

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

CEDAW HEARING

Mrs. MURRAY. Mr. President, let me thank the Senator from California, Mrs. BOXER, for raising the issue that today is International Women's Day—it is a very important day for women around the world and their rights—and to thank her for her work on the resolution asking the Foreign Relations Committee to hold a hearing on CEDAW, which is a very important resolution. It is time that we as a Senate hear what is involved and have a chance to get testimony and to possibly move forward on it. It would be a great step forward.

PIPELINE SAFETY

Mrs. MURRAY. Mr. President, I have come to the floor this afternoon to publicly thank my colleague from the State of Washington, Mr. GORTON, for endorsing my bill, S. 2004, the Pipeline Safety Act of 2000. I am delighted Senator GORTON joined with me on this very important public safety issue. Senator GORTON has the respect of many in the Senate leadership, and I expect he will be a great help in helping us pass this pipeline safety bill. I look forward to working with him to make sure that the tragedies he talked about today—such as the one that occurred in Bellingham, WA—don't happen again.

I also wish to take a moment to recognize the efforts of many, many people in my home State of Washington—especially the mayor of Bellingham, Mark Asmundson, who has done more than anyone I know to raise public awareness about pipeline dangers and to call for stronger safety measures.

I encourage my colleagues, many of whom I have met personally over the last several months on this issue, to take this opportunity now to join Senator GORTON and me in helping to ensure the safety of the pipelines that transport natural gas, oil, and other hazardous liquids throughout our communities.

Since 1986, there have been more than 5,700 pipeline accidents nationwide. These accidents have killed 325 people and injured another 1,500. Three of those people died in Bellingham, WA, last June. We want to make sure we take steps this year to ensure that does not happen again to any other community. It is time to act. It is time to prevent another disaster.

My bill, S. 2004, would expand State authority. It would improve inspection practices, a move that is drastically needed. It would expand the public's right to know.

For any of you who may suffer from a disaster in the future, you will quickly find that your communities and cit-

ies won't have the ability to ask pipeline companies whether pipelines have been inspected, and what problems there are, or actions they have taken to solve those problems, unless we pass the public's "right-to-know provision." It will improve the quality of pipeline operators, and it will increase funding to improve safety.

I look forward to working with the rest of the Washington State delegation to put the lessons that we learned all too tragically in Bellingham, WA, into law.

I ask my colleagues, many with whom I have met, to again take a look at this legislation and join us in sponsoring it, and for this Senate and Congress to move on this very important piece of safety legislation.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE FAA CONFERENCE REPORT

Mr. STEVENS. Mr. President, I would like to take a few minutes at this time to congratulate the majority leader, Chairman JOHN MCCAIN, Senator SLADE GORTON, Representative BUD SHUSTER, and everyone in Congress who has worked so hard to produce a conference report on the FAA. Many of my colleagues have discussed the importance of this bill to our national aviation infrastructure, so I will not repeat now their comments. It is my purpose to remark to the Senate how important this bill is to my State of Alaska.

Mr. President, 75 percent of Alaska's communities are accessible only by air. We have enormous needs and, frankly, those needs have often taken a back seat to major metropolitan areas of the lower 48. It is my hope this bill will address some of those inequities, and I congratulate my Congressman, DON YOUNG, for his hard work on this bill.

We have 71 unlighted airports in Alaska. In an area where we spend half of our year in darkness, those airports are unlighted. One hundred and fifty airports in my State are less than 3,300 feet in length. More than half of our rural airports are without minimal passenger shelters. You reach the airport, get off the airplane, and there is literally nothing there. One hundred and seventy-six public use airports do not have basic instrument approach capability, and 194 locations in Alaska lack adequate communication, navigation, and surveillance.

This bill does not address all of those needs, and I hope to work with the

Members of the House and Senate on the Appropriations Committee to fill a few of those gaps. This is a classic case in which some congressional earmarking is appropriate because the national administration too often has written off Alaska as a priority in matters relating to aviation.

I am pleased my colleagues agreed with my proposal to increase the percentage of airport improvement program funds that flow to airports engaged in cargo operations. This modification will bring additional moneys, almost \$6 million, to the Anchorage International Airport, which is now the busiest cargo airport in this Nation—Anchorage, AK.

It is also encouraging to see the committee once again included my language to allow the Administrator of the FAA to modify regulations to take into account special circumstances in Alaska. Sometimes rules that appear to make sense in the lower 48 simply do not work in our north country. That is why the conference agreed to exempt Alaska from provisions that bar new landfills within 6 miles of an airport. This provision is literally unworkable in Alaska where most of our remote villages are surrounded by Federal refuges and, despite repeated efforts, we are not even allowed to build a road a mile long because of intervention of an alphabet soup type of Federal agency domination.

That may sound strong, but it is literally true.

Many of you may have heard I was concerned about a provision in the budget treatment section of the final compromise package on the FAA. That is true, and I would like to briefly discuss it.

The practical effect of the provision that the House ultimately agreed to delete from this bill would have been to bar any Senate bill or conference report or budget resolution from being considered that did not slavishly adhere to the legislative structure or levels of funding in this bill. Such a provision amounted to an ultimatum to the Senate that presented an unwarranted intrusion into the legislative process. The provision would have given a small number of House Members the ability to completely derail an appropriations conference report, agreed to by the House and the Senate, on completely procedural grounds.

This provision could have had severe and damaging unintended consequences. For example, the House insistence on the across-the-board cuts in last year's wrapup bill would have triggered that provision, and the omnibus bill would not have been in order on the floor of the House.

The minority party in the House could have used this provision to oppose a transportation appropriations conference report, a supplemental conference report, or an omnibus bill if the

guaranteed levels or program structures were modified in any fashion, pursuant to the waiver provisions contained in the law, even if such modification were made at the request of the leadership or of the authorization committees.

The bottom line when considering this particular provision is that it is hard to predict the future. Budget constraints, shifting congressional priorities, administration priorities, and other aviation issues that emerge after enactment of a reauthorization bill often require modification of other legislative provisions. The (C)(3) provision that has been deleted failed to provide for such exigencies, and I am pleased the conferees have deleted it. I hope we will not face that proposal again.

Beyond that, the budget treatment in the FAA reauthorization bill is challenging for the Appropriations and Budget Committees, but it is manageable. It will necessitate that the Senate and the House make some choices between discretionary priorities, transportation, and other priorities during the consideration of the budget and the funding bills for the year 2001. Above all, it will require the House and the Senate to agree to a budget at levels that will enable us to keep the mandates of the FAA reauthorization bill.

This bill adds between \$2.1 and \$2.7 billion in aviation spending above the fiscal year 2000 levels. I support that. I support spending as much on aviation as we can afford. I am not unmindful of the pressure that this and other guaranteed spending will place on the budget, the Budget Committee, and the appropriations bills. We will have to all work together on these matters.

Once again, I thank the members of the conference and my staff, including Steve Cortese, Wally Burnett, Paul Doerrer, Mitch Rose, and my legislative fellow Dan Elwell, for all of their work on this measure over the past year.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak approximately 12 minutes on the Paez nomination. I don't know whether there is any agreement on that. Otherwise, I will do it in morning business.

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

THE PAEZ NOMINATION

Mr. SESSIONS. Mr. President, I remain very troubled by this nomination.

I know it has been pending for a long time because of the controversy surrounding the activism of the Ninth Circuit Court of Appeals to which Judge Paez has been nominated and by Judge Paez's own personal history of activism and his philosophy of judging that indicates to me he is quite clearly right along with the leftward group in tilt and movement of that circuit. We need to remove that circuit to the mainstream, not continue it out in left field, not having it be reversed 17 times, unanimously, by the U.S. Supreme Court in 1 year, a record that has never been met and probably never will be surpassed by any circuit in history. We need to get that circuit in the mainstream of law. Judge Paez will keep it out of the mainstream.

But we have had recent developments. We have been looking into Judge Paez's handling and acceptance of the guilty plea of John Huang, in Los Angeles, where he is a sitting district judge, Federal court judge. I believe there are a number of factors that indicate to me that that was not handled properly, not handled according to the highest standards of justice and, in fact, the plea bargain and sentence he approved was not justified under the law, and that he violated Federal guidelines in order to approve a plea bargain that was unacceptable, in my view, as to what should have occurred in the disposition of that case.

So I believe, and I have asked, and I have written the majority leader and asked that he pull this nomination off the floor and we be allowed to go back to committee and have live witnesses, under oath, to find out how it was, out of 34 judges who could have heard the Huang case in Los Angeles, that this case got to Judge Paez, the one who was already being nominated by the President for a court of appeals that is one step below the U.S. Supreme Court. How did it go to him?

Also, we had the Maria Hsia case that was recently tried here in Washington, and she was convicted. I believe there was a mistrial in California, but he had that case, too. How did this judge, out of 34, get both those cases that had great potential to embarrass the President, because this was the key part of the campaign finance corruption scandal? John Huang is the guy who raised \$1.6 million in illegal funds from foreign sources that the Democratic National Committee had to return because they were illegally obtained.

Then he comes in and the Department of Justice, which was urged by the chairman of the Judiciary Committee of the Senate and the House, Members of this body—we urged the Department of Justice to send a special prosecutor to handle this case, and she did, in a number of cases; Attorney General Janet Reno did make special appointments.

Mrs. BOXER. Will the Senator yield for a question?

Mr. SESSIONS. I will be glad to yield.

Mrs. BOXER. I hope my friend understands that in the Maria Hsia case there were two trials. The campaign trial he is talking about did not go to Judge Paez. The trial he had with her had to do with a tax evasion case where there was a jury that deadlocked. My friend keeps bringing up these cases injecting politics into this. My friend knows all these cases are taken on a random basis. My friend knows there are rated—

Mr. SESSIONS. Mr. President, I reclaim the floor. I appreciate the question.

Mrs. BOXER. I want my friend to comment on it.

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. SESSIONS. Maria Hsia was indicted in California and charged here. She had a hung jury there and was convicted here. That was a critical case to the Clinton-Gore administration. It was important to them. She had the potential to cooperate and talk.

At any rate, it still remains odd to me that in these high-profile cases about which much has been written in recent weeks, one of which was tried here in Washington, Judge Paez got both of them.

I submit to my colleagues that perhaps that circuit is assigning those cases randomly, but this case of John Huang did not come off an indictment; it came off a plea bargain. I have a copy of the plea bargain which is part of the public record in California. It was signed by John Huang, his attorneys, and the prosecutor, a Department of Justice employee of Janet Reno who holds her job in Washington at the pleasure of the President of the United States, whose campaign was involved in this illegality. That is who was making the decision on the prosecutorial end.

To me, the question is whether or not the judge handled himself correctly. Some say the judge did not know of all this material and it was not his fault; it was the prosecutor's fault. I do believe the prosecutors failed in advocating effectively the interests of the people of the United States and the rule of law in this case.

In California, young people every day are getting sent to jail for 15 years, 20 years, without parole, for dealing in crack cocaine and other violations. A guy raises \$1.6 million from the Chinese Government and launders it into the Democratic National Committee, and what does he walk out with? Total probation, not a day in jail. That is wrong.

This is how they did it. This is a plea agreement. First and foremost, a judge is not bound to accept the plea agreement. He does not have to accept it. I