

a few Senators who for some reason don't want him to be Customs Commissioner.

I strongly urge this body to quickly and immediately confirm Robert Bonner to be Commissioner of Customs. He is more than eminently qualified. I cannot think of a more qualified person. He has been a Federal district judge. He has been the head of the DEA. He has an extensive background and experience for the job.

I have personally met with him. I have spoken with him. I have asked many questions of him. He is one of those people who—as soon as you sit down and talk with him—you immediately know has it. He is qualified. He is going to do a great job. I guarantee you that he will be terrific.

This is the very time that we need him to get on the job. The Acting Commissioner, Mr. Winwood, is doing a great job. I met with him for a good couple of hours last week getting a security briefing on what Customs is doing. He is terrific, too. But he needs help. He very much urged me to do all I could to help the Senate confirm the nomination of Mr. Bonner.

I call upon my colleagues. Come on. We are Americans. Let's work together. Let's get the job done. Mr. Bonner is a great man. Let's confirm him so we can get him on the job and so Customs can begin to do the things it wants to do and continue to do in helping protect our country.

I also say that part of that is strengthening our Customs Service along the northern border. I am quite concerned. In my State of Montana there are reports of a lot more goods coming across the border—sometimes, of all places, Glacier National Park because it is unprotected and particularly in the summertime. But there is a lot coming across. It is particularly drugs and illegal substances of all kinds. It is becoming a problem. We need stronger Customs enforcement along the northern border.

But to sum up, I plead with my colleagues. Come on. Let's confirm him. He is a good man.

I see my good friend from North Dakota on the floor. I think he has some of the same concerns.

I yield the floor.

Mr. DORGAN. Mr. President, if my colleague from Montana will yield for a question, I heard the statement by my colleague from Montana, and I couldn't agree more. It is critically important at this point in time to have this Congress confirm the President's nominee for the head of Customs. The Customs Commissioner job has been open for some long while.

The President, in my judgment, submitted the name of someone who is a well-qualified person who will do a good job. It is hung up. There is a hold on it over some other issue. It doesn't make any sense.

The Customs Service at this point is right at the center with a range of other agencies having to deal with this terrorist threat. A significant amount of our law enforcement is embedded in the Customs Service. We need good leadership.

The Senator from Montana says the Acting Commissioner is a good guy. I agree with that. I have great confidence in him. But there is nothing quite like having someone there who has been confirmed by the Congress to say: Here is the direction we are going to take with this agency.

It is important this week that we implore our colleagues who are holding nominees up—especially in critical areas—for the sake of this country, to get out of the way and to get the President's appointees, especially for an agency such as this, in place.

Mr. Bonner is a well-qualified man who will do a great job.

I just wanted to say how much I appreciate the statement by the Senator from Montana.

Mr. BAUCUS. Mr. President, if I might, I very much thank my colleague for his statements as well. This Senate, when it is business as usual, probably is not quite as efficient and productive as it could be. I am a firm believer in the basic underpinnings of democracy. We don't want to be too efficient, because as representatives of our people from different parts of the country, there are different aspirations, different hopes, and different points of view. We want a melting pot kind of basis to work together and pass legislation. But this is not the time for business as usual. We have a national crisis. We are virtually at war. There is a lot of talk of unity and of working together. There has been tremendous cooperation in both Houses, by both parties, and at both ends of Pennsylvania Avenue. But on something as vital as this, I just very much hope that whoever the one, or two, or three Senators are who for extraneous, independent, and separate reasons—whatever they may be—are holding up Mr. Bonner, that they will reconsider for the sake of our country, and particularly with an agency as important as this at this time.

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

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

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002—Continued

AMENDMENT NO. 1576

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the pending

amendment be set aside and that I be permitted to send an amendment to the desk and have it considered.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself and Mr. DOMENICI, proposes an amendment numbered 1576.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To authorize State, regional, or local transportation authorities that receive Federal Transit Administration assistance or grants, to purchase heavy-duty transit buses through the General Services Administration)

After section 642, insert the following:

SEC. 643. (a) State, regional, or local transportation authorities that are recipients of Federal Transit Administration assistance or grants may purchase heavy-duty transit buses through the General Service Administration.

(b) The Administrator of General Services shall notify the appropriate congressional committees if the administrative costs incurred by the General Service Administration in implementing this section are in excess of fees provided to the General Service Administration under provisions of existing contracts for the purchase of heavy-duty transit buses.

Mr. BINGAMAN. Mr. President, this is an amendment I am offering on behalf of myself and Senator DOMENICI. It authorizes State and local transit authorities that receive Federal transit assistance to purchase transit buses through the GSA list. That is the General Services Administration list.

Currently only the Washington Metropolitan Area Transit Authority has the option to purchase buses through the General Services Administration. The amendment would open up that option to other public transit agencies around the country that also receive Federal transit assistance, as the Washington Metropolitan Area Transit Authority does.

The General Services Administration currently offers three heavy-duty transit buses on its schedule. GSA selected the three as a result of competitive solicitations, and the companies had to bid attractive terms and prices in order to win those 5-year contracts and get on that list for the General Services Administration.

Allowing other public transit agencies the option to purchase these buses from GSA would result in substantial cost and time savings for these agencies. This would, of course, be especially valuable to some of our smaller communities around the country.

The new authority is limited only to transit buses and options offered by the General Services Administration. So the resulting demand will be limited only to transit agencies that want the

specific bus that GSA offers. This does not require anyone to buy anything. This does provide an option that they can use for purchasing if they desire to do so.

However, in the next 12 to 18 months, GSA plans to broaden the program to a multiple award schedule with a larger variety of vehicles and optional equipment choices, which of course will benefit everyone.

We understand GSA is concerned that it may not be able today to adequately implement this new option. Consequently, the amendment directs GSA to notify the committee of jurisdiction if it finds that the program is resulting in unanticipated costs or impacts. We try in the language to give GSA the opportunity to do that if they determine that that is required.

This is a meritorious amendment. It is one I would very much like to see adopted as part of this legislation. I urge my colleagues to support it.

I yield the floor.

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

If not, the question is on agreeing to amendment No. 1576.

The amendment (No. 1576) was agreed to.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. 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. CARPER. Mr. President, I ask unanimous consent to address the Senate for 5 minutes.

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

#### ACTS OF BRAVERY AND KINDNESS FOLLOWING THE TERRORIST ATTACK

Mr. CARPER. Mr. President, during the course of the past week, we have witnessed extraordinary acts of bravery: aboard the aircraft that were hijacked, at the World Trade Center Towers, and at the Pentagon.

In addition, we have witnessed extraordinary acts of kindness by people from all walks of life in this Nation who have reached into their own pockets and hearts and sought to comfort those who have lost loved ones, who sought to donate something of their own, including their blood and money, to assist those who have suffered egregious losses.

Earlier this afternoon, I visited the Dover Air Force Base in the State of Delaware and spent time at the mortuary where the bodies of scores of victims of the crash and tragedy at the Pentagon are being taken. There I had

the opportunity to thank men and women—active duty reservists, members of the National Guard, and civilians—who have come from all across the country in order to try to identify the remains of those who lost their lives in the crash at the Pentagon, in order to try to be able to provide to families who lost loved ones a sense of closure, to be able to take the remains of their husband, wife, son, or daughter and to be able to give them a proper funeral, to lay them to rest at their final resting place with dignity.

The job is as difficult and challenging as perhaps any job that has been undertaken in the wake of these tragedies. I want to express on behalf of not just the people of Delaware and those of us in my State who are affected, but people throughout the country who are touched and have lost a relative, a loved one, who will have that sense of closure because of the efforts going on today, yesterday, last week, and the days to follow at the Dover Air Force Base.

We are fortunate in this country to have so many heroes and heroines. As I speak some of them are working in the central part of the second smallest State in America.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002—Continued

##### AMENDMENTS NOS. 1577 AND 1578, EN BLOC

Mr. DORGAN. Mr. President, on behalf of Senator CAMPBELL and myself, I send two amendments to the desk and ask they be agreed to en bloc. They are a Campbell amendment for Senators FEINGOLD, GRASSLEY, and HARKIN regarding shipments of day-old poultry, and a Dorgan for Kohl amendment regarding information on foreign animal disease. I send the amendments to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from North Dakota [Mr. DORGAN], for Mr. CAMPBELL, for himself, Mr. FEINGOLD, Mr. GRASSLEY, and Mr. HARKIN, proposes an amendment numbered 1577.

The Senator from North Dakota [Mr. DORGAN], for Mr. KOHL, proposes an amendment numbered 1578.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 1577 and 1578) were agreed to, as follows:

##### AMENDMENT NO. 1577

At the appropriate place, insert the following:

##### SECTION 1. AMENDMENT TO TITLE 39.

Section 5402(d) of title 39, United States Code, is amended by—

(1) inserting “(1)” after “(d)”; and

(2) inserting at the end the following:

“(2)(A) In the exercise of its authority under paragraph (1), the Postal Service may require any air carrier to accept as mail shipments of day-old poultry and such other live animals as postal regulations allow to be transmitted as mail matter. The authority of the Postal Service under this subparagraph shall not apply in the case of any air carrier who commonly and regularly refuses to accept any live animals as cargo.

“(B) Notwithstanding any other provision of law, the Postal Service is authorized to assess, as postage to be paid by the mailers of any shipments covered by subparagraph (A), a reasonable surcharge that the Postal Service determines in its discretion to be adequate to compensate air carriers for any necessary additional expense incurred in handling such shipments.

“(C) The authority of the Postal Service under subparagraph (B) shall apply during the period beginning on the date of enactment of this paragraph, and ending September 30, 2005.”

##### AMENDMENT NO. 1578

(Purpose: To improve the collection of information relating to the introduction of foreign animal disease)

On page 26, after line 8 insert the following new section:

“SEC. . None of the funds appropriated or made available by this Act may be used for the production of Customs Declarations that do not inquire whether the passenger had been in the proximity of livestock.”

Mr. DORGAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

##### AMENDMENT NO. 1578

Mr. KOHL. Mr. President, I congratulate Senator DORGAN and Senator CAMPBELL, chairman and ranking member of the Appropriations Subcommittee on Treasury and General Government, for their fine work in crafting the bill now before the Senate. I also thank them for accepting an amendment I have offered to help strengthen this country's safeguards against the possible introduction of foreign animal disease.

I serve as chairman of the Appropriations Subcommittee on Agriculture, Rural Development and Related Agencies, and we have given substantial attention to the ongoing problems of exotic pests and disease that have been introduced into this country over the years. Attention and concern for this problem has been heightened this past year with reports from the United Kingdom where outbreaks of foot and mouth disease have severely harmed the British economy and, in particular, rural areas in the British Isles. The U.S. livestock sector quickly realized the danger that the spread of foot and mouth disease, and similar infectious