



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147

WASHINGTON, TUESDAY, JUNE 5, 2001

No. 76

Senate

The Senate met at 12 noon and was called to order by the Honorable MICHAEL B. ENZI, a Senator from the State of Wyoming.

PRAYER

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

Let us pray.
Gracious God, Sovereign of this Nation and Lord of our lives, You have blessed us to be a vital part of Your blessing to others. As we return from recess, we commit ourselves to be sensitive to the needs of others around us. Show us the people who particularly need encouragement or affirmation. Give us exactly what we should say to uplift them. Free us of preoccupation with ourselves and our own needs. Help us to remember that people will care about what we know when they know that we care about them. May our countenance, words, and actions communicate our caring. Make us good listeners and enable us to hear what people are expressing beneath what they are saying. Most of all, remind us of the power of intercessory prayer. May we claim Your best for people as we pray for them. Especially we pray for those with whom we disagree on issues. Help us to see them not as enemies but as people who will help sharpen our edge. Lift us above petty attitudes and petulant gossip. And fill this Chamber with Your presence and our hearts with Your magnanimous attitude toward others. For You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MICHAEL B. ENZI 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. THURMOND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 5, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MICHAEL B. ENZI, a Senator from the State of Wyoming, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. ENZI thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader.

SCHEDULE

Mr. LOTT. Mr. President, the Senate will be in a period of morning business just for 30 minutes or so now. Then we will recess for the weekly policy luncheons to meet. When the Senate reconvenes at 2:15, the education bill will be the pending business. There are a number of pending amendments of significant import. I am sure there will be debate and, hopefully, at least a couple of votes this afternoon, and that we will be able to continue tomorrow, and as long as it takes, to get this very important education reform package completed.

We still have some 300 amendments pending. I would assume that 30 or 40 of those would have to be considered in some form and voted on, maybe even more. So I hope we can make progress on this important legislation today and get an agreement to proceed with it later on this week, no matter what the circumstances may be. We will clarify that schedule later on today or first thing in the morning.

I thank my colleagues for their cooperation.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m., with Senators permitted to speak therein for not to exceed 10 minutes each.

The Senator from Arizona.

THE ENERGY CRISIS

Mr. KYL. Mr. President, it is likely that soon the Senate will undergo a historic change in leadership. I am concerned about some news reports that the new Democratic leadership may not proceed forthwith to the consideration of an energy bill that the administration very much would like to see us consider. It is my understanding that, at least from news reports, there are some other priorities the new Democratic leadership will probably pursue.

I just want to make it as clear as I can I think we should, as soon as possible, consider the legislative recommendations of President Bush and Vice President CHENEY to deal with this most serious crisis. In fact, I think we saw this past weekend that the President thought it was important enough to travel to California to visit with Governor Davis, who has certainly expressed his views on the importance of the issues facing his State. And his is not the only State that has faced this energy crisis.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S5805

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. GREGG. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, June 5, 2001, at 2:30 p.m., in open session to receive testimony on the "Leap Ahead" technologies and transformation initiatives within the Defense Science and Technology Program.

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

NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 92 and that the Senate then proceed to its consideration.

The PRESIDING 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. 92) to designate the week beginning June 3, 2001, as "National Correctional Officers and Employees Week".

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

Mrs. FEINSTEIN. Mr. President, I am pleased the Senate will adopt this resolution to honor correctional officers and employees. The resolution reaffirms our support for the thousands of correctional officers and employees who work in the face of danger each day, while reforming hardened criminals. They deserve our respect and support.

Tragically, many correctional officers have been permanently injured and killed in the line of duty. Few of us can truly appreciate the perils faced daily by our correctional officers. There have been over 356 men and women who have died while on duty. This year, we honor Wilmot A. Burnett, Lee Dunn, Raymond Curtis, Michael Price, Allen Gamble, Peter Hillman, Jason Acton, Leon Egly, William Giacomo, Alvin Glenn, and Allen Myers, all of whom have been killed during the past year. I hope this resolution will prompt us to reflect on the contributions of these men and the more than 200,000 corrections professionals who help to maintain the safety of our communities.

America's correctional officers and employees' efforts go unnoticed too often. I am pleased to sponsor this resolution to establish June 3-10, 2001, as "Correctional Officers and Employees Week."

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table without intervening action or de-

bate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 92) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 92

Whereas the operation of correctional facilities represents a crucial component of our criminal justice system;

Whereas correctional personnel play a vital role in protecting the rights of the public to be safeguarded from criminal activity;

Whereas correctional personnel are responsible for the care, custody, and dignity of the human beings charged to their care; and

Whereas correctional personnel work under demanding circumstances and face danger in their daily work lives: Now, therefore, be it

Resolved,
SECTION 1. DESIGNATION OF NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK.

That the Senate—

(1) designates the week beginning June 3, 2001, as "National Correctional Officers and Employees Week"; and

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

ORDERS FOR WEDNESDAY, JUNE 6, 2001

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 11 a.m. on Wednesday, June 6. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day.

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

PROGRAM

Mr. FRIST. Mr. President, for the information of all Senators, the Senate will convene at 11 a.m. and begin consideration of a few housekeeping resolutions which will allow for the transition of power. Following the transition, the Senate will resume consideration of the Wellstone amendment No. 465. Under the previous order, there will be up to 20 minutes of debate with the vote to occur at the expiration of that time. Therefore, Senators should expect a vote to occur at approximately 11:30 a.m. Following the vote, Senator COLLINS will be recognized to offer an amendment.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

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

There being no objection, the Senate, at 5:57 p.m., adjourned until Wednesday, June 6, 2001, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate June 5, 2001:

DEPARTMENT OF DEFENSE

DIANE K. MORALES, OF TEXAS, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR LOGISTICS AND MATERIEL READINESS, VICE ROGER W. KALLOCK.

EXECUTIVE OFFICE OF THE PRESIDENT

MARK B. MCLELLAN, OF CALIFORNIA, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE ROBERT Z. LAWRENCE.

DEPARTMENT OF ENERGY

VICKY A. BAILEY, OF INDIANA, TO BE AN ASSISTANT SECRETARY OF ENERGY (INTERNATIONAL AFFAIRS AND DOMESTIC POLICY), VICE DAVID L. GOLDWYN, RESIGNED.

DEPARTMENT OF STATE

WILLIAM A. EATON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE ASSISTANT SECRETARY OF STATE (ADMINISTRATION), VICE PATRICK FRANCIS KENNEDY.

MERCER REYNOLDS, OF OHIO, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SWITZERLAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PRINCIPALITY OF LIECHTENSTEIN.

ALEXANDER R. VERSHLOW, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE RUSSIAN FEDERATION.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

JANET REHNQUIST, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE JUNE GIBBS BROWN, RESIGNED.

DEPARTMENT OF EDUCATION

REBECCA O. CAMPOVERDE, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL AFFAIRS, DEPARTMENT OF EDUCATION, VICE SCOTT SNYDER FLEMING, RESIGNED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

ROBERT S. MARTIN, OF TEXAS, TO BE DIRECTOR OF THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES, VICE DIANE B. FRANKEL, RESIGNED.

DEPARTMENT OF JUSTICE

DEBORAH J. DANIELS, OF INDIANA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE LAURIE O. ROBINSON, RESIGNED.

RICHARD R. NEDELKOFF, OF TEXAS, TO BE DIRECTOR OF THE BUREAU OF JUSTICE ASSISTANCE, VICE NANCY E. GIST, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

JOHN P. WALTERS, OF MICHIGAN, TO BE DIRECTOR OF NATIONAL DRUG CONTROL POLICY, VICE BARRY R. MCCAFFREY, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

GILL P BECK, 0000
DANA P EYRE, 0000
WILLIAM L GARRISON JR., 0000
BRENT V HAMM, 0000
ROBERT H HERRING JR., 0000
MARY A JAMESON, 0000
JAMIE E MARLOWE, 0000
EDWIN R MARRERO, 0000
DAVID S. MAYER, 0000
CATHERINE D MOORE, 0000
WILLIAM J MUSHRUSH, 0000
MARY L MYERS, 0000
CURTIS B PRINCE, 0000
NEIL F ROGERS, 0000
STEVEN W SCHULTZ, 0000
MARGO D SHERIDAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN THE NURSE CORPS (AN), MEDICAL SERVICE CORPS (MS), MEDICAL SPECIALIST CORPS (SP), AND VETERINARY CORPS (VC), AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be lieutenant colonel

CYNTHIA J ABBADINI, 0000 AN
 DEBRA S ALANIZ, 0000 AN
 GLADYS M ALEMAN, 0000 MS
 JOHN G ALVAREZ, 0000 MS
 SUSAN E ANDERSON, 0000 AN
 NATHANIEL M APATOV, 0000 AN
 JEFFREY S ASHLEY, 0000 AN
 DACOSTA E BARROW, 0000 MS
 JOSE A BETANCOURT, 0000 MS
 BLANCO W BEVERLEY, 0000 MS
 DAVID A BITTERTMAN, 0000 MS
 *TERRELL W BLANCHARD, 0000 VC
 JUDITH A BOCK, 0000 AN
 JAMES W BOLES, 0000 VC
 ELIZABETH A BOWIE, 0000 AN
 *STEPHEN V BOWLES, 0000 MS
 PATRICIA A BRADLEY, 0000 MS
 *LORRAINE T BREEN, 0000 SP
 MARILYN D BREW, 0000 MS
 MITCHELL E BREW, 0000 MS
 DENNIS C BROWN, 0000 MS
 JAMES F BYRNE, 0000 AN
 KYLE D CAMPBELL, 0000 MS
 MARC L CAQUETTE, 0000 MS
 VINCENT C CARNAZZA JR., 0000 MS
 CHERYL E CARROLL, 0000 AN
 *CARL A CASTRO, 0000 MS
 WILLIAM C CHAMBERS, 0000 MS
 DANIEL V CHAPA JR., 0000 MS
 CAROLYN R CHASE, 0000 AN
 SCOTT W CHILDERS, 0000 MS
 KELLIE A COLE, 0000 MS
 JANE L COLLINS, 0000 AN
 LAWRENCE B CONNELL, 0000 MS
 MARCUS W CRONK, 0000 MS
 ANDREA E CRUNKHORN, 0000 SP
 ALAN D CUSHEN, 0000 MS
 THERESA L CUTLER, 0000 MS
 PAUL H DAKIN, 0000 VC
 MUSTAPHA DEBBOUN, 0000 MS
 FLAVIA D DIAZHAYS, 0000 AN
 JOANN S DOLEMAN, 0000 AN
 MARY J DOOLEYBERNARD, 0000 MS
 *FREDRICK G DUBOIS, 0000 MS
 *TIMOTHY M DUFFY, 0000 MS
 *RAYMOND F DUNTON, 0000 MS
 EILEEN E DURBIN, 0000 AN
 *JOHN B EASTLAKE, 0000 MS
 JOHN E EILAND, 0000 AN
 GREGORY D EVANS, 0000 MS
 TERRANCE J FLANAGAN, 0000 MS
 RALPH A FRANCO JR., 0000 MS
 *JAMES M FUDGE, 0000 VC
 JOHN M GAAL, 0000 MS
 *EDNA GARCIAPEÑA, 0000 MS
 JUDITH A GRAHAM, 0000 AN
 BRADLEY C GREGORY, 0000 AN
 MICHAEL P GRIFFIN, 0000 MS
 CYNTHIA L GRIFFITH, 0000 AN
 PAUL D GUERRETTE, 0000 AN
 TODD R GUSTAFSON, 0000 AN
 JEFFREY A HAPPA, 0000 MS

HEATHER W HANSEN, 0000 AN
 KAROLINE D HARVEY, 0000 SP
 *WILLIAM C HASEWINKLE, 0000 MS
 PAMELA J HAVENS, 0000 AN
 JOHN K HAWKINS, 0000 AN
 *DAVID J HILBER, 0000 MS
 *BRADFORD W HILDABRAND, 0000 VC
 DANIEL E. HOLLAND, 0000, VC
 VINCENT B HOLMAN, 0000 MS
 KENNETH R HORNE, 0000 MS
 LELAND N HUDSON, 0000 AN
 CHARLES R HUNTSINGER JR., 0000 MS
 ANN A HUSSA, 0000 AN
 DONALD H HUTSON, 0000 MS
 MARCIA J IMDIEKE, 0000 AN
 WOOLARD J JACKNEWITZ, 0000 AN
 DAVID A JERABEK, 0000 SP
 JEFFREY L JERDE, 0000 AN
 KENNETH D JOHNSON, 0000 MS
 MORGAN M JONES, 0000 AN
 JIMMIE O KEENAN, 0000 AN
 KAREN M KELLEY, 0000 MS
 PEGGY J KHAN, 0000 AN
 JEANNINE C. KOUZEL, 0000 AN
 CHRISTINE KUBIAK, 0000 AN
 *RODERICK D KUWAMOTO JR., 0000 SP
 BERTHONY LADOUCEUR JR., 0000 MS
 JOAN T LANCASTER, 0000 AN
 NACIAN A LARGOZA, 0000 MS
 TERRY J LASOME, 0000 AN
 LISA M LATENDRESSE, 0000 AN
 CHRISTINE M LEECH, 0000 AN
 KATHLEEN S LESTER, 0000 MS
 DONNA M LUPIN, 0000 AN
 MYRNA H LYONS, 0000 AN
 SAMUEL G MACK JR., 0000 MS
 CAROLYN M MALONE, 0000 AN
 GREGORY A MALVIN, 0000 MS
 RODGER K MARTIN, 0000 MS
 VAL J MARTIN, 0000 MS
 ELIZABETH A MC CRAW, 0000 AN
 BENTTA A MCLARIN, 0000 MS
 ELIZABETH P MILLS, 0000 AN
 VICKI L MORSE, 0000 MS
 ROY E MULLIS, 0000 MS
 ERNEST L NELSON II, 0000 MS
 *BRIAN V NOLAND, 0000 VC
 SALLI L O'DONNELL, 0000 MS
 *RICKY J OLSON, 0000 MS
 KATHARINE M OPTTZ, 0000 AN
 DANIEL P ORRICO, 0000 MS
 KRISTEN L PALASCHAK, 0000 AN
 CHRISTINE N PARKER, 0000 SP
 PRISCILLA PATTERSON, 0000 AN
 *BEVERLY D PATTON, 0000 SP
 PHILLIP D PEMBERTON, 0000 MS
 *LIVIA I PEREZ, 0000 MS
 CHRISTINE B PIRES, 0000 AN
 *PHELPS F POND JR., 0000 AN
 GREGORY S PORTER, 0000 MS
 GUILLERMO QUILES JR., 0000 MS
 PEDRO J RAMONHERNANDEZ, 0000 AN
 JOANN M RAMOSALARILLA, 0000 AN
 SUSAN M RAYMOND, 0000 AN

RITZA REESE, 0000 AN
 *SHARON E REESE, 0000 AN
 VICKIE L REIFF, 0000 AN
 *GORDON R ROBERTS, 0000 MS
 *MICHAEL A ROBERTSON, 0000 SP
 JUDITH D ROBINSON, 0000 MS
 LINDA C ROSS, 0000 MS
 MICHAEL ROWBOTHAM, 0000 MS
 *GAYE R RUBLE, 0000 VC
 JERALD W RUMPH, 0000 MS
 DOUGLAS J RUTKOWSKI, 0000 AN
 JEFFREY R RYAN, 0000 MS
 MAUREEN L SCHAFER, 0000 AN
 CHRISTINE F SCHILLER, 0000 AN
 BRUCE A SCHONEBOOM, 0000 AN
 DANIEL N SENGSTACKE, 0000 AN
 WILLIAM L SHEPLER JR., 0000 MS
 MICHAEL SILKA JR., 0000 AN
 JOZY M SMARTH, 0000 AN
 JOHN C SMITH, 0000 VC
 KIMBERLY K SMITH, 0000 AN
 MARC A SMITH, 0000 AN
 MICKIE D SMITH, 0000 MS
 ADORACION G SORIA, 0000 AN
 SHIRLEY A SPIRK, 0000 AN
 BARBARA A SPRINGER, 0000 SP
 KETIH E STEELE, 0000 VC
 NED STEPHENS JR., 0000 MS
 SHARON L STERLING, 0000 AN
 DEBRA M STEWART, 0000 MS
 CARLHEINZ W STOKES, 0000 MS
 ALAN K STONE, 0000 MS
 ANDREW A STOREY, 0000 MS
 GUY S STRAWDER, 0000 MS
 THOMAS G SUTTLIVE, 0000 SP
 KIMBRELL S SWINDALL, 0000 MS
 COLLEEN A TAKAHASHI, 0000 AN
 PHILLIP B THORNTON, 0000 MS
 NATHANIEL TODD, 0000 MS
 JACK K TROWBRIDGE, 0000 MS
 *KELLY G VEST, 0000 VC
 ROBERT L VOGELSANG III, 0000 VC
 LEANNE M VONASEK, 0000 SP
 KAREN J WAGNER, 0000 MS
 STEPHEN C WALLACE, 0000 MS
 JAMES T WALSH, 0000 MS
 KALDON L WALTJEN, 0000 AN
 HEIDI A WARRINGTON, 0000 AN
 ALAN P WEIR, 0000 MS
 DONNA S WHITTAKER, 0000 MS
 IRENE E WILLIFORD, 0000 AN
 THOMAS G WINTHROP, 0000 AN
 *THOMAS R YARBER, 0000 AN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WILLIAM J. DIEHL, 0000