

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