

High impact States, like California, continue to shoulder extraordinary costs for housing illegal aliens in its criminal justice system. The State prisons had an estimated 22,565 criminal aliens in its system out of a total population of 160,728.

In just a 3-month period last year, the State's county jails housed just under 10,000 criminal aliens. Overall, California taxpayers paid more than \$2.28 billion in 2001 to cover these costs.

In 2002, California received a SCAAP payment of \$220 million—less than 10 percent of the total costs to the State. This year, California taxpayers can expect to spend even more.

The SCAAP reauthorization bill would help California and all other States that are experiencing increasing costs from incarcerating undocumented felons—both low-impact and high-impact states.

Last year, the State of Wisconsin and its counties, for example, received more than \$3.5 million in funding; Massachusetts received over \$13 million; Pennsylvania received over \$2.6 million; Virginia received more than \$6.4 million; North Carolina received \$5.2 million; Michigan received \$2.9 million; Minnesota received \$1.8 million.

Thus, even states that have not traditionally had to confront the growth in illegal immigration are now bearing the costs of this Federal responsibility.

The administration's opposition to this program is puzzling.

I am particularly disappointed that an Administration headed by a former governor of a State highly impacted by the Federal Government's inability to control illegal immigration, would recommend the elimination of this important program.

Who pays when these costs go uncovered?

In California, the burden will fall on our law enforcement agencies—including sheriffs, officers on the beat, anti-gang violence units, district attorneys offices. At a time when the nation is focused on enhancing security within our borders, within our States and within our local communities, a vital program like SCAAP should not be vulnerable to being short-changed or eliminated.

I note that when the current president was governor of Texas, he was a strong supporter of Federal funding for SCAAP. He, too, recognized that controlling illegal immigration was a federal responsibility and that States cannot and should not be expected to handle the national burden on their own.

Certainly, the problems that were faced by Texas then with respect to the incarceration of criminal aliens have grown since then-Governor Bush wrote that letter. In 1997, the year in which the letter was written, the State of Texas incurred more than \$129 million in incarceration costs. In fiscal year 2002, those costs soared to more than \$1.17 billion.

It is inexplicable to me that this administration would now call for the

elimination for the program. I will include the letter then-Governor Bush wrote to Representative Hal Rogers, chairman of the House Appropriations Subcommittee on Commerce, Justice, State, the Judiciary and Related Agencies, for the RECORD.

After years of strongly supporting funding for the SCAAP program, President Bush's recent opposition to the program prompted Congress to cut the program by 56 percent this year, from \$565 million to \$250 million.

I urge my colleagues to reverse that course in Fiscal Year 2004 and consider restoring the cuts that were made when Congress considers the FY2003 supplemental appropriations request the administration is likely to submit in the next several weeks.

I thank my colleagues who joined me yesterday for their tireless efforts in ensuring that States and local counties receive some compensation for they do their part in securing their communities from criminal aliens who are in the country illegally.

I join them in introducing the SCAAP reauthorization legislation in hopes that it will go further to alleviate some of the fiscal hardships States and local governments incur when they must take on this Federal responsibility.

I ask unanimous consent to print the letter to which I referred in the RECORD.

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

STATE OF TEXAS
OFFICE OF THE GOVERNOR,
July 10, 1997.

Hon. HAL ROGERS,
Chairman, Subcommittee on Commerce, Justice, State, the Judiciary and Related Agencies, Committee on Appropriations, Washington, D.C. 20515.

DEAR CHAIRMAN ROGERS: The cost of processing and housing criminal aliens in our state criminal justice system continues to grow. I am writing to ask you to support funding the \$650 million authorization to reimburse state and local governments for the costs of incarcerating undocumented criminal aliens. We are thankful for Congress' recognition of this problem in Texas and appreciate the funding we have already received.

The Immigration and Naturalization Service estimates that Texas incarcerates more than 8,000 undocumented aliens each year. At this current rate of incarceration, the annual cost to Texas exceeds \$129 million. During fiscal year 1996, Texas received \$51.9 million in reimbursement under the State Criminal Alien Assistance Program (SCAAP). Any additional funds dedicated to assist Texas in recapturing the costs of housing these criminal aliens would be greatly appreciated.

Thank you for your time and attention to this matter of importance to Texas. I will appreciate any action you can take on this matter.

Sincerely,

GEORGE W. BUSH,
Governor.

TRIBUTE TO VICTOR BAIRD

Mrs. LINCOLN. Mr. President, I rise today to pay tribute to Victor Baird,

who is retiring from his position as acting staff director and chief counsel to the U.S. Senate Select Committee on Ethics after more than 15 years of service.

For the last 2 years, I have had the privilege to serve on the U.S. Senate Select Committee on Ethics, an assignment that has provided me valuable insights into the workings and the ethical guidelines of this body. When I joined the committee, I was a relatively junior member, having served only 2 years in the Senate. I consider myself extremely fortunate that during this time, I have been able to draw on the wisdom and expertise of Victor Baird.

Following a distinguished legal career in Georgia, Victor came to Washington in 1987 to serve as counsel to the Ethics Committee. Over the ensuing 15 years, Victor has brought to the committee a sense of nonpartisan balance, careful legal judgment, historical perspective, and good humor—a collection of qualities that have served the committee well during some challenging times. His advice to committee members and his leadership of the committee staff have been invaluable during the last 15 years, and we owe him a debt of gratitude for his service.

I should note that, although the committee is losing a valuable asset in Victor Baird, we are fortunate in the choice of his successor—Rob Walker. Mr. Walker has served the past 4 years as chief counsel and staff director of the U.S. House of Representatives Committee on Standards of Official Conduct. But prior to that, he served as counsel to the Senate Ethics Committee, where he worked closely with Victor Baird. The Senate Ethics Committee is fortunate to have Rob back. I look forward to working with him, as I am sure that he will continue the tradition of fairness and excellence that his predecessor has established.

So as we say goodbye to Victor Baird, let's also thank him for his steady and dependable service in the committee for these last 15 years, and let's wish him well in his ventures in the years to come.

WAR ON TERROR AND HUMAN RIGHTS IN CHINA

Mr. FEINGOLD. Mr. President, attention is understandably on Iraq this week as we move ever closer to a decision on use of military force there to disarm the regime of Saddam Hussein. But as we contemplate whether such action makes sense in terms of protecting our people from the threat of global terrorism, it is important that we not lose sight of important developments in other parts of the world.

Earlier this week, Secretary of State Powell visited Beijing, reportedly to seek the support of China's leaders in dealing with Iraq and North Korea. This makes sense, since China has the power to veto any U.N. resolution on Iraq and is reputed to have influence

with Kim Jong-Il. Our relations with China have warmed since September 11, as its support was deemed important to the success of the "war on terrorism," both in Afghanistan and beyond. Unfortunately, China's leaders appear to have a very different agenda for this war. As the Chinese would say, we are sleeping in the same bed but having different dreams.

Earlier this month, Wang Bingzhang, a Chinese democracy activist who has lived most of the past 20 years in New York as a U.S. legal permanent resident, was sentenced to life in prison following a secret trial on charges of espionage and "leading a violent terrorist organization." Chinese authorities had had him in custody, unbeknownst to his family, since last July, when he was apparently abducted while visiting Vietnam and brought across the border into China. The Chinese authorities have presented no public evidence linking Wang to any violent activities. Since being exiled to Canada in 1979, however, he has advocated peaceful democratic change in China, founding the magazine *China Spring* in New York in 1982 and serving as an adviser to the outlawed China Democracy Party. He sneaked across the border into China in 1998, when the China Democracy Party was attempting to organize and register itself within the boundaries of Chinese law, and was detained and deported. The Chinese Communists clearly see him as a nuisance, and the "war on terrorism" provided a convenient excuse to silence him.

Last month, Chinese authorities executed a former Tibetan monk, Lobsang Dhondrup, who was accused of carrying out a series of bombings in Sichuan Province. Lobsang was detained near the scene of one of the bombings last April. But the only evidence made public against him was his confession, which was very likely extracted through torture. He was killed immediately after the Intermediate Court for the Ganzi Tibetan Prefecture upheld his death sentence. The same day, the Sichuan Provincial High Court in Chengdu rejected the appeal of Tenzin Delek Ripoche, a senior Tibetan Buddhist monk and social and environmental activist, and reaffirmed his suspended death sentence in connection with the same case. Chinese authorities have provided no public evidence linking Tenzin to the bombings, according to Human Rights Watch.

A third man, Tsereng Dhondrup, was given 5 years for merely circulating petitions in defense of Lobsang and Tenzin. Authorities are thought to be holding 10 other ethnic Tibetans in connection with the bombings but will not release their names or locations.

Mr. President, I do not dispute for a moment that Chinese authorities have the right—indeed the duty—to take firm measures against terrorism within their borders, just as we are doing here. The bombings in Sichuan, which took innocent life, were without question terrorist acts, as were the bombings

this week on Beijing university campuses, and they should be condemned. The imperative to combat terrorism does not absolve any nation, however, of its obligation to respect basic human rights, including the right to due process. Whether Lobsang was involved in the bombings in Sichuan we may never know. But Assistant Secretary of State Lorne Craner has expressed "deep concern" as to whether Lobsang received a fair trial, according to the *Washington Post*. Neither Lobsang nor Tenzin was allowed to choose his own defense attorney. Tenzin was held incommunicado for 8 months, up to the day of his trial, and appeal hearings were closed to the public on the grounds that "state secrets" were involved.

These cases illustrate a deeply cynical misappropriation of the anti-terrorist struggle by a repressive regime to suppress legitimate dissent, persecute restive minority groups, and literally get away with murder. Administration officials maintain that, while seeking China's cooperation in combatting international terrorism, they have at the same time made clear that China should not interpret that as a license to violate basic human rights. But violate them they have, and apparently with increasing frequency.

In the Northeast Chinese Rustbelt city Liaoyang, two labor leaders—Yao Fuxin and Xiao Yunliang—are awaiting sentencing following their January 15 trial for "inciting the subversion of the political authority of the state." The prosecution said they conspired to "overthrow the socialist system." In fact, what they did was organize protest marches last spring for workers laid off from a state-owned plant that went bankrupt in 2001, owing them several months of back wages, as well as pension and other benefits and severance allowances. Workers suspected the plant's management had embezzled funds that should have been used to pay those benefits. The authorities declared the protests illegal and arrested Yao, Xiao, and two other organizers.

According to labor activists in Hong Kong who have been monitoring the case, Yao and Xiao were held for several months without formal charges and were denied access to their lawyer on the grounds that the case involved "state secrets." The initial indication was that they had been arrested for illegal assembly. But when the workers of Liaoyang continued to rally behind their leaders and the case attracted international attention, Chinese authorities asserted that the men had carried out "destructive activities," including car-bombings and destroying public property.

This was something not even the Liaoyang police and prosecutors had alleged. Even the local representative of the official Communist Party labor organization called the allegations "a complete fabrication." Nonetheless, when formal charges were finally announced against the men last month,

they were charged not just with illegal assembly but with the much more serious offense of subversion. At their four-hour trial January 15, the prosecution made no attempt to tie Yao and Xiao to any violent activities. Instead, they argued, Yao and Xiao had subverted the authority of the Chinese state by attending preparatory meetings of the then not-yet-banned China Democracy Party back in 1998 and communicating with "hostile foreign elements," such as Agence France Presse and the *Wall Street Journal*.

Here again, China's rulers have appropriated the language of anti-terrorism to persecute people who have done nothing more than challenge the authority of the Communist Party through peaceful means.

Meanwhile, throughout China, the brutal suppression of the Falungong spiritual movement, which President Jiang Zemin has branded an "evil cult," continues. Charles Li, a U.S. citizen Falungong practitioner, is about to enter his sixth week of detention in Jiangsu Province, where he returned to spend Chinese New Year with his parents.

Authorities have not charged him, and he has been allowed only one half-hour meeting with U.S. consular officials. Initial reports indicated he was accused of hijacking television broadcasts to spread the banned Falungong message. But his friends and associates maintain he was not even in China when those incidents occurred. His actual sin appears to be having had the temerity to serve a subpoena on the Mayor of Beijing, when he visited San Francisco last year, under the Alien Tort Claims Act and Torture Victim Protection Act, as was his right as a U.S. citizen on U.S. territory under U.S. law.

Why is it that we are seeing so many egregious violations of basic human rights in China in such a short span of time? Could it be that the senior leadership in Beijing knows that the world's attention is currently focused elsewhere? Could it be they think U.S. criticism of their actions will be muted, since the administration needs their support, or at least their acquiescence, on Iraq and North Korea? Or could it be that President Jiang and his cohorts, who will step down next month, want to clear the dockets so that Hu Jintao and the new crew can begin with a clean slate? Remember that Jiang rode to power on the tide of blood from Tiananmen Square, and he has snuffed out anything that even smelled of political reform ever since.

I hope China's incoming leaders, by virtue of their shared generational experience, will adopt a more enlightened view toward political modernization than their predecessors did. They are less likely to do so if they infer that the rest of the world is not paying attention or doesn't care. We must keep the disinfectant of sunlight focused on them, and anyone else who would deny people their basic freedoms and

dignities in the name of "stability," "security" or the "war on terror."

Thank you, Mr. President.

DESIGNATING HUMAN GENOME MONTH AND DNA DAY

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 10 which was introduced today by Senators GREGG and KENNEDY.

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

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 10) designating April 2003 as "Human Genome Month" and April 25 as "DNA Day."

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to this matter be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 10) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 10

Whereas April 25, 2003, will mark the 50th anniversary of the description of the double-helix structure of DNA by James D. Watson and Francis H.C. Crick, considered by many to be one of the most significant scientific discoveries of the 20th Century;

Whereas, in April 2003, the International Human Genome Sequencing Consortium will place the essentially completed sequence of the human genome in public databases, and thereby complete all of the original goals of the Human Genome Project;

Whereas, in April 2003, the National Human Genome Research Institute of the National Institutes of Health in the Department of Health and Human Services will unveil a new plan for the future of genomics research;

Whereas, April 2003 marks 50 years of DNA discovery during which scientists in the United States and many other countries, fueled by curiosity and armed with ingenuity, have unraveled the mysteries of human heredity and deciphered the genetic code linking one generation to the next;

Whereas, an understanding of DNA and the human genome has already fueled remarkable scientific, medical, and economic advances; and

Whereas, an understanding of DNA and the human genome hold great promise to improve the health and well being of all Americans: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) designates April 2003 as "Human Genome Month" in order to recognize and celebrate the 50th anniversary of the outstanding accomplishment of describing the structure of DNA, the essential completion of the sequence of the human genome, and the development of a plan for the future of genomics;

(2) designates April 25 as "DNA Day" in celebration of the 50th anniversary of the publication of the description of the structure of DNA on April 25, 1953; and

(3) recommends that schools, museums, cultural organizations, and other educational institutions across the nation recognize Human Genome Month and DNA Day and carry out appropriate activities centered on human genomics, using information and materials provided through the National Human Genome Research Institute and through other entities.

RECOGNIZING BICENTENNIAL OF OHIO'S FOUNDING

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 68 which was introduced earlier today by Senators VOINOVICH and DEWINE.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 68) recognizing the bicentennial of Ohio's founding.

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

Mr. SANTORUM. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 68) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 68

Whereas Ohio residents will celebrate 2003 as the 200th anniversary of Ohio's founding;

Whereas Ohio was the 17th State to be admitted to the Union and was the first to be created from the Northwest Territory;

Whereas the name "Ohio" is derived from the Iroquois word meaning "great river", referring to the Ohio River which forms the southern and eastern boundaries;

Whereas Ohio was the site of battles of the American Indian Wars, French and Indian Wars, Revolutionary War, the War of 1812, and the Civil War;

Whereas, in the nineteenth century, Ohio, a free State, was an important stop on the Underground Railroad as a destination for more than 100,000 individuals escaping slavery and seeking freedom;

Whereas Ohio, "The Mother of Presidents", has given eight United States presidents to the Nation, including William Henry Harrison, Ulysses S. Grant, Rutherford B. Hayes, James A. Garfield, Benjamin Harrison, William McKinley, William H. Taft, and Warren G. Harding;

Whereas Ohio inventors, including Thomas Edison (incandescent light bulb), Orville and Wilbur Wright (first in flight), Henry Timken (roller bearings), Charles Kettering (automobile starter), Charles Goodyear (process of vulcanizing rubber), Garrett Morgan (traffic light), and Roy Plunkett (Teflon) created the basis for modern living as we know it;

Whereas Ohio, "The Birthplace of Aviation", has been home to 24 astronauts, in-

cluding John Glenn, Neil Armstrong, and Judith Resnick;

Whereas Ohio has a rich sports tradition and has produced many sports legends, including Annie Oakley, Jesse Owens, Cy Young, Jack Nicklaus, and Nancy Lopez;

Whereas Ohio has produced many distinguished writers, including Harriet Beecher Stowe, Paul Laurence Dunbar, Toni Morrison, and James Thurber;

Whereas the agriculture and agribusiness industry is and has long been the number one industry in Ohio, contributing \$73,000,000,000 annually to Ohio's economy and employing 1 in 6 Ohioans, and that industry's tens of thousands of Ohio farmers and 14,000,000 acres of Ohio farmland feed the people of the State, the Nation, and the world;

Whereas the enduring manufacturing economy of Ohio is responsible for ¼ of Ohio's Gross State Product, provides over one million well-paying jobs to Ohioans, exports \$26,000,000,000 in products to 196 countries, and provides over \$1,000,000,000 in tax revenues to local schools and governments;

Whereas Ohio is home to over 140 colleges and universities which have made significant contributions to the intellectual life of the State and Nation, and continued investment in education is Ohio's promise to future economic development in the "knowledge economy" of the 21st century;

Whereas, from its inception, Ohio has been a prime destination for people from all corners of the world, and the rich cultural and ethnic heritage that has been interwoven into the spirit of the people of Ohio and that enriches Ohio's communities and the quality of life of its residents is both a tribute to, and representative of, the Nation's diversity;

Whereas Ohio will begin celebrations commemorating its bicentennial on March 1, 2003, in Chillicothe, the first capital of Ohio;

Whereas the bicentennial celebrations will include Inventing Flight in Dayton (celebrating the centennial of flight), Tall Ships on Lake Erie, Tall Stacks on the Ohio River, Red, White, and Bicentennial Boom in Columbus, and the Bicentennial Wagon Train across the State: Now, therefore, be it

Resolved by the Senate That the Senate

(1) recognizes the bicentennial of Ohio's founding and its residents for their important contributions to the economic, social, and cultural development of the United States; and

(2) directs the Secretary of the Senate to transmit a copy of this resolution to the Governor of Ohio.

READ ACROSS AMERICA DAY

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 69 which was introduced earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 69) designating March 3, 2003, as "Read Across America Day."

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

Mr. SANTORUM. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

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