

SEC. 106. CLARIFICATION OF SUBMITTAL OF CERTIFICATION OF ADEQUACY OF BUDGETS BY THE DIRECTOR OF THE DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER.

Section 196(e)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) If the Director of the Center is not serving concurrently as the Director of Developmental Test and Evaluation under subsection (b)(2) of section 139c of this title, the certification of the Director of the Center under subparagraph (A) shall, notwithstanding subsection (c)(4) of such section, be submitted directly and independently to the Secretary of Defense.”.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 1055) was agreed to.

Mr. McCAIN. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEVIN. Mr. President, I ask unanimous consent that the following be the only first-degree amendments in order to S. 454, other than the committee-reported substitute amendment, that the listed first-degree amendments be subject to second-degree amendments which are relevant to the amendment to which offered; that with respect to any subsequent agreement which provides for a limitation of debate regarding an amendment on the list, then that time be equally divided and controlled in the usual form; that if there is a sequence of votes with respect to these amendments, then there be 2 minutes equally divided and controlled prior to a vote in relation thereto; that upon disposition of the listed amendments, the substitute amendment, as amended, be agreed to, the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill.

The amendments I am including in this unanimous consent proposal are as follows:

The Snowe amendment No. 1056 regarding small business contracting; a Thune amendment regarding weapons systems; a Coburn amendment regarding financial management, which we think we may have worked out, by the way; the Chambliss amendment No. 1054 regarding “make buy;” the Bingaman amendment, which we have already adopted so I will not refer to that; and the Murray amendment No. 1052 regarding national security objectives.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEVIN. I thank the Chair, and I thank my friend from Arizona and the staffs who worked this out. I think these amendments then would be considered probably tomorrow morning,

although I don't know that we have final word on that. We ought to probably doublecheck that with our leaders, and I would note the absence of a quorum while we do that.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators recognized to speak for up to 10 minutes.

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

Mr. LEVIN. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

DEFENSE PROCUREMENT PROCESS

Mrs. MURRAY. Mr. President, there is no question that our country's defense procurement process is broken. At a time when the American people are tightening their personal budgets, making sacrifices, and focusing on essentials, our defense acquisition program continues to run up huge bills.

Just this year, the GAO reported that the major defense procurement program is \$296 billion over budget. Not only are they over budget, they are behind schedule. In fact, 95 percent of DOD's largest acquisition programs are now an average of 2 years behind schedule. Every extra day, every additional dollar spent on these systems is a step backward for our Nation's other priorities.

As we tackle the big challenges by getting our economy back on track or our health care system working again for all Americans or establishing a clean energy future, it is time that we focused on trimming the fat in our defense budget.

I applaud our Armed Services chairman, Senator LEVIN, and the ranking member, Senator McCAIN, for introducing the bold plan that is now before the Senate, which will bring about reform. Their bill recognizes that making changes to acquisition starts at the beginning of the process, with the proper testing and the cost calculating and development procedures. It also returns discipline to the process by making sure the rules limiting cost are enforced. Those and other badly needed steps are going to help reform our sys-

tem and return Federal dollars to meet the challenges we have on the horizon.

Mr. President, that should be only the first step because the truth is that, while today's debate has been delayed for far too long, there is another hard conversation surrounding procurement that we have not yet even started, and that is the conversation about the future of the men and women who produce our tanks, our planes, and our boats. The skilled workforce our military depends on is a workforce that is disappearing today before our eyes.

Our Government depends on our highly skilled industries, our manufacturers, our engineers, our researchers, and our development and science base to keep the U.S. military stocked with the best and most advanced equipment and tools available. Whether it is scientists who are designing the next generation of military satellites or engineers who are improving our radar system or machinists who are assembling warplanes, these industries and their workers are one of our greatest strategic assets today. What if those weren't available? What if we made budgetary and policy decisions without talking about the future needs of our domestic workforce? It is not impossible. It is not even unthinkable. It is actually what is happening.

We need to have a real dialog about the ramifications of these decisions before we lose the capability to provide our military with the tools and equipment they need because once our plants shut down, once our skilled workforce and workers move to other fields, and once that infrastructure is gone, it is not going to be rebuilt overnight if we need it.

As a Senator from the State of Washington, representing five major military bases and many military contractors, I am very aware of the important relationship between our military and the producers that keep them protected with the latest technological advances. I have also seen the ramifications of the Pentagon's decisions on communities, workers, and families. As many here know, I have been sounding the alarm about a declining domestic aerospace industry for years.

This isn't just about one company or one State or one industry. This is about our Nation's economic stability. It is about our skill base. It is about our future military capability. We have watched as the domestic base has shrunk. We have watched as competition has disappeared and as our military has looked overseas for the products that we have the capability to produce right here at home.

Many in the Senate have spent a lot of time talking about how many American jobs are being shipped overseas in search of cheaper labor. But we haven't focused nearly enough attention on the high-wage, high-skilled careers being lost to the realities of our procurement system. That is why, today, I am going to be introducing an amendment that will require the Pentagon to explain to

us in Congress and to the American people how their decisions affect good-paying jobs and the long-term strength of our industrial base.

My amendment will help to ensure that our industrial base is capable of meeting our national security objectives. It took us a very long time to build our industrial base. We have machinists who have past experience and know-how down the ranks for more than 50 years. We have engineers who know our mission, know the needs of our soldiers, sailors, airmen, and marines. We have a reputation for delivering for our military. But once those plants shut down, those industries are gone. We not only lose the jobs, but we lose the skills and the potential ability to provide our military with the equipment to defend our Nation and project our might worldwide. Preserving a healthy domestic base also breeds competition. That is good for innovation and, ultimately, for our taxpayers.

So today, as we begin this very serious and necessary conversation on procurement reform, we cannot afford to forget the needs of our industrial base. We have to consider how we achieve reform while continuing to support the development of our industrial base here at home.

It calls for thoughtful planning and projection about who our future enemies might possibly be and how they might possibly try to defeat us in this Nation. It is critical that our country and our military maintain a nimble and dynamic base. Once a new threat is identified, a solution has to be close at hand.

The discussion we are having on procurement reform in the Senate is happening as our country faces two difficult but not unrelated challenges: winning an international war on terror and rebuilding a faltering economy. It would be irresponsible not to include the needs of our industrial base as we move forward because unless we begin to address this issue now, we are not only going to continue to lose some of our best paying American jobs, we are going to lose the backbone of our military might.

I will be offering this amendment, and I would love to have the support of our colleagues to make sure we have a strong nation in the future.

ACADEMIC EXCHANGE

Mr. LEAHY. Mr. President, in early April of 2003, a professor of engineering at United Arab Emirates University contacted an American professor at the Worcester, MA, Polytechnic Institute about spending the summer in Worcester as a visiting professor. By late May his visit had been arranged—he would come for the months of July and August, the time when he was not teaching in the UAE, and they would collaborate on research on axiomatic design and fractal analysis of manufactured surfaces.

On June 7 the UAE professor applied for a nonimmigrant visa for June 27—

August 26. Apart from being called back to the consulate for fingerprinting on June 22 and told that he would receive an answer in the next 2 to 3 weeks, he heard nothing in response to his inquiries other than a reminder to check his visa application status on the embassy Web site. On August 9, with still no sign of his record on the Web site and the beginning of his fall semester approaching, he cancelled his plans and stayed at home in the UAE.

Without any information about the reason for the delay it is impossible to determine whether it was due to some legitimate concern or more likely the result of a bureaucratic logjam. But at a minimum, the professor should have received a response informing him of the status of his application before June 27. Instead, he and his American colleague were left in the dark to wonder, and had no choice but to cancel their research plans which would have been mutually beneficial, as well as for their students.

This is one incident; however, it is illustrative of the larger problem of foreign scholars and teachers being denied entry into the United States not because of travel bans, but because of delays and inefficiencies in the visa application process, particularly in geographical regions of concern for the Department of Homeland Security.

Transnational academic collaboration is, if not politically blind, politically myopic. Diplomats sit across from each other, even when meeting in friendship, to resolve differences. To study, the parties sit on the same side of the table and, irrespective of national, religious, ethnic or political backgrounds, focus on what they have in common. Some fields of study are so universal that they transcend language—mathematics does not need a common tongue for collaboration to happen.

This is in no way meant to disparage diplomacy, which has been and will continue to be the keystone of how governments interact. It emphasizes differences because it addresses them—academic collaboration will never negotiate an arms reduction treaty. But neither should we be limited by thinking that diplomacy is the only way of working towards understanding between two societies.

Nor is this type of academic exchange limited to technical or scientific work. I am reminded of when, after Robert Frost's visit to the Soviet Union in 1962, Siberian poet Yevgeny Yevtushenko wrote to him "I have read your poems again and again today, and I am glad you live on Earth." I picture Frost and Yevtushenko talking about the rural beauties of their homeland, Frost of Ripton, VT and Yevtushenko of Stantsiya Zima, Siberia.

It is not only relations that we damage and the resentment we create by limiting these partnerships. The United States and the world also lose the body of scholarship that would

have been produced. In no academic discipline is anyone so bold as to suggest that knowledge lies only on one side of a fence or of an ocean.

To the foreign scholars who would study and do research here, I would say that in the post-9/11 world our immigration laws and procedures have indeed become more stringent, burdensome and time consuming. But do not interpret that as a sign that you are not welcome or that your presence is not desired. To the contrary, it is valuable—indispensable to you, to us and to the rest of the world.

It is also undeniable that during the Bush administration some of the immigration laws and regulations, enacted in haste to respond to 9/11, crossed the line between keeping a vigilant watch over our borders and creating unnecessary and illogical barriers to entry for those who pose no danger. The Department of Homeland Security and the Department of State deserve credit for their efforts to keep our borders secure, but I also urge them to continually review their policies and procedures to make sure they are keeping out those who need to be kept out, but facilitating the entry of those whose presence we want and need.

The case of the UAE professor is, again, one example. But it did not only inconvenience the two professors; such cases can have a compounding, ripple effect as family members, friends and colleagues conclude that it is pointless, and potentially humiliating, to apply for a visa to study, teach or conduct academic research in the United States. At a time when we should be doing everything possible to rebuild our image abroad, particularly in predominantly Muslim countries, this is not the message we should be sending.

As the Departments of Homeland Security, State and Justice continue to review their policies they should look closely at these issues. If existing laws regarding who and what constitute legitimate security risks need to be clarified, then the administration should come to Congress with a recommendation. If the problem is a lack of staff or other resources to process visa applications in a timely manner, we can allocate the funds necessary to ensure that legitimate visa applicants get the prompt and fair consideration they are due. But whatever the cause of the problem, it needs to be fixed.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me