus includes the usual factors like the cost of producing oil and shipping it to market. But drilling in the Arctic refuge holds significant political risks that would lead to delays and with that, higher costs,” oil company officials said.

“There will be tremendous debate or delays due to litigation,” an executive with a major oil company said. “All that has to be bought into and whether that project would be economically viable.”

Still, there would be pressure on companies already working in Alaska, like BP, Exxon Mobil and Phillips, to bid for leases if the area is opened to drilling. The state, which issues so many of the permits oil companies need to work in Alaska, might take their interest in the refuge, said environmentalists and some industry executives.

At the same time, smaller companies, particularly those looking for a foothold in Alaska, might be willing to take on the risks and aggressively pursue drilling in the refuge. Some companies are involved in fewer places, and what is a marginal opportunity for us is a big opportunity for an independent,” the executive with the major oil company said. “This is not a huge priority for us.”

Even without lawsuits by environmentalists, the earliest any oil from the wildlife refuge could make it to market is 2010, industry executives said. But development efforts could drag out well beyond that date.

“To protect the refuge,” said Deborah Williams, a spokeswoman in Alaska for the Alaska Conservation Foundation in Anchorage, “national environmental law firms and Alaskan environmental groups will find every opportunity to challenge drilling.”

Oil companies know too well how projects can atrophy within a web of litigation and political resistance. Offshore drilling is subject to leases for places where they cannot drill because of litigation, Congressional action or a change of presidential administration. Many of the coastal islands in the western and eastern seaboards of the United States and the eastern part of the Gulf of Mexico.

The champions of drilling in the refuge are the State of Alaska and the unions. In fiscal 2001, 82 percent of the unrestricted funds in the state budget came from the petroleum industries. It is also an enormous employer.

But oil production on the North Slope has fallen by half since its peak of two million barrels a day in 1988, said Mark D. Myers, director of the State Division of Oil and Gas.

And as oil production dwindles, so might revenues and jobs. The primary reason is job creation,” said Jerry Hood, a Teamstes union energy specialist. The Bush energy policy, Mr. Hood said, “is, frankly, a way to reemploy American workers.”

Mr. MURKOWSKI. Madam President, I see my friend from New Mexico, the chairman of the committee. With us today, I ask him if he knows what business we might take up today.

Mr. BINGAMAN. Madam President, in response to my friend from Alaska, my understanding is the leader intends that we remain in session until approximately 5 o’clock and then go out of session. I do have one amendment that I believe has been cleared related to U.S.-Mexico technology cooperation which both myself and Senator Domenici have sponsored passed the Senate before. I hope to do that by voice vote in the near future.

Then, as I say, the intent is to recess the Senate around 5 o’clock. Then tomorrow morning, it is my understanding the majority leader intends to have a vote at 10:30. I am not sure the subject of that vote.

Mr. MURKOWSKI. Madam President, if I may respond.

The PRESIDING OFFICER. The Senator has the floor.

Mr. MURKOWSKI. I believe the Akaka amendment has been accepted by this side and the U.S.-Mexico amendment offered by Senator BINGAMAN, and Senator DORGAN has spoken on an amendment which we have no objection to on our side, but we are still clearing it at this time. I suspect that can be accepted, but I have to hold off. I anticipate that tomorrow we will go to Senator FEINSTEIN’s amendment, which I believe is pending. Then I hope we might get to CAFE.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Madam President, I certainly agree with what my colleague has said. Unless there is other business at this particular moment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk pro- ceeded to call the roll.

Mr. BINGAMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.
The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2990

Mr. BINGAMAN. Madam President, I call up for consideration amendment No. 2990 dealing with U.S.-Mexico energy technology cooperation.

The PRESIDING OFFICER. The amendment is now pending.

Mr. BINGAMAN. Madam President, this amendment is one I offered on behalf of myself and Senator DOMENICI. It is an amendment that was adopted by the 106th Congress. It merely tries to encourage possible cooperation between our two countries along our common border on issues related to health and energy production and to ensure that the Department of Energy environmental management technologies are used to help clean up serious and pressing public health problems along the border.

This is an amendment that I believe has strong support on all sides. I believe it has been cleared on both sides. I urge it be adopted.

Mr. MURKOWSKI. Madam President, we have agreed to it on our side, and I urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment? There being none, the question is on agreeing to amendment No. 2990.

The amendment (No. 2990) was agreed to.

Mr. BINGAMAN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2989 TO AMENDMENT NO. 2917, AS FURTHER MODIFIED

Mr. BINGAMAN. Madam President, I ask for the regular order to return to the Feinstein amendment.

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

MORNING BUSINESS

Mr. BINGAMAN. Madam President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 5 minutes each.

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

FAIR ACT

Mr. THOMAS. Madam President, I rise to discuss an event that happened last week in which I was very disappointed. It was a hearing we had on the FAIR Act or private contracting of Government activities where it is appropriate under what is called the FAIR Act, which was passed in 1998. This was to have been a committee hearing about how you can best do what has been a policy for a very long time: that is, to take those activities within the Federal Government which are not integral to the Government and give the private sector a chance to bid and do those kinds of things.

Even though it has been implemented as it could be and should be, it has been the policy for a very long time—20, 25 years—to do that, to take those things that are not specifically and inordinately Federal activities that could be done and could be done more efficiently by the private sector. So in 1998, we passed a bill called the FAIR Act which required that there be an analysis of all the Government activities in most of the agencies, determine which of those would be eligible for outside contracting, and then move forward on that.

I had hoped to testify before the committee. It turned out that I was not available, and also, they thought they had a balance. As I read about it—and there have been countless people put in the CONGRESSIONAL RECORD—it turned out not to be a balanced hearing at all. It turned out to be kind of a pro-union rally in which they accidentally had to have it at a time when practically all the Government were meeting here. So they had about 250 members there, which is fine except they didn’t have a balanced approach to the program.

I was advised that the hearing was going to be evenly balanced, and it couldn’t have been more unbalanced, according to what was written about it. It was regarding the Government contracting. This is a very important issue to me for several reasons. One is, it is the most efficient way to get some of the jobs done that are available to be done in the Federal Government. The other is, I am one who thinks it is a good idea to reduce and hold down as low as possible the numbers in the Federal Government and allow the private sector to do all those jobs that can be done by the private sector. And that was the idea of the FAIR bill which was signed into law in 1998.

Again, it was designed to identify positions within the Federal agencies that are not inherently governmental. For about 50 years we have had a policy that said basically: It will not start or carry out any commercial activities to provide a service or product for its own use if such product or service can be procured or performed through ordinary business channels.

That has been the notion that, in my view, has not been implemented nearly as it might be. Nevertheless, it is the concept, and it is a great concept. Unfortunately, this hearing indicated that several of the members who were there certainly don’t want to find any ways—to generally quote them—that we would diminish the size of Government, that we would put at risk any Federal jobs. The fact is, this seldom puts at risk Federal jobs.

What it does is, as new jobs come up, new programs and projects come up that are not inherently governmental. Then they can be put out to the private sector and, indeed, be competitive.

Conceptually, I certainly agree with this. I am surprised to find a number of members who were at the hearing who apparently do not agree with that and don’t agree that the private sector ought to be able to compete at all with the Federal Government. They were very much to that. I do not agree with that. We were able to pass a bill with a number of hearings last year, Chairman THOMPSON and his committee. He was there, by the way, and said some pretty reasonable things about it. This was widely circulated last year and passed very strongly.

It requires the Federal agencies to list commercial jobs. Inventories showed in 1996, kind of the initial inventory, that nearly 1 million Federal employees would have more than 100,000 commercial activities. These are services that can be found in the yellow pages from small businesses and firms throughout the country. Under the Clinton administration, the FAIR Act inventory showed no more was done than what was done about it. So last year, the Bush administration announced it was requiring all Federal agencies to convert 5 percent of the jobs listed in the FAIR Act as public and private competition or contract to the private sector.

In the course of the hearing, of course, the witnesses they had said the percentages were not necessarily the only percentages that could be considered. But the fact is, it did begin for the first time a planned effort to point out those kinds of jobs that could be in the private sector. I know this is fiercely denied and opposed by those who want more Government, who want more Government to actually spend more and have larger Government. That is not really what this is all about.

The fact is, we do need to find a way to have an inventory, to find a way to have an opportunity for the private sector to look into those jobs—not all the jobs, of course, only those that are inherently not involved as governmental functions.

I hope we can go back to the core of what that bill is about. And that is the objective way, not putting at risk public employees but finding, as these jobs are created, that there is a place to be able to do that in the private sector.

I am hoping we can explore that, as, in fact, it is a law. Therefore, I would like very much to be able to pursue that. I want my friends on the committee to know I, for one, fiercely oppose the idea to gut the FAIR Act, and I want to make that point and continue to pursue it as time goes by.

COLONEL ROBERT S. HART

Mr. LOTT. Madam President, I would like to bring to your attention today the exemplary work and most commendable public service of one of our
country’s outstanding military leaders, Colonel Robert S. Hart, Commander, 403d Operations Group. Unfortunately, Colonel Hart’s service to his country ended on February 16, 2002 when he unexpectedly passed away.

Colonel Hart entered the Air Force in 1973 through the Air Force Reserve Officer’s Training Corps program. His early assignments included Williams Air Force Base, AZ, and Charleston Air Force Base, SC, where he finished his active duty career in October 1979. In November 1980 he entered the Air Force as a pilot and continued to fly throughout his career. He joined the Air Force Reserve in July 1980. In 1981 he was the Chief of Standardization for the 300th Military Airlift Squadron, Charleston Air Force Base, SC. From 1992 to 1998 he was the Aircraft Operations Officer for the 701st Airlift Squadron at Charleston Air Force Base. For the first half of 1998 he was the Airlift Operations Officer for the 701st Airlift Squadron at Charleston Air Force Base; the remainder of 1998 to December 1999, he was the Commander of the 707th Airlift Squadron. He joined the 403rd Wing in December 1999, where he was the commander of the 403d Operations Group. As the commander of the 403d Operations Group, he was responsible for the training and mission execution of the 53rd Weather Reconnaissance Squadron, the 85th Airlift Squadron, and the 41st Aerial Port Squadron at Keesler AFB, MS; and the 96th Aerial Port Squadron at Little Rock Air Force Base, AR.

Colonel Hart was born in Abilene, TX. His father and mother, John and Mary Hart, reside in Eastland, TX. Colonel Hart earned a Bachelor of Arts degree in business and administration management at Texas Tech University. He is a graduate of Squadron Officer School, Air Command and Staff College, and Air War College. He held the rank of command pilot with more than 8,850 flight hours. He has flown the following aircraft: T-37B, T-38A, C-141A/B and C-130. His military decorations include the Meritorious Service Medal with one oak leaf cluster; the Aerial Achievement Medal; the Air Force Commendation Medal with one oak leaf cluster; the Joint Meritorious Unit Award; the Air Force Outstanding Unit Award with five devices; the Combat Readiness Medal with eight devices; the Defense Service Medal with one device; the Armed Forces Expeditionary Medal with one device; the Southwest Asia Service Medal with three devices; the Armed Forces Service Medal; the Humanitarian Service Medal with three oak leaf clusters; the Air Force Longevity Service Award with five devices; the Air Force Reserve Medal; the Kuwait Liberation (Saudi Government) Medal; and, the Kuwait Liberation (Kuwait) Medal for his service in Operation DESERT SHIELD/STORM.

Colonel Hart served his nation for 29 years distinguishing himself while up-holding the core values of the U.S. Air Force—Integrity First, Service Before Self, and Excellence In All We Do. He was a true Citizen Soldier, always ready to answer his nation’s call. On behalf of a grateful nation, I ask you to join me, my colleagues in the senate and Colonel Hart’s friends and family in saluting this distinguished officer’s many years of selfless service to the United States of America. I know our Nation, his wife Karen, and his family are extremely proud of his accomplishing that the U.S. Senate honor him today.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam 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 February 24, 2002 in Santa Barbara, CA. A gay man, Scott Hartman, 37, was attacked and set on fire while he was sleeping. The assailant, Martin Thomas Hartman, 38, confessed to the murder, and said that the victim “deserved to die” for being gay. Hartman is being charged with murder, arson, and a hate crime in connection with the incident.

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

THE PIPELINE SAFETY IMPROVEMENT ACT OF 2002

Mr. BREAUX. Madam President, I rise in support of amendment No. 2979 to S. 517, the Pipeline Safety Improvement Act of 2002, which will enhance the safety of our interstate pipeline systems. As you may recall, the Senate passed this legislation last February as one of the first orders of business of the 107th Congress. This bill is the product of persistent, diligent efforts. As a result of my amendment, I urge my colleagues to join me in support.

The aim of the bill is to ensure the safety and security of natural gas and hazardous liquid pipelines. I appreciate the considerable number of hours that went into creating this bill by all of the parties. I also am satisfied by the spirit of compromise that infused the parties’ diligent efforts. As a result of their cooperative work we have a bill that reaffirms our efforts to oversee and monitor our liquid and gas pipelines effectively without interfering with the pipeline operators and owners ability to provide service to our nation and without compromising national security.

Last Congress, the Senate passed an almost identical version of this bill by unanimous consent. Unfortunately, in my opinion, the bill was not passed by the House of Representatives for the expedited procedures of suspension of the rules, because it did not pass with a two-thirds majority, although a majority supported the measure, 232–158.

Last February, the Senate again approved this bipartisan legislation, yet we are still awaiting action by the House on this measure. Today, we are offering this legislation as an amendment to S. 517 in an effort to focus attention on this important safety matter and work toward reconciling our legislation with the House of Representatives. I hope that we can continue to work with all of the interested parties as the legislation moves through the legislative process.

Over the past few years, we have experienced two major pipeline accidents, one in Bellingham, WA, and the other near Carlsbad, NM. While these tragic accidents happened, we need to take all necessary steps to ensure that other accidents are not waiting to happen. I believe that this legislation will increase the tools available to OPS to ensure that our pipeline system is as safe as possible. I would ask that OPS use the tools that we provide to ensure the appropriate level of oversight of pipeline safety legislation to the American people.

While there were many who worked with Senators MCCAIN and HOLLINGS on the Commerce Committee to ensure passage of pipeline safety legislation, I would like to recognize, in particular, the efforts of Senators MURRAY and BINGAMAN. Senator MURRAY doggedly pursued changes to increase the level of safety and public participation in pipeline safety, and she worked closely with other Commerce Committee members to ensure that the compromise was fair. Senator BINGAMAN was instrumental in helping bolster the bill’s provisions on research and development, in fact, he authored provisions to focus our research on progressive systems of early detection, and to ensure that we can avoid accidents such as those that occurred in Bellingham, WA, and near Carlsbad, NM.

A floor amendment which was accepted during consideration of S. 235 last February mandates a 5-year integrity inspection period for pipelines. Since passage of the S. 235 last February, I understand that studies, conducted by Batelle and Energy and Environmental Analysis, Inc., indicate that a 5-year period for integrity inspections will cause significant impacts on natural gas consumers as a result of pipeline capacity reductions resulting from such a short inspection period. I want to bring these studies to the attention of the representatives. I hope that we can continue to work with all of the interested parties as the legislation moves through the legislative process.
TRIBUTE TO FATHER MYCHAL F. JUDGE

(At the request of Mr. DASCHE, the following statement was ordered to be printed in the RECORD.)

• Mrs. CLINTON. Modern President, I submit the following statement of Peter James Johnson, Jr., delivered at the funeral mass for Father Mychal F. Judge in New York City on September 15, 2001, for printing in the RECORD to commemorate the 6-month anniversary of the attacks on September 11.

The statement follows:

REMARKS PREPARED FOR DELIVERY BY Peter J. Johnson, Jr., AT THE FUNERAL MASS OF REVEREND MYCHAL JUDGE, O.P.M., FIRE DEPARTMENT OF NEW YORK, CHAPLAIN, SEPTEMBER 15, 2001, ST. FRANCIS ASSISI CHURCH, NEW YORK CITY.

Your Eminence, Cardinal Egan, President Clinton, Mayor Dinkins, Mr. Controller, Mr. Public Advocate, Family, Friends, Firefighters and Friends.

Don’t worry about me. Help the thousands who are suffering from the tragedy.

I see him kneeling gently, hear him speaking in a firm and lifting whisper, his large hands making reassuring contact with a dying husband, his warm eyes focused and loving and deep, communicating the wisdom of almost seventy years and the spirituality of a millennium. Enveloped in the unbreakable conviction of the prayers he knew and lived so faithfully, shrouded in his own mystical but practical Catholic belief, oblivious to the risk of harm that rained from the sky, he died as he lived, trying to save a life, to save a soul in our City on a sunny, not so perfect September morning.

Fria’s friar, firefighter, warrior for the Lord and New Yorker—I can’t help believing that Erin and Dymphna, your beloved Emmet, who wanted to be a priest at the age of four, in a burning building and in a fiery wind tunnel of the majestic twin towers, helmet off in respect to our creator, lifted his lovely tenor voice and uttered an Alleluia.

I urge my colleagues to support this bill and begins with confirmation of a large ship aground in the English Channel, a man named Drennan in a New York Hospital burn unit, the portico of Gracie Mansion with Mayors Koch, Dinkins and Giuliani and the Cardinal O’Connor and now Cardinal Egan.

And the only unifying aspect of all that we know so very well and depended on you so much that hurts so much.

Though you were neither a husband nor a father, you became a husband and fathers. Though you never trained on a hose or fired experienced the pain of being a firefighter’s widow, you became a model for firefighters and the widowed. Though up to the end you never felt the anxiety of sickness, you became a guide for the sick.

You taught us the St. Francis Prayer that he never stopped living, speaking roadmap for our daily lives as New Yorkers. We saw your greatness up close and personal. But we respectfully ask why were you so strong?

As Father Pecchi pointed out last night at the wake service, maybe it was the countless times the windows and the doors of Iraqi Abu Ghraib, scene of a war crime, were slammed on Dean Street in Brooklyn as a child. Or was it the constancy and strength of example of your mother who balanced the needs of a dying husband, a house and three young children in the Depression?

I have not seen your sisters Erin and Dymphna for some time. So I asked Dymphna last night, what made Mychal great? She said it best: “With Michael there were no narrowed views. There was only wide open possibility.”

As I stepped outside onto 32nd Street near Penn Station last night to get some air, I was struck by the wide world of possibilities that Mychal lived in. I noticed how much more alive the street has become in just twenty-four hours. A saxophone could be heard—“Amazing Grace”—the musician played. The smell of fried food like a New Yorker. We saw the streets greeting on a first name basis the homeless and friendless, many of whom wore the Christmas and birthday gifts that many in this congregation bought for Mychal to wear. He loved to watch the fireworks, a ride on a fire boat, a thick deep piece of apple pie with ice cream. Both most of all, he loved the call to service, the romance of duty, the necessity of honor. He was a bridge between people. Fiars and firefighters, Christians and Jews, able and disabled. He gifted spirituality onto our Bill of Rights.

You see, Mychal was proud to be an American. In the same way that we are a Norman Rockwell painting or in your face flag waver, although flag waving is good too.

I recall two connected events to demonstrate his palpable pride. I went to become the Fire Chaplain, to fill late Friar Father Julian Deeken’s large shoes. Shortly after he assumed his duties, there was a report of a ship run aground, and yes, even a landing of Chinese nationals with guns, according to the Park Police, in the Rockaways. I was an honorary firefighter and a borne adviser to Mayor Dinkins, and so Mychal called me, said he would be by to get me in a few minutes and we took off in the middle of the night.

Just as we started to get to the Brooklyn Battery Tunnel, the radio started to crackle with confirmation of a large ship aground in the English Channel. Now in the words of a man named Drennan in the Chevy, hit the lights and sirens, both which reflected and reverberated off the tunnel walls. I felt like I was in the middle of the Wind and the waves. I suggested, “Slow down.” He looked straight ahead and laughed and said: “No this is good. I’m not sure what we’ve got here but we can do good things together.”

I’ll never forget what we saw that chilly morning. Helicopters in the air. A large broken ship battered by the waves off shore and which was shaking and popping and cracking and Gibbs Chinese men who had paid dearly and almost with their lives to reach the safe haven of
America. They did not speak a word of English and he did not speak Chinese, but it did not deter Mychal. Within a few minutes he was handing out blankets, coffee and telling jokes. An immigrant officer warned him of the dangers of disease from the men—tuberculosis, hepatitis. Mychal waved him away and life continued on as he was inclined to do. We returned home to Manhattan later that morning and ate an enormous breakfast, “Mychal, you’re so sick. They’re going to put you in the hospital.” As usual Mychal had done good things.

May we know it. A few days after July 4th, our daughters Blanche and Veronica, eight and six, received a handwritten note addressed to them. Blanche recognized the distinctive note paper and handwriting and read to her sister at the kitchen table: “Friday evening, July 6, 2001, 10:00 p.m. My dearest Blanche and Veronica Felicity. Earlier this evening I walked to the new walk along the Hudson-Little West 12th Street to the Battery. It is a wonderful promenade and a great place for Bladers—Someday both of you will want to be proficient at that and you’ll be there often.” And they will.

The letter continued: “I sat and gazed at Lady Liberty who was burning brightly and thought of the great feelings of joy and happiness and hope that my mother and father experienced when they saw her as their boat came into New York Harbor—it was their dream come true. 1921—so long ago. They had no idea of all the blessings and sorrows that lie ahead of them. They were so brave and had such faith and trust in God, that, that he brought them to these shores and that he would care for them.

The note paper and the distinctive penmanship were those of Mychal Judge, friar and firefighter. And it was then when I heard our obituary services at the Friary that day. The note to their children filled with the bitter tears of our loss, we will tend to our garden, emboldened by the faith and trust in God you exemplified and from which the joy and happiness and hope will continue to flower again, in even more resplendent but Mychal Judge less American century.

TRIBUTE TO COL. CYRIL R. RESCORLA

(At the request of Mr. Daschle, the following statement was ordered to be printed in the Record.

• Mr. CORZINE. Madam President, on the 6-month anniversary of a terrible tragedy, I wish to honor a man whose unfaltering courage and generous spirit showed the world the best of humanity, Colonel Cyril Richard Rescorla.

On September 11, our Nation was attacked in ways none of us ever thought possible. Many Americans have been affected profoundly by these events, and I grieve with all of those who have lost loved ones. At the same time, I have been heartened to see, in the midst of such destruction and despair, a nation united.

On that fateful day, Colonel Rescorla led thousands to safety before his own death in the south tower of the World Trade Center. But valiant service to his country was nothing new to Rick, as he was known to his family and friends. A decorated veteran, he served in Vietnam as a platoon leader in the 2nd Battalion, 7th Cavalry, inspiring awe in fellow soldiers and earning the reputation of a “battlefield legend.” As a teacher and fire officer, Rick’s image is forever immortalized on the cover of We Were Soldiers Once . . . And Young, the book by Lieutenant General Harold G. Moore and Joseph L. Galloway that has been made into the recently released movie “We Were Soldiers.”

Unwavering in even the most horrific situations, Rick gave his men courage in battle, and provided comfort and safety to his civilian colleagues in both attacks on the World Trade Center.

As Vice President for corporate security at Morgan Stanley Dean Witter & Co., Rick devised the evacuation plans for the World Trade Center and, in the 1993 bombing, ensured that everyone had evacuated before he would leave the building. A testament to his selfless generosity, Rick’s colleagues are sure he would have been the last person out on September 11 if the situation had been different.

Rick’s altruism extended into every corner of his life. As husband, father, son, friend, and teacher, Rick faced even chronic illness with humility and valor. His life serves as a model of heroism. May his honored memory be a constant reminder of America’s great courage and resolve.

ADDITIONAL STATEMENTS

TRIBUTE TO MARILYN SEICHTER

• Mr. DODD. Madam President, I am saddened today to hear about the death of a great citizen of Connecticut, Marilyn Seichter, who passed away on Feb. 10 of Huntington’s Disease. As the first female head of both the State Bar association and the State Ethics Commission, she was a pioneer for women in the legal profession. Her brilliant career ended too soon, at the age of 56.

Marilyn Seichter earned her law degree from the University of Connecticut in 1970, and went on to practice family law for 25 years as a partner with the law firm of Hyman, Cannella, Seichter and Klau in Hartford. She spent her career fighting for women, children and families in Connecticut.

In 1971, fresh out of law school, she joined a team of lawyers in bringing an abortion rights case against the State of Connecticut. This case had a profound influence on the Supreme Court’s decision in Roe vs. Wade. Later in her career, she represented the National Organization for Women in a lawsuit to stop newspapers from publishing between jobs and jobs for women in help wanted sections.

Marilyn Seichter’s accomplishments include serving as president of the Connecticut Women’s Education and Legal Fund, and as a member of an ad hoc committee to advance the case of Ella Grasso on judicial appointments.

I would like to express my condolences to her sister-in-law, Jacqueline Seichter; her niece, Deborah Seichter; her nephew, Daniel Seichter; and her granddaughter, Jacob Seichter; as well as her many close friends and admirers. She was truly one of Connecticut’s treasures, and she will be missed.

THAKSIN’S THIN SKIN

• Mr. MCCONNELL. Madam President, the crackdown on foreign reporters in Thailand is both troubling and disheartening. While I am pleased with the decision of Prime Minister Thaksin Shinawatra to allow reporters from the Far Eastern Economic Review to remain in Thailand, damage to that country’s reputation as a democratic enclave in a neighborhood of oppressive regimes has already been done.

The task now before the Prime Minister is to rebuild the confidence of the world’s democracies—and in particular America—that he respects the rule of law and freedoms of speech and thought.

As former chairman and now ranking member of the Foreign Operations Appropriations Subcommittee, I have tried to encourage a variety of independent media programs throughout Southeast Asia and the former Soviet Union. In fact, I have been proud to dedicate funding to a program run by Western Kentucky University’s award winning school of journalism which provides professional training to foreign journalists. I would suggest that there are some Thai government officials who would benefit from Western’s tutelage on the import of a free and open press in a democracy.
I know not all Thai politicians and officials agree with Mr. Thaksin’s heavy-handed approach to the media. And I know that the people of Thailand, while deeply concerned about the economy, do not want to lose the freedoms they enjoy. They are keenly aware of the plight of their more unfortunate neighbors in Burma, Cambodia, and Laos.

This brouhaha was completely unnecessary, and was pre-empted, as an editorial in the Wall Street Journal earlier this week pointed out, by Prime Minister Thaksin’s “thin skin.” Mr. Thaksin needs to abandon his efforts to control the press and concentrate instead on leading his country. I find it hard to believe that the Prime Minister is only discovering that politics is a contact sport.

I encourage my colleagues to continue to follow events in Thailand, and I extend my appreciation to the Senator from North Carolina for speaking forcefully on this issue early this week. I add my voice to the growing chorus of concern.

MIAMI HURRICANES 2001 COLLEGE WORLD SERIES CHAMPS

Mr. NELSON of Florida. Madam President, I rise today to welcome the 2001 University of Miami Hurricanes’ baseball team to Washington, DC. In June of last year the Hurricanes won their fourth national championship, beating the Stanford Cardinal in the College World Series.

They are joined on their trip to Washington by the school’s football team, who you may remember won the 2001 national football championship with a stunning victory in the 88th Rose Bowl. The efforts of both teams are being recognized with ceremonies at the White House, as well as here on Capitol Hill.

The Hurricanes’ baseball team completed its stellar year with a 17-game winning streak, and became the 18th team to go undefeated in the College World Series. With a solid line-up from top to bottom, first-rate pitching, and some of the best all-around talent in all of college baseball, the University of Miami capped its season by beating Stanford 12-1.

It is my pleasure to congratulate head coach Jim Morris for his second national championship in three years, and I’d like to recognize the senior starters on this team that has meant so much to the University of Miami.

Pitcher Tom Farmer finished the year 15-2, and won the final game, scattering a run and four hits over 5% innings.

First baseman Kevin Brown also had a great Series, batting .467, hitting three home runs and leading the team with a home run, a double and 5 RBI in the final game.

Senior center fielder Charlton “Chewy” Jimerson, also had a great Series, being voted the Most Outstanding Player, and showing the country what the University of Miami already knew.

Finally, Greg Lovelady, who caught both the 1999 and 2001 national title games for the Hurricanes, will be staying with the team as an assistant coach. I know his experience will be an asset that Miami teams will benefit from for years to come.

I am proud to welcome these scholar athletes on behalf of all Floridians, and to congratulate the University of Miami for its excellence both on and off the field.

I ask consent to have printed in the RECORD the starting lineup of this championship team.

The lineup follows:

UNIVERSITY OF MIAMI HURRICANES BASEBALL TEAM LINEUP

Charlton Jimerson, Centerfield; Mike Rodriguez, Leftfield; Javy Rodriguez, Shortstop; Danny Mattienzo, Designated Hitter; Kevin Howay, First Base; Kevin Mannix, Right Field; Kevin Brown, First Base; Kris Olte, Second Base; Greg Lovelady, Catcher; Tom Farmer, Pitcher; and Jim Morris, Head Coach.

HONORING ROBERT HODGES

Mr. HELMS. Madam President, this past Friday, March 8, the Department of Veterans Affairs paid special tribute to Robert Hodges of Stonewall, NC, in a ceremony in Pamlico County where Mr. Hodges was officially recognized and honored as the Nation’s oldest veteran.

Family records disclose that Mr. Hodges was born June 18, 1891, confirming that he is almost 111 years old. The grandson of slaves, Robert Hodges grew up on a large farm; he began working when he was 8 or 9 years old. Mr. Hodges was 27 when he volunteered to serve in the U.S. Army in 1918. As one of 277,000 African American stevedores, he served 1 year in France.

After his discharge, he returned to North Carolina and to his parents’ farm. He married Malinda Boyd in 1924; along with their 6 children, they continued to work the farm until failing eyesight caused him to retire in the 1950s, but he continued being an active member of his church, Mt. Sinai Missionary Baptist Church, and his community.

During his 111 years, he was aware of the first flight at Kitty Hawk and of Neil Armstrong’s walk on the moon. There have been 20 U.S. Presidents during his lifetime.

I was represented at this ceremony by Kelly Meyer, in a very fine manner of the Helms Senate Family. Mrs. Spearman presented Mr. Hodges an American flag which was flown over the Capitol in his honor.

TRIBUTE TO JOANNE GLASSER

Mr. BUNNING. Madam President, today I rise to pay tribute to Eastern Kentucky University’s 10th president, Joanne Glasser. Ms. Glasser was officially inaugurated as the University’s first female president, and I would like to join Eastern Kentucky University in welcoming her to the Kentucky academic community.

Ever since she graduated from high school in 1969, Joanne Glasser has been steadily on the rise. She received her bachelor of arts from George Washington University in 1973 and a J.D. shortly after from the University of Maryland School of Law in 1976. Most recently, she recently received a certificate from Harvard Graduate School in 1999. Besides her many educational achievements, Ms. Glasser has had a stellar career as a public servant for the State of Maryland and now the Commonwealth of Kentucky.

After completing law school, Ms. Glasser accepted a job as a law clerk for the State of Maryland, Baltimore County, and eventually became the Assistant County Attorney for Baltimore County. She next moved on to become the Baltimore County Labor Commissioner for 6 years. Before joining the administrative team at Eastern, Ms. Glasser owned a public school firm in Maryland, where her hard work and persistent personality eventually earned her a promotion to executive vice president. In October 2001, Eastern Kentucky University gladly invited Ms. Glasser into their family.

Since her arrival, Ms. Glasser’s personal style and energy has been a motivating force on the campus and the streets of Richmond. She has made it her mission to be personally involved not only with the everyday dealings of the students and faculty but also with local leaders. She rightly understands that a university exists to serve the needs of its students and surrounding community. If a decision does not fit their needs, it simply will not be made.

Joanne Glasser is fully committed to leading Eastern Kentucky University forward into the 21st century and her actions prove as much. By relating on a personal level with the students and community, she will gain an understanding of where to focus her prodigious talents. She is devoted to doing her best for the students and faculty at Eastern Kentucky University. I am very pleased in the immediate impact Joanne Glasser has made and look forward to watching how high she can take the University.

I congratulate Ms. Glasser on her inauguration and applaud her efforts toward a brighter future for Kentucky.

MESSAGE FROM THE HOUSE

CHASE BILL SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on March 8, 2002, during the recess of the Senate, received a message from the House of
Representatives announcing that the Speaker has signed the following enacted bill:
H.R. 3090. An act to provide tax incentives for economic recovery.

Under the authority of the order of the Senate of January 3, 2001, the enrolled bill was signed subsequently by the President pro tempore (Mr. Byrd) on March 8, 2002.

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-5655. A communication from the Assistant Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Revisions to License Exception CTP: Implementation of Final Amendment of January 2, 2002 relative to Computer Tiers” (RIN0694-AAC56) received on March 7, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5656. A communication from the Director of the Financial Crimes Enforcement Network, Office of the Treasurer, transmitting, pursuant to law, the report of a rule entitled “Financial Crimes Enforcement Network, Special Information Sharing Procedures to Deter Money Laundering and Terrorist Activity” (RIN1506-AAC26) received on March 7, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-5658. A communication from the Deputy Secretary of Defense, transmitting, a report on the status of a retirement, to the Committee on Armed Services.

EC-5659. A communication from the Railroad Retirement Board, transmitting, pursuant to law, an annual report under the Government in the Sunshine Act for calendar year 2001; to the Committee on Governmental Affairs.

EC-5670. A communication from the Director of Legislative Affairs, Railroad Retirement Board, transmitting, pursuant to law, the Board’s semiannual report of the Office of Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-5671. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-296, “Home Loan Protection Act of 2002” (RIN1100-AAC72120-0002-0129) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5672. 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: General Electric Company GE 90 Series Turbofan Engines” ((RIN2129-AAA64)(2002-0314)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5673. 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: Dowty Aerospace Propellers R334-8-82-8-F13 Propeller Assemblies” ((RIN2129-AAA64)(2002-0316)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5674. 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: Eurocopter France Model EC 155B Helicopters” ((RIN2129-AAA64)(2002-0318)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5675. 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: Eurocopter France Model SE 3130, 313B, 313ISB, 3130B, 313SB, 313BS, 90C, and 313B Series Helicopters” ((RIN2129-AAA64)(2002-0319)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5676. 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: Boeing Model 767 Series Airplanes” ((RIN2120-AAA64)(2002-0316)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5677. 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: General Electric Company CF6-80E1 Model Turbofan Engines” ((RIN2120-AAA64)(2002-0313)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5678. 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: General Electric Company CF6-80E1 Model Turbofan Engines” ((RIN2120-AAA64)(2002-0314)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5679. 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: Dornier Model 328-100 Series Airplanes” ((RIN2120-AAA64)(2002-0121)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5680. 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: Boeing Model 747 Series Airplanes CORRECTION” ((RIN2120-AAA64)(2002-0141)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5681. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace: Kayenta, AZ” ((RIN2120-AAA66)(2002-0029)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5682. 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” ((RIN2120-AAA65)(2002-0017)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5683. 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” ((RIN2120-AAA65)(2002-0016)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5684. 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: Miscellaneous Amendments” ((RIN2120-AAA65)(2002-0015)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5685. 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: Boeing Model 4774 Series Airplanes” ((RIN2120-AAA65)(2002-0014)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5686. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations; Operation Native American” ((RIN7615-AAA97)(2002-0370)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5687. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations; Sport Fishing Area at Lompoc, CA; CONFIRMATION OF DIRECT FINAL RULE” ((RIN2120-AAA66)(2002-0030)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5688. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations; San Francisco Bay, San Francisco, CA (COTP San Francisco Bay 01-012)” ((RIN2125-AAA97)(2002-0638)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5689. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations; Liquefied Natural Gas Terminal; Anchorage (Cook Inlet, Alaska (COTP Western Alaska 02-001))” ((RIN2125-AAA97)(2002-0639)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5690. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations; San Francisco Bay, San Francisco, CA (COTP San Francisco Bay 01-010)” ((RIN2125-AAA97)(2002-0641)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.
Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations: Charleston Harbor, Cooper River, South Carolina (COTP Charleston) (RIN2115-AA97(2002-0093))” received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5692. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations: Upper Mississippi River, Mile Marker 507.3 to 508.3, Left Descending Bank, Cordova, Illinois (COTP St. Louis 02-022)” (RIN2115-AA97(2002-0092)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5693. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations: Calvert Cliffs Nuclear Power Plant, Chesapeake Bay, Calvert County, MD” (RIN2115-AA97(2002-0091)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5694. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations: San Diego, CA (COTP San Diego 01-020)” (RIN2115-AA97(2002-0092)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5695. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations: San Francisco Bay, San Francisco, CA and Oakland, CA (COTP San Francisco Bay 01-011)” (RIN2115-AA97(2002-0093)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5696. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations: Port of Everglades, FL (Port of Miami, Miami, Florida) (COTP Miami 01-116)” (RIN2115-AA97(2002-0094)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5697. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations: Port of Portland Everglades, FL (Port of Miami, Miami, Florida) (COTP Miami 01-116)” (RIN2115-AA97(2002-0093)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5698. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations: Port of Tampa, Florida (COTP Tampa 01-117)” (RIN2115-AA97(2002-0094)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-5699. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Safety/Security Zone Regulations: Port of Portland Everglades, FL (Port of Miami, Miami, Florida) (COTP Miami 01-116)” (RIN2115-AA97(2002-0094)) received on March 7, 2002; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. LUGAR:
S. 1022. A bill to authorize the negotiation of free trade agreement with the Republic of the Philippines for expedited congressional consideration of such an agreement; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. HUTCHINSON (for himself, Ms. MUKOSHI, Mr. MURPHY, Mrs. CLINTON, Ms. CANTWELL, Mrs. CARNAHAN, Ms. COLLINS, Ms. FEINSTEIN, Ms. LANDRIEU, Ms. SNOWE, Ms. STABENOW, Mrs. LINDSAY, and Mrs. BOXER):
S. Res. 225. A resolution designating the week of March 10 through March 16, 2002, as “National Girl Scout Week”;

ADDITIONAL COSPONSORS

At the request of Mrs. FEINSTEIN, the names of the Senator from North Carolina (Mr. EDWARDS) and the Senator from Vermont (Mr. LEAHY) 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.

At the request of Mr. BURNS, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 500, a bill to amend the Communications Act of 1934 in order to require the Federal Communications Commission to fulfill the sufficient universal service support requirements for high cost areas, and for other purposes.

At the request of Mr. THOMPSON, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 661, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

At the request of Ms. SNOWE, the name of the Senator from Illinois (Mr. DURBIN) 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.

At the request of Mr. NICKLES, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 992, a bill to amend the Internal Revenue Code of 1986 to repeal the provision taxing policy holder dividends of mutual life insurance companies and to repeal the tax on policyholders surplus account provisions.

At the request of Mr. WARNER, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 1022, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

At the request of Mr. CAMPBELL, the name of the Senator from South Dakota (Mr. JOHNSON) 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. JEFFORDS, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 1707, a bill to amend title XVIII of the Social Security Act to specify the update for payments under the medicare physician fee schedule for 2002 and to direct the Medicare Payment Advisory Commission to conduct a study on replacing the use of the sustainable growth rate as a factor in determining such update in subsequent years.

At the request of Mr. DURBIN, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1818, a bill to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred.

At the request of Mr. LEAHY, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2003, a bill to amend subchapter III of chapter 83 and chapter 84 of title 5, United States Code, to include Federal prosecutors within the definition of a law enforcement officer, and for other purposes.

At the request of Mr. HOLLINGS, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 992, to establish a national rail passenger transportation system, reauthorize Amtrak, improve security and service on Amtrak, and for other purposes.

At the request of Mr. NELSON of Florida, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2003, a bill to amend title 38, United States Code, to clarify the applicability of the prohibition on assignment of veterans benefits to agreements regarding future receipt of compensation, pension, or dependency and indemnity compensation, and for other purposes.
Mr. LIEBERMAN was added as a co-sponsor of S. Res. 218, a resolution designating the week beginning March 17, 2002, as “National Safe Place Week”.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LUGAR:

S. 2005. A bill to authorize the negotiation of free trade agreement with the Republic of the Philippines, and to provide for expedited congressional consideration of such an agreement; to the Committee on Finance.

Mr. LUGAR. Madam President, I rise today to introduce the Philippine Free Trade Act of 2002.

My bill provides President Bush with the authority to engage the Republic of the Philippines in negotiations on a free-trade agreement, and if an accord is forthcoming, to have it considered by Congress under “fast-track” conditions.

The political and economic histories of the United States and the Philippines have long been intertwined. Immediately following the end of World War II, with the help and protection of the United States, the Philippine economy soared. In the mid-1980’s when the circumstances surrounding the Marcos regime threatened to destabilize the country and subvert democracy in his election campaign against Corazon Aquino, the United States once again provided strong support. I was a member of a delegation of American election observers who voiced strong concerns over the conduct of the election and provided support for the rightful winner, Mrs. Aquino. Ultimately she was awarded the presidency and her administration brought greater civil liberties and freedom to the Philippine people and an even stronger relationship with the United States.

A free trade agreement with the Republic of the Philippines would hold special economic significance for the United States. United States exports to the Philippines totaled more than $22.7 billion in the year 2000. The Philippines ranks as the 19th largest export market for American goods. The United States is the largest foreign investor in the Philippines with some $3 billion in investments and 24 percent of the foreign direct investment stock as of the end of the year 2000. Both nations would benefit greatly from the elimination of tariffs and increased economic transparency that would come with a free-trade agreement.

The Philippine economy has enjoyed a mixed history of growth and development since the end of World War II. Growth immediately after the war was rapid, but slowed over time. The Philippines went from being one of the wealthiest nations in Asia to one of the poorest. Broad economic reforms designed to spur business growth and foreign investment met with success through most of the 1990s. Under the leadership of President Ramos the Philippines secured ratification of the Uruguay Round agreement and membership in the World Trade Organization.

The Philippines was not as severely affected by the Asian financial crisis as most of its neighbors but it continued to face economic challenges. Exports continue to grow at slower rates. Despite continued slow growth, long-term prospects remain promising. The pace of economic reform is expected to accelerate under President Gloria Macapagal-Arroyo’s leadership. Specifically, it is hoped that progress in electronic commerce, banking reform, and securities regulation will improve the investment and business climate.

President Arroyo was the first foreign head of state to pledge her country’s strong support for the United States in the aftermath of September 11. The Philippines, she said, is prepared to “go every step of the way” with the United States. The U.S. was provided with the use of Filipino ports and airfields to support military operations in Afghanistan. President Arroyo defined Philippine national interests by linking the struggle against international terrorism with the struggle against the Abu Sayyaf within the Philippines.

The Philippines has proven to be a strong and steadfast ally in the war on terrorism. I am pleased that American and Filipino troops are working side by side to eliminate the threat posed by terrorists linked to al Qaeda.

I believe a free-trade agreement with the Philippines would make significant contributions to the economies of both countries and strengthen our diplomatic and security relationships. It will ensure the continuance of open dialogue, peace of mind, and security between our two nations.

It is my hope that the United States and the Philippines will soon begin the process of constructing a free-trade agreement. There is much work to do and success will not come easily or quickly. But I believe increased free trade is the next step in this close and vitally important relationship.

WHEREAS through annual reports required to be submitted to Congress by its charter, the Girl Scouts regularly informs Congress of its progress and program initiatives;

WHEREAS the Girl Scouts offers girls aged 5 through 17 years a variety of opportunities to develop strong values and life skills and provides a wide range of activities to meet girls’ interests and needs;

WHEREAS the Girl Scouts has a membership of nearly 3,000,000 girls and over 900,000 adult volunteers, and is one of the preeminent organizations in the United States committed to assisting girls to grow strong in mind, body, and spirit; and

WHEREAS by fostering in girls and young women the qualities on which the strength of the United States depends, the Girl Scouts, for 90 years, has significantly contributed to the advancement of the United States; Now, therefore, be it

Resolved, That the Senate—

(a) designates the week of March 10 through March 16, 2002, as “National Girl Scout Week”; and

(b) requests that the President—

(A) issue a proclamation designating the week of March 10 through March 16, 2002, as “National Girl Scout Week”; and

(B) calls on the people of the United States to observe the 90th anniversary of the Girl Scouts of the United States of America with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2993. Mr. DORGAN proposed an amendment to amendment SA 2917 proposed by Mr. Daschle (for himself and Mr. Bingaman) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

SA 2994. Mr. INHOFE (for himself and Mr. Smith of New Hampshire) submitted an amendment intended to be proposed to amendment SA 2017 proposed by Mr. Daschle (for himself and Mr. Bingaman) to the bill (S. 517) supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2993. Mr. DORGAN proposed an amendment to amendment SA 2917 proposed by Mr. Daschle (for himself and Mr. Bingaman) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; as follows:

In section 1901(a)(1), strike “nuclear power industry” and insert “the electric power generation industry (including the nuclear power industry)”.

At the end of title XV, add the following new section:

"SEC. 1506. NATIONAL POWER PLANT OPERATIONS TECHNOLOGY AND EDUCATION CENTER.

"(a) Establishment.—The Secretary shall establish a National Power Plant Operations Technology and Education Center (the "Center"), to address the need for training and
SA 2994. Mr. INHOFE (for himself and Mr. SMITH of New Hampshire) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was of dered to lie on the table as follows: At the appropriate place insert the following:

SEC. 1. PHASEOUT OF TAX SUBSIDIES FOR ETHANOL FUEL AS MARKET SHARE.

(a) In General.—Later than December 15 of 2002, and each subsequent calendar year, the Secretary of the Treasury shall determine the percentage increase (if any) of the ethanol fuel market share for the preceding calendar year over the highest ethanol fuel market share under sections 40, 4041, and 4081 of the Internal Revenue Code of 1986, reduce by the same percentage the ethanol fuel market share for any preceding calendar year over the highest ethanol fuel market share for any calendar year.

(b) Ethanol Fuel Market Share.—For purposes of this section, the ethanol fuel market share for any calendar year shall be determined from data of the Energy Information Administration of the Department of Energy.

(c) Ethanol Fuel.—For purposes of this section, the term ‘‘ethanol fuel’’ means any fuel the alcohol in which is ethanol.

(d) Floor Stock Taxes.—

(1) Imposition of Tax.—In the case of ethanol fuel which is held on any tax increase date by any person, there is hereby imposed a floor stock tax in an amount determined by the Secretary to equal the reduction in ethanol fuel subsidies described in subsection (a) beginning on such date.

(2) Liability for Tax and Method of Payment.—

(A) Liability for Tax.—A person holding ethanol fuel on any tax increase date to which this subsection applies shall be liable for such tax.

(B) Method of Payment.—The tax imposed by paragraph (1) shall be paid in such manner as the Secretary shall prescribe.

(C) Time for Payment.—The tax imposed by paragraph (1) shall be paid on or before the date which is 6 months after such tax increase date.

(3) Definitions.—For purposes of this subsection—

(A) Tax Increase Date.—The term ‘‘tax increase date’’ means any January 1 on which begins a reduction in ethanol fuel subsidies described in subsection (a).

(B) Held by a Person.—Ethanol fuel shall be considered ‘‘held by a person’’ if title thereto has passed to such person (whether or not delivery to the person has been made).

SEC. 2.elia.

(A) General.—No tax shall be imposed by paragraph (1) on ethanol fuel held on any tax increase date by any person if the aggregate amount of ethanol fuel held by such person on such date does not exceed 2,000 gallons.

(B) Exempt Fuel.—For purposes of subparagraph (A), there shall not be taken into account fuel held by any person which is exempt from the tax imposed by paragraph (1) by reason of paragraph (4) or (5).

(C) Controlled Groups.—For purposes of this paragraph—

(I) Corporations.—

(1) In General.—All persons treated as a controlled group of corporations shall be treated as 1 person.

(II) Controlled Group of Corporations.—The term ‘‘controlled group of corporations’’ means any corporation, together with all other persons (whether or not organized as a corporation) which are under common control with such corporation, treated as a single employer under section 414(b) of the Internal Revenue Code of 1986, that is, by paragraph (1) shall be imposed on the floor stock tax in an amount determined by the Secretary of the Treasury or the Secretary of the Treasury or the

(B) HELD BY A PERSON .

(C) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of the Treasury or the Secretary’s delegate.

(4) Exception for Exempt Uses.—The tax imposed by paragraph (1) shall not apply to ethanol fuel held by any person exclusively for any use to the extent a credit or refund of the tax imposed by section 4041, or 4081 of the Internal Revenue Code of 1986 is allowable for such use.

(5) Exception for Fuel Held in Vehicle Tank.—No tax shall be imposed by paragraph (1) on ethanol fuel held in the tank of a motor vehicle or motorboat.

(6) Exception for Certain Amounts of Fuel.—

(A) In General.—No tax shall be imposed by paragraph (1) on ethanol fuel held on any tax increase date by any person if the aggregate amount of ethanol fuel held by such person on such date does not exceed 2,000 gallons.

(B) Exempt Fuel.—For purposes of paragraph (A), there shall not be taken into account fuel held by any person which is exempt from the tax imposed by paragraph (1) by reason of paragraph (4) or (5).

(C) Controlled Groups.—For purposes of this paragraph—

(1) Corporations—

(I) In General.—All persons treated as a controlled group of corporations shall be treated as 1 person.

(II) Controlled Group of Corporations.—The term ‘‘controlled group of corporations’’ means any corporation, together with all other persons (whether or not organized as a corporation) which are under common control with such corporation, treated as a single employer under section 414(b) of the Internal Revenue Code of 1986, that is, by paragraph (1) shall be imposed on the floor stock tax in an amount determined by the Secretary to equal the reduction in ethanol fuel subsidies described in subsection (a) beginning on such date.

(2) Liability for Tax and Method of Payment.—

(A) Liability for Tax.—A person holding ethanol fuel on any tax increase date to which this subsection applies shall be liable for such tax.

(B) Method of Payment.—The tax imposed by paragraph (1) shall be paid in such manner as the Secretary shall prescribe.

(C) Time for Payment.—The tax imposed by paragraph (1) shall be paid on or before the date which is 6 months after such tax increase date.

(D) Definitions.—For purposes of this subsection—

(A) Tax Increase Date.—The term ‘‘tax increase date’’ means any January 1 on which begins a reduction in ethanol fuel subsidies described in subsection (a).

(B) Held by a Person.—Ethanol fuel shall be considered ‘‘held by a person’’ if title thereto has passed to such person (whether or not delivery to the person has been made).

SEC. 3. UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR.

Mr. BINGAMAN, Madam President, I ask unanimous consent that the resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

SEC. 4. NATIONAL GIRL SCOUT WEEK.

Mr. BINGAMAN, Madam President, I ask unanimous consent that the resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

SEC. 5. NATIONAL SAFE PLACE WEEK.

Mr. BINGAMAN, Madam President, I ask unanimous consent that the resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

SEC. 6. CONGRESSIONAL RECORD—SENATE

March 11, 2002

Mr. BINGAMAN, Madam President, as in executive session, I ask unanimous consent that it be in order to ask for the yeas and nays on the nomination at this time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The yeas and nays were ordered.

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

Mr. BINGAMAN, Madam President, I ask unanimous consent that the resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

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

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 225) designating the week of March 10 through March 16, 2002, as National Girl Scout Week.

Mr. BINGAMAN, Madam President, I ask unanimous consent that the resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

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

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

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

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

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

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”

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

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today’s Record under “Submitted Resolutions.”
S. Res. 218

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 30 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; and

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.

ORDERS FOR TUESDAY, MARCH 12, 2002

Mr. BINGAMAN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10:30 a.m. on Tuesday, March 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time of the two leaders be reserved for their use later in the day, and the Senate begin consideration of Executive Calendar No. 706, as under the previous order; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. for the weekly party conferences.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

PROGRAM

Mr. BINGAMAN. Madam President, the next rollcall vote will occur at 10:45 a.m. and it will be on Executive Calendar nomination No. 706.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

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

There being no objection, the Senate, at 5:11 p.m., adjourned until Tuesday, March 12, 2002, at 10:30 a.m.
Mr. EHRLICH. Mr. Speaker, I rise today in favor of legislation I have waited months to be able to support. At long last, the Republican Leadership has brought to the Floor an unemployment benefits extension package that can attract broad, bipartisan backing and finally demonstrate the commitment of this Congress to helping displaced workers weather the current economic climate.

As we all know, the repercussions from the September 11th terrorist attacks compounded the impacts of an already weakened labor market. By the end of January, 1.3 million displaced workers had exhausted their unemployment benefits, and workers continue to use up their benefits at the staggering rate of 80,000 per week nationwide. In my state of Rhode Island, almost 4,000 workers exhausted benefits between November 2001 and January 2002, a 33% increase over the same period last year.

For months, my constituents have been pleading for assistance to help them make ends meet while they search for new employment. For months, I have promised to fight for them in Washington. Yet I have been forced again and again to vote against extended unemployment benefits that the Republican Leadership insisted upon politicizing by combining them with controversial tax cuts. I am pleased to at last have the opportunity to extend a helping hand to struggling families in my district and move beyond the partisan fight in their community.

To be sure, this legislation, which includes a thirteen-week extension of unemployment benefits and a modest package of responsible, pro-growth tax proposals, is only a first step. To be sure, this legislation, which includes a thirteen-week extension of unemployment benefits and a modest package of responsible, pro-growth tax proposals, is only a first step. We must still ensure that laid-off workers have benefits and a modest package of responsible, pro-growth tax proposals, is only a first step. We must still ensure that laid-off workers have benefits and a modest package of responsible, pro-growth tax proposals, is only a first step.

I first met Maxine as a freshman delegate during the 1987 legislative session in Annapolis. I learned soon thereafter that her diminutive stature belied a tough, persuasive manner and character which loomed large on the Maryland legislative landscape for many years.

Few Marylanders may be aware of Maxine’s long and distinguished career. She began her career in Annapolis as a legislative aide to the Baltimore County Delegation to the Maryland House of Delegates. After graduating cum laude from the University of Baltimore Law School, Maxine worked as a law clerk to the Honorable Richard Gilbert, Chief Judge of the Maryland Court of Special Appeals, and as a law clerk to the Department of Economic and Community Development under the Attorney General. For two decades, Maxine served as a successful lawyer and lobbyist as a member of the Baltimore-based law firm of Semmes, Bowen & Semmes.

In addition, Maxine is a valuable and active participant in the greater Baltimore community. She is a member of the University of Baltimore School of Law Advisory Committee, the Governor’s Blue Ribbon Panel on Self-insurance, and a Commissioner on the Baltimore City Commission for Women.

Maxine is also a member of the Women’s Housing Coalition’s Board of Directors, which provides transitional and permanent housing for homeless, low-income, or at-risk women. Finally, she and her husband, my good friend Robert L. McKinney, were named one of “Baltimore’s Power Couples” in the June 2000 edition of Baltimore Magazine.

Mr. Speaker, Maxine will be sorely missed by lawmakers on both sides of the aisle in Annapolis. I ask my colleagues to join me in wishing Maxine and her husband Bob all the best in their future endeavors.

HON. PATRICK J. TOOMEY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, March 11, 2002
Mr. TOOMEY. Mr. Speaker, today I would like to share my report from Pennsylvania for my colleagues and the American people.

All across Pennsylvania’s 15th Congressional District there are some amazing people who do good things to make our communities a better place. These are individuals of all ages who truly make a difference and help others. I like to call these individuals Lehigh Valley Heroes for their good deeds and efforts.

Today, I would like to recognize the Boy Scouts of Troop 29 in Cetronia and their Scoutmaster Bob Sperling. These boys and their Scoutmaster have truly made a difference in their community.

On Saturday, December 15, 2001, the Boy Scouts of Troop 29 went to the Cedarbrook nursing home in South Whitehall Township to sing Christmas carols to the residents. Hours later after the Scouts had left to go bowling, a fire broke out at the nursing home, forcing the residents out of the building.

The Scouts and their Scoutmaster received a call a few hours after their visit alerting them that the same nursing home was on fire and the residents were being taken to a local school. Without hesitation, the Scouts headed to the school to offer assistance in any way needed. They used their Scout skills and worked hard unloading the ambulances of patients arriving from the nursing home, keeping their cool all the while.

Thanks to the hard work of the Boy Scouts under the supervision of Scoutmaster Bob Sperling, the Cedarbrook residents were safe, sound and out of harm’s way. Boy Scout Troop 29 made a huge difference that night, helping those in need and therefore they are Lehigh Valley Heroes in my book.

Mr. Speaker, this concludes my report from Pennsylvania.

HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Monday, March 11, 2002
Ms. NORTON. Mr. Speaker, when I introduce a bill to benefit the city, it generally is unnecessary for city officials to take the time to be present. However, Mayor Williams, Council Chair Cropp, joined me at a press conference today to emphasize the importance of the District of Columbia Fair Federal Compensation Act to the city’s economic viability. The bill I am introducing today is as serious as the control board bill was when it was introduced seven years ago. The difference is that the Financial Authority bill was necessary to cure a crisis. The Fair Compensation bill must be enacted to forestall a crisis.

As in the 1990s, this also is a crisis of expenditures rising faster than revenues. However, this problem has nothing to do with the overspending that led to D.C.’s recent insolvency. This time, no matter what the city does, it cannot cut its way out. However, D.C. cannot grow its way out either. The Federal Government has the city fenced in on all sides. It is uniquely harmful to keep a local jurisdiction from raising revenue and then to turn around and foist federal costs on local taxpayers.

The Federal Government does both. First, it requires D.C. taxpayers to foot the bill for services used chiefly by federal workers and visitors: roads tortured by cars, 8 out of 10 originating from the suburbs, other shared infrastructure costs, public safety, and other services. Then the government catches the city at the revenue end—no commuter tax.
TRIBUTE TO JOHN ALLEN YOUNG

HON. IKE SKELTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 11, 2002

Mr. SKELTON. Mr. Speaker, it has come to my attention that a long and exceptionally distinguished career has come to an end. Mr. John Young, of Jefferson City, MO, has retired as director of the Division of Air and Land Protection in the Missouri Department of Natural Resources.

Mr. Young joined the Missouri Department of Natural Resources in 1973, after receiving bachelor's and master's degrees from Eastern Kentucky University. His career with the department has been full of achievements. He was directors and deputy director of the Division of Environmental Quality. He was affiliated with the Water Pollution Control and Land Reclamation Programs and has been a member of numerous state and national environmental organizations.

Mr. Young has also been a recipient of several awards. He was honored by the FBI for his criminal investigation efforts and by the Missouri Conservation Federation for his leadership in contamination cleanup at Times Beach.

Mr. Speaker, John Young has dedicated nearly 30 years to the Missouri Department of Natural Resources, serving with honor and distinction. I know that the Members of the House will join me in wishing him all the best in the days ahead.

TRIBUTE TO HONORABLE BISHOP LARRY D. TROTTER

HON. ROD R. BLAGOJEVICH

IN THE HOUSE OF REPRESENTATIVES

Monday, March 11, 2002

Mr. BLAGOJEVICH. Mr. Speaker, it is an honor for me to pay tribute to the Honorable Bishop Larry D. Trotter, Pastor of Sweet Holy Spirit Church of Chicago, IL. Bishop Trotter was called to the ministry in 1974 and was called to the pastorate of Sweet Holy Spirit Church in 1981. Since that time, God, through him, has made and continues to make a difference in many lives.

Under his leadership and vision, the Sweet Holy Spirit's membership has grown from 22 members to over 5,000. He preaches four Sunday services in two locations and is aired on radio and television each week. Over 28 years of unifying service, faithful dedication to the community, and strong leadership have earned him the deserved respect and admiration of all whose lives he has touched.

Bishop Trotter has been instrumental in shaping the future of the community, state, and country. I applaud the leadership and I commend him for toiling so long to provide the type of guidance which has empowered so many to make meaningful contributions to the community. He is currently the Third Presiding Bishop—International, assisting in the oversight of more than 1,500 churches and ministries.

In addition, he serves as a Board Member for the Joint College of Pentecostal Bishops. His accomplishments are far too numerous to list but I applaud him for each and every one of them and for having the dream and desire to use his faith as a vehicle to effect social, political and economic change. He is a true testament to his faith and an asset to our country. I commend Bishop Larry Trotter and wish him many more years of exemplary service to the Lord.

RATIFY CEDAW

HON. BARBARA LEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 11, 2002

Ms. LEE. Mr. Speaker, I rise today in honor of International Women’s Day and to urge the U.S. Senate to ratify The United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

CEDAW is the only comprehensive international treaty guaranteeing women’s human rights and the prevention of discrimination against women. This treaty requires States to take all appropriate measures to eliminate discrimination against women in political and public life, law, education, employment, health care, commercial transactions, and domestic relations.

In the past few months, we have been actively engaged in our continuous struggle for freedom and equality for women around the world. CEDAW is highly critical to ensuring that Afghanistan will have a democratic government that protects and upholds fundamental human rights for women.

Under the Taliban regime, women in Afghanistan had no rights. They were unable to hold jobs, go to school, or leave their homes unless accompanied by a close male relative. Now that the Taliban has been toppled, we must work together to implement CEDAW within the new Afghan government. CEDAW will ensure that women in Afghanistan will have the right to an education, health care, employment, and other basic rights. However, it is unfortunate that the United States has not ratified CEDAW. We cannot employ CEDAW’s universal standards in our efforts to assist the women in Afghanistan.
CEDAW is a tool that women around the world are using in their struggle against the effects of discrimination including violence against women, poverty, lack of legal status, right to inherit or own property, and much more. Most of these problems exist here in the United States.

Now is the time for the U.S. Senate to ratify CEDAW in our fight to promote human rights for women worldwide. CEDAW will give the force of international law to our efforts on behalf of women’s rights. I urge the Senate to ratify CEDAW and give women the rights they have been denied for so long.
SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 12, 2002 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

MARCH 13

9:30 a.m.

Armed Services

Personnel Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense Health Program.

Governmental Affairs

To resume hearings to examine public health and natural resources, focusing on implementation of environmental laws.

SD–342

Environment and Public Works

To hold hearings to examine the economic and environmental risks associated with increasing greenhouse gas emissions.

SD–406

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Housing and Urban Development.

SD–138

10 a.m.

Judiciary

Technology, Terrorism, and Government Information Subcommittee

To hold hearings to examine the worldwide connection between drugs and terrorism.

SD–226

Banking, Housing, and Urban Affairs

To hold oversight hearings on the implementation of the Transportation Equity Act for the 21st Century (105–178).

SD–538

10:30 a.m.

Appropriations

Legislative Branch Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2003 for the Library of Congress and the Congressional Research Service.

SD–124

Appropriations

Commerce, Justice, State, and the Judiciary Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Commerce.

SD–116

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings on the nominations of Robert Watson Cobb, of Maryland, to be Inspector General, and Major General Charles F. Bolden, Jr., United States Marine Corps, to be Deputy Administrator, both of the National Aeronautics and Space Administration.

SR–253

Intelligence

To hold closed hearings to examine pending intelligence matters.

SH–219

Armed Services

Strategic Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense and the Future Years Defense Program, focusing on Ballistic Missile Defense acquisition policy and oversight.

SR–222

4 p.m.

Conferences

Meeting of conferences on H.R. 2646, to provide for the continuation of agricultural programs through fiscal year 2011.

HC–5 Capitol

5 p.m.

Foreign Relations

To hold hearings on the nomination of Robert Patrick John Finn, of New York, to be Ambassador to Afghanistan.

SD–419

MARCH 14

9:30 a.m.

Armed Services

To hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Energy.

SH–216

Commerce, Science, and Transportation

To hold hearings on H.R. 181, to establish a national rail passenger transportation system, reauthorize Amtrak, and improve security and service on Amtrak.

SR–253

Aging

To hold hearings to examine the current economy and its impact on seniors, focusing on funds for Medicaid, health, and senior services.

SD–628

10 a.m.

Veterans’ Affairs

To hold joint hearings with the House Committee on Veterans’ Affairs to examine the legislative presentations of the Gold Star Wives of America, the Fleet Reserve Association, the Air Force Sergeants Association, and the Retired Enlisted Association.

345 Cannon Building

Appropriations

Agriculture, Rural Development, and Related Agencies Subcommittee

To hold hearings to examine farm economy and rural sector issues.

SD–138

Indian Affairs

To hold hearings on the President’s budget request for Indian programs for fiscal year 2003.

SR–485

Judiciary

To hold hearings to examine competition, innovation, and public policy concerning digital creative works.

SD–226

Banking, Housing, and Urban Affairs

To resume oversight hearings to examine accounting and investor protection issues raised by the Enron situation, and other public companies, focusing on the accounting profession, audit quality and independence, and formulation of accounting principles.

SD–538

Finance

Health Care Subcommittee

To hold hearings to examine reimbursement and access to prescription drugs under Medicare Part B.

SD–215

2 p.m.

Veterans’ Affairs

To hold hearings on the nomination of Robert H. Roswell, of Florida, to be Under Secretary for Health, and the nomination of Daniel L. Cooper, of Pennsylvania, to be Under Secretary for Benefits, both of the Department of Veterans Affairs.

SR–418

Foreign Relations

To hold hearings on the nominations of Richard Monroe Miles, of South Carolina, to be Ambassador to Georgia; the nomination of James W. Purdew, of Arkansas, to be Ambassador to the Republic of Bulgaria; the nomination of Peter Terpeluk, Jr., of Pennsylvania, to be Ambassador to Luxembourg; and the nomination of Lawrence E. Butler, of Maine, to be Ambassador to The Former Yugoslav Republic of Macedonia.

SD–419

Appropriations

Treasury and General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of the Treasury.

SD–138

Health, Education, Labor, and Pensions

To hold hearings to examine the future of American steel, focusing on ensuring the viability of the industry and the health care and retirement security for workers.

SD–430

2:30 p.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Education.

SD–124

Armed Services

Airland Subcommittee

To hold hearings to examine proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, focusing on Army modernization and transformation.

SR–222

Appropriations

District of Columbia Subcommittee

To hold hearings to examine regional emergency planning for the Nation’s Capital.

SD–192

3 p.m.

Banking, Housing, and Urban Affairs

To hold hearings on the nominations of JoAnn Johnson, of Iowa, and Deborah Matz, of New York, each to be a Member of the National Credit Union Administration Board.

SD–538
MARCH 15
9:30 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine child care improvement issues.
SD-430
10 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Energy.
SD-138

MARCH 18
10 a.m.
Governmental Affairs
International Security, Proliferation and Federal Services Subcommittee
To hold hearings on Federal workplace reform proposals.
SD-342

MARCH 19
9:30 a.m.
Armed Services
To hold hearings to examine the worldwide threat to United States interests (to be followed by closed hearings in SH-219).
SH-216
10 a.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the National Oceanic and Atmospheric Administration and the Small Business Administration.
SD-138

Judiciary
To hold hearings to examine pending judicial nominations.
SD-226

Governmental Affairs
International Security, Proliferation and Federal Services Subcommittee
To continue hearings to examine pending calendar business.
SD-342

MARCH 20
10 a.m.
Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings to examine identity theft and information protection.
SD-226
2 p.m.
Veterans’ Affairs
To hold joint hearings with the House Committee on Veterans’ Affairs to examine the legislative presentations of American Ex-Prisoners of War, the Vietnam Veterans of America, the Retired Officers Association, the National Association of State Directors of Veterans Affairs, and AMVETS.
345 Cannon Building

MARCH 21
10 a.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the Federal Bureau of Investigation, Immigration and Naturalization Service, and the Drug Enforcement Administration, all of the Department of Justice.
SD-116

Indian Affairs
To hold hearings on S. 958, to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A–1, 326-A–3, 326-K.
SR-485

Armed Services
Readiness and Management Support Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense and the Future Years Defense Program, focusing on the readiness of U.S. Armed Forces for all assigned missions.
SR-232A

APRIL 10
10:30 a.m.
Judiciary
Antitrust, Competition and Business and Consumer Rights Subcommittee
To hold hearings to examine cable competition, focusing on the ATT-Comcast merger.
SD-226

CANCELLATIONS

MARCH 13
10 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the Air Force.
SD-192

MARCH 19
9:30 a.m.
Armed Services
To hold hearings on worldwide threats to United States interests; to be followed by closed hearings (in Room SH-219).
SH-216
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1715–S1735

Measures Introduced: One bill and one resolution were introduced, as follows: S. 2005 and S. Res. 225.

Measures Passed:

National Girl Scout Week: Senate agreed to S. Res. 225, designating the week of March 10 through March 16, 2002, as “National Girl Scout Week”.

National Safe Place Week: Committee on the Judiciary was discharged from further consideration of S. Res. 218, designating the week beginning March 17, 2002, as “National Safe Place Week”, and the resolution was then agreed to.

Energy Policy Act: Senate resumed consideration of S. 517, to authorize funding for the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, taking action on the following amendments proposed thereto:

Adopted:
  Bingaman/Domenici Amendment No. 2990 (to Amendment No. 2917) to promote collaboration between the United States and Mexico on research related to energy technologies.

Pending:
  Daschle/Bingaman Further Modified Amendment No. 2917, in the nature of a substitute.
  Feinstein Amendment No. 2989 (to Amendment No. 2917), to provide regulatory oversight over energy trading markets.
  Dorgan Amendment No. 2993 (to Amendment No. 2917), to provide for both training and continuing education relating to electric power generation plant technologies and operations.

Senate will continue consideration of the bill on Tuesday, March 12, 2002.

Nomination—Agreement: A unanimous-consent agreement was reached providing for consideration of Ralph R. Beistline, to be United States District Judge for the District of Alaska, at 10:30 a.m., on Tuesday, March 12, 2002, with a vote on confirmation of the nomination to occur at 10:45 a.m.

Messages From the House:

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Adjournment: Senate met at 3 p.m., and adjourned at 5:11 p.m., until 10:30 a.m., on Tuesday, March 12, 2002. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S1735).

Committee Meetings

(Committees not listed did not meet)

FOREIGN MISSILE DEVELOPMENTS

Committee on Governmental Affairs: Subcommittee on International Security, Proliferation and Federal Services concluded hearings to examine the Central Intelligence Agency national intelligence estimate of foreign missile developments and the ballistic missile threat through 2015, after receiving testimony from Robert D. Walpole, National Intelligence Officer for Strategic and Nuclear Programs, National Intelligence Council, Central Intelligence Agency.
House of Representatives

Chamber Action

Measures Introduced: 3 public bills, H.R. 3921–3923 were introduced.

Reports Filed: Reports were filed today as follows:

Filed on Friday, March 8, H.R. 2581, to provide authority to control exports, amended (H. Rept. 107–297 Pt. 2).

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker pro tempore for today.

Agriculture, Conservation, and Rural Enhancement Act—Appointment of Conferee: Pursuant to clause 11 of rule 1, the Chair removes Representative Ballenger, as a conferee and appoints Representative Bartlett to fill the vacancy (Representative Ballenger had been appointed on March 7, 2002).

Senate Message: Messages received from the Senate today appear on page H783.

Quorum Calls—Votes: No quorum calls or recorded votes developed during the proceedings of the House today.

Adjournment: The House met at 2 p.m. and adjourned at 2:05 p.m.

Committee Meetings

No committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST of February 25, 2002, p. D117)

H.R. 3090, to provide tax incentives for economic recovery. Signed on March 9, 2002. (Public Law 107–147)

COMMITTEE MEETINGS FOR TUESDAY, MARCH 12, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings on proposed budget estimates for fiscal year 2003 for the Department of State, 10 a.m., SD–138.

Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine the prohibition of human reproductive cloning and saving medical research, 2 p.m., SD–192.

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense and the Future Years Defense Program, focusing on special operations military capabilities, operational requirements, and technology acquisition, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold oversight hearings on the economy of the United States, 10 a.m., SD–538.

Committee on Environment and Public Works: Subcommittee on Superfund, Toxics, Risk, and Waste Management, to hold hearings to examine environmental enforcement, 10 a.m., SD–406.

Full Committee, to hold hearings to examine the President’s proposed budget request for fiscal year 2003 for the First Responder Initiative, 2:30 p.m., SD–406.

Committee on Finance: to hold hearings to examine welfare reform issues, 10 a.m., SD–215.

Committee on Governmental Affairs: business meeting to consider the nomination of Jeanette J. Clark, to be an Associate Judge of the Superior Court of the District of Columbia; and the nomination of Louis Kincannon, of Virginia, to be Director of the Census, Department of Commerce, 10:30 a.m., S–211, Capitol.

Subcommittee on International Security, Proliferation and Federal Services, to hold hearings on S. 1800, to strengthen and improve the management of national security, encourage Government service in areas of critical national security, and to assist government agencies in addressing deficiencies in personnel possessing specialized skills important to national security and incorporating the goals and strategies for recruitment and retention for such skilled personnel into the strategic and performance management systems of Federal agencies, 2:30 p.m., SD–342.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Public Health, to hold hearings to examine solutions for uninsured patients, 10 a.m., SD–430.

House

Committee on Appropriations, Subcommittee on Labor, Health and Human Services and Education, on Substance Abuse Mental Health Services, and Administration on Aging, 2 p.m., 2358 Rayburn.

Subcommittee on Veterans’ Affairs, Housing and Urban Development and Independent Agencies, on EPA, 9:30 a.m., and 1:30 p.m., 2359 Rayburn.


Committee on Education and the Workforce, Subcommittee on 21st Century Competitiveness, hearing on “Welfare at...
Work: Ties Between TANF and Workforce Development,” 2 p.m., 2175 Rayburn.

Committee on Government Reform, Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, hearing on “Regulatory Accounting: Costs and Benefits of Federal Regulations,” 2 p.m., 2154 Rayburn.


Committee on the Judiciary, Subcommittee on Crime, to mark up H.R. 3215, Combatting Illegal Gambling Reform and Modernization Act, 4 p.m., 2237 Rayburn.

Committee on Resources, Subcommittee on Forests and Forest Health, oversight hearing on Fiscal Year 2003 Forest Service Program Budget, 4 p.m., 1334 Longworth.

Committee on Rules, to consider the following: H.R. 2146, Two Strikes and You’re Out Child Protection Act; and H.R. 2341, Class Action Fairness Act of 2001, 5 p.m., H–313 Capitol.

Committee on Ways and Means, hearing on the Administration’s Plan to Build on the Successes of Welfare Reform, 2:30 p.m., 1100 Longworth.
Next Meeting of the **SENATE**
10:30 a.m., Tuesday, March 12

**Senate Chamber**

Program for Tuesday: Senate will consider the nomination of Ralph R. Beistline, to be United States District Judge for the District of Alaska, with a vote on confirmation of the nomination to occur at 10:45 a.m.; following which, Senate will continue consideration of S. 517, Energy Policy Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m., for their respective party conferences.)

Next Meeting of the **HOUSE OF REPRESENTATIVES**
12:30 p.m., Tuesday, March 12

**House Chamber**

Program for Tuesday: Consideration of Suspensions:
2. H.R. 1885, Enhanced Border Security and Visa Entry Reform Act of 2002 (House amendment to Senate amendment);
3. H.R. 1499, District of Columbia College Access Act Technical Corrections (House Amendment to Senate Amendment); and

**Extensions of Remarks, as inserted in this issue**

**HOUSE**

Blagojevich, Rod R., Ill., E312
Ehrlich, Robert L., Jr., Md., E311
Langevin, James R., R.I., E311
Lee, Barbara, Calif., E312
Norton, Eleanor Holmes, D.C., E311
Skelton, Ike, Mo., E312
Toomey, Patrick J., Pa., E311

Congressional Record

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