

CONCLUSION OF MORNING
BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1438, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1438) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

AMENDMENT NO. 1750

Mr. DODD. Mr. President, I call up my amendment No. 1750.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes an amendment numbered 1750.

Mr. DODD. I ask unanimous consent further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To extend assistance for firefighters)

At the end of subtitle E of title X, add the following:

SEC. 1066. ASSISTANCE FOR FIREFIGHTERS.

Section 33(e) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(e)) is amended by striking paragraph (2) and inserting the following new paragraphs:

“(2) \$600,000,000 for fiscal year 2002.

“(3) \$800,000,000 for fiscal year 2003.

“(4) \$1,000,000,000 for fiscal year 2004.”.

Mr. DODD. Mr. President, very briefly, this amendment deals with the FIRE Act, a bill which we adopted in a previous Congress, providing assistance to departments—paid departments, volunteer departments, and combination departments for equipment and the like.

I see my colleague from Virginia rising.

Mr. WARNER. Mr. President, may I say that we worked together on this. I would like to be a cosponsor of this amendment.

Mr. DODD. Mr. President, I ask unanimous consent that my colleague be added as a cosponsor.

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

Mr. DODD. Mr. President, let me take a second and commend our two colleagues from Michigan and from Virginia, the Chairman and Ranking Member. Only a few months ago, those roles were reversed; the chairman was

from Virginia and the ranking member was from Michigan. This is a great team which has done a tremendous job. It is sort of a seamless garment in many ways, in terms of their leadership on national security issues as the chairman and ranking members of the Armed Services Committee.

I want to take a moment to commend them both for the spectacular job they have done over the last 2½ weeks since the great tragedy on September 11. Not only have they led in terms of moving their committee product along and offering us an opportunity to do something very constructive and positive in responding to the events of September 11, but also in their public commentary on this issue both here on the floor of the Senate as well as in the public forums. The Senator from Michigan, CARL LEVIN, and the Senator from Virginia, JOHN WARNER, have truly lived up to the spirit of those who in other times of crisis have led without partisanship and with a sense of unity. I think it has been reassuring to the American public to have both of them in the positions they are in.

On the subject at hand, I have 15 minutes, so I will try to be brief. I thank the Senator from Michigan and the Senator from Virginia for being supportive of this effort. In fact, in many ways, without their leadership and support on this very matter, we would not have ever adopted the FIRE Act.

Very simply put, this legislation allows for fire departments across this country—some 30,000 of them, paid volunteers and combined departments—to seek Federal grants for training and equipment to assist them in doing a better job in responding to tragedies in our local communities.

I don't need to make this case. I suppose I could end my remarks there. There is not a single person in this country who is not aware of the heroic efforts of our fire departments, not only within the city of New York, which, of course, suffered the greatest tragedy when it came to the loss of life, not only of civilian populations but also firefighters, but also here in the Nation's Capital and the departments in Virginia, Maryland, and the District of Columbia.

On a parochial note, if you will, some of the first departments to respond to the tragedy at the World Trade Center came from my home State of Connecticut. I note the presence of the Presiding Officer, the Senator from New Jersey. I know, in fact, many of the people from his State as well responded to this catastrophe, the savage attacks in New York City. I don't need to make the case about how valuable these men and women are in the job they do. I think we become aware that—despite our traditional thinking about fire departments, with sort of the Dalmatian dog in the front seat

and responding to the residential or small business fire—today they are asked to become basically soldiers. The distinction between what they do and what the men and women in military uniforms do—the lines are becoming blurred somewhat here. No greater piece of evidence can I offer than that which occurred on September 11.

Some may say: What are you doing offering a fire amendment on the Department of Defense authorization? One, this is where the bill was born. As a result of the leadership of the two men I have mentioned already. This bill became law in conference. I offered the bill here, but without them this bill would not have become the law of the land. In a sense, now to extend the authorization over the next several years with a relatively small amendment for this fiscal year, increasing over the next 3 years so that we can provide assistance to these departments, I think is critical and important.

With that, let me explain what is in the bill. Many of us in the Senate and in the Congress have long understood that America's firefighters make extraordinary contributions to their communities. But on September 11, of course, we got a glimpse of a larger role these men and women of the fire service play. The national security role of firefighters has become readily apparent to all in this country.

On the morning of September 11, the men and women of the New York City Fire Department came to the aid of the entire Nation. They charged in to rescue people from every region of our country and more than 40 nations around the globe. Those firefighters raced into that building to save the lives of people trapped in those two towers. On the same morning, firefighters from Virginia, Maryland, and District of Columbia became domestic defenders, responsible for coordinating a response to an attack on the headquarters of our armed services, the Pentagon itself.

If there was ever any question that the firefighters who wear the uniforms of local agencies are from time to time called upon to serve as partners with the men and women who wear the uniform of the U.S. military, those questions I think have been laid to rest forever. The sad new reality is that when terrorists target civilian populations on American soil, we are going to need, more than ever, our rescue services to be as well equipped as they possibly can be.

I have mentioned fire departments and, obviously, police departments. This bill covers emergency medical teams as well, EMS services. Again, they responded in heroic fashion from Virginia, Maryland, DC, New Jersey, Connecticut and, of course, New York. Many of us went to ground zero in New York City. Many colleagues met people

from their States, firefighters from North Carolina, Colorado, California—people who responded from across this country to be in New York to assist those departments that had lost more than 350 of their brothers and sisters.

So this is a national issue. It directly relates to the security of our country. We do not send our soldiers into battle without the training and equipment they need. We can no longer abide a system that would send firefighters to do their jobs without the proper training or equipment that they need.

Last year, Congress passed the Fire Fighter Investment and Response Enhancement Act as an amendment to the Department of Defense authorization bill. Again, without CARL LEVIN and JOHN WARNER, the equipment some of these departments received would not have happened. So I offer the amendment again on this bill not because this is the only opportunity. In a sense, this is a national security issue, a new national security, a new definition of what we are talking about.

At that time, we authorized 2 years of appropriations under the FIRE Act. Unfortunately, the levels of authorization did not anticipate the new threats that have become apparent in recent weeks.

Last year, Congress appropriated \$100 million to provide grant funding under the FIRE Act to departments across the Nation. The Federal Emergency Management Administration recently reported that it received grant applications from nearly 20,000 local fire departments. The total amount of funding requested by these departments is nearly \$3 billion. That is the existing need.

We appropriated \$100 million, but there were \$3 billion in requests from 20,000 departments across the Nation. Today these firefighters are not just racing with the old hook and ladder down the old country lane to put out the barn fire. They are dealing with toxic waste, toxic substances, some of the most dangerous material in the world, and they are going to be called on, unfortunately, to deal with more of it in the years ahead. Therefore, they need the support this amendment will offer them.

Last year, there was about \$2.8 billion of unfunded requests under the Fire Grant Program. I do not think we can afford to have that level of unmet needs this year or ever again for that matter. This amendment will assure the continuation of the Fire Grant Program. It will increase the Federal Government's commitment to a level I think is appropriate in light of recent events and the continuing threat to the safety of the American public.

Under current law, authorization for the fire program terminates at the end of fiscal year 2002. This amendment would extend the authorization period until the end of the fiscal year 2004.

Further, the current law only authorizes about \$300 million for the fiscal year 2002. This amendment would authorize an appropriation of up to \$600 million for the purchase of emergency response equipment and training.

The amendment would also authorize up to \$800 million in 2003 and up to \$1 billion in 2004. To put it in perspective, the COPS Program, which most of us endorse and support, is around \$11 billion. We are talking about \$1 billion for firefighters and some 30,000 departments across the country.

None of us have ever suggested parity, although one might make a case in light of the events of September 11 considering what these men and women have to deal with, the materials they grapple with, and the training they are going to need. We have not asked for that. It is the authorization levels I mentioned increasing through the year 2004.

There may remain other improvements, by the way, that could and should be made to our emergency response infrastructure. I intend to work very closely with the Commerce Committee. This is naturally and normally a matter under the jurisdiction of the Commerce Committee. I express my gratitude to FRITZ HOLLINGS, our colleague from South Carolina, and JOHN MCCAIN, the Senator from Arizona, who, not unlike Senator LEVIN and Senator WARNER, have been chair and ranking member back and forth.

Last year, with their support, we adopted the amendment as part of the DOD authorization bill. I am grateful to Senator HOLLINGS for his support of this amendment. They have a very important role to play. We have to come back at some point and start talking about other things that can be done.

Given the fact we are going to be winding up this session and there are very few vehicles available to us on which to have an authorization matter considered, given the history of this act and its association with the DOD authorization bill and the direct linkage between better equipping the ability of our fire departments across this country to deal with the new threats our communities face, I think this bill is an appropriate place for this amendment.

I am very grateful to all of our colleagues for their willingness to consider these extraordinary circumstances.

My hope is that this evening we can adopt this amendment on a voice vote. I am not interested in having a recorded vote. I think most of our colleagues will support it. My hope is that we will complete action and leave the RECORD open so others who may want to comment on this can.

I have dedicated this amendment to the men and women who lost their lives in the fire departments on September 11. There are a lot of ways they

can be memorialized and communities are doing that across the country. If you talk to your local departments, there is no better way to memorialize them than to see to it future firefighters have the equipment and training they will need.

Hopefully, they will not have to use it. Hopefully, they will never have to face what New York City or Northern Virginia faced with the attack on the Pentagon, but if it occurs, I want to be able to say that this Congress and this Chamber provided them the tools and training necessary to respond to those tragedies; that we were not so shortsighted that we did not understand the new world we entered as a result of the attacks on our country only 2 weeks ago.

Again, I urge the adoption of this amendment. This is one area where I know there are likely to be remaining issues, as I said, to be discussed. But as we continue to identify critical staffing needs and better ways to structure the Federal Government's partnership with local firefighters, I will be looking to Chairman HOLLINGS and Senator MCCAIN and the Commerce Committee to continue to provide leadership in this area.

There is no shortage of bravery among the men and women of America's fire service. Even when commercial air travel was completely shut down, public safety workers from as far away as Chicago and Texas made their way to New York and the Pentagon to lend their assistance. We have seen that public safety personnel are extraordinary people. They put the needs of others before their own interests and even before their own personal safety.

During the initial rush to save people in the burning World Trade Center Towers, nobody stopped to ask: Why are you here? But if they had, the answer undoubtedly would have come back: Because people need our help.

Tonight we can provide service to those who provided help in the past by helping them. This amendment honors America's firefighters, acknowledges the men and women who do not ask why, the men and women who simply do what must be done.

This amendment is more than that. It is an investment in America's security. This will help America be prepared for come what may. Let the world be on notice that we are not afraid, but we are also going to be prepared, and we are also going to prevail. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I commend our dear friend from Connecticut for his very passionate argument. He has been the leader in the effort to provide these resources for our valued firefighters whose amazing contributions were so dramatically demonstrated on

September 11. The Senator from Connecticut has been the leader in this effort. The contribution which I have made to his effort is small indeed compared to what he has been able to put forward with his leadership.

I can only say in amazement that as powerful a speaker as the Senator from Connecticut always is, somehow miraculously, despite the fact he is up half the night changing diapers for his daughter Grace, he is more powerful and more passionate than ever. That says something about fatherhood. I congratulate him not only on his argument and tell him I am proud to be a cosponsor of his amendment, but I again congratulate him on his wonderful new family addition.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I add my commendations to our good friend and colleague. All too often in reflecting on September 11, we, of course, focus on the magnitude of the tragedy in New York and, indeed, in my State, but we should include Pennsylvania.

Mr. DODD. Yes, we should.

Mr. WARNER. The firefighters are a band of brothers and sisters, as it was made very clear to me, wherever they are in those States, particularly those three impact areas. I visited the Pentagon not more than 3 or 4 hours after the plane flew into it, and I will have further remarks. I see our distinguished colleague from North Carolina wishes to address another matter for a few minutes, and then I will regain the floor.

Mr. DODD. If my colleague will yield, let these remarks reflect as well, he is absolutely correct. We focus on New York, the World Trade Center, and the Pentagon. He is absolutely correct the people of Pennsylvania, those who lost their lives in that aircraft—we do not know the whole story, but many of us suspect that the people inside that plane played a very heroic role, and the fact we are standing in this building today debating these issues may very well be because some very heroic civilian Americans stood up and took on some people and saved countless other lives. That mark in Pennsylvania and those who responded to it deserve equal recognition.

The Senator from Virginia is absolutely correct.

I see my friend from North Carolina is about to speak, and since my friend from Michigan raised the issue of my newborn Grace, I must tell the Senator from North Carolina we received some wonderful little gifts for new Grace and all of them are cherished, but the Senator from North Carolina and his beloved Dot sent a little teddy bear which, if you extend it, it plays music. I want to tell the Senator I will forever be grateful to my colleague from North Carolina because I have tried all sorts of ways to quiet Grace down but nothing

works like that little music box. I thank the Senator immensely for that token and gesture, and I thank his lovely wife as well. I say to my colleague from North Carolina, I thought of him many times at 3 this morning.

Mr. WARNER. Mr. President, I acknowledge that from time to time the heart of the Senator from Connecticut needs to be quieted so we are going to bring that little teddy bear to the floor to calm him down on some other matters.

Mr. LEVIN. If the Senator from North Carolina will yield, we now have two ways of closing debate a little more promptly and in unique ways. One is with TED KENNEDY's dog, which barks when someone goes on too long—usually not on the floor of the Senate—and now we have a music box. So that Chris and Jackie have the special gift from the Senator from North Carolina.

The PRESIDING OFFICER (Mr. HOLLINGS). The Senator from Connecticut.

Mr. DODD. Mr. President, I ask unanimous consent that the Senator from South Carolina, Mr. HOLLINGS, be added as a cosponsor to the fire act amendment.

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

Mr. WARNER. I ask unanimous consent that this important colloquy about the Chairman of the Joint Chiefs of Staff be printed in today's RECORD separate from the presentation by the Senator from Connecticut.

Mr. DODD. If my colleague will yield further, he might want to ask unanimous consent that others might be able to join with Senator HELMS in commending Hugh Shelton. I am not a member of the committee, but all of us at one time or another have had dealings with him, even though he is responsible to responding to the Armed Services Committee. This is a remarkable public servant, Hugh Shelton, and he is going to be missed. He has a wonderful successor. I do not know him as well as I know General Shelton, but on behalf of those not on the committee but who have watched him and talked to him and called him from time to time, this is truly a great citizen, and I wish to add my thoughts and comments about his contribution to our country as well.

Mr. WARNER. Mr. President, I so modify my UC, and I ask unanimous consent that the statements made in the Chamber today and otherwise in regard to the distinguished former Chairman be printed in today's RECORD in one place by the close of business today.

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

(The remarks of Mr. HELMS, Mr. WARNER, Mr. LEVIN, and Mr. EDWARDS are printed in today's RECORD under "Morning Business.")

Mr. WARNER. In regard to the pending amendment by the Senator from

Connecticut, I think it is important to show how these funds are being spent. I referred to the bill that we put in last year in the Senate Armed Services Committee, known as the Floyd D. Spence national defense authorization on page 378. These funds are to be used for the following purposes: to hire additional firefighting personnel; to train personnel in fire fighting, emergency response, arson, prevention, and detection or the handling of hazardous materials; or to train firefighting personnel to provide any of the training described in this subparagraph.

There is no greater threat facing this Nation today than weapons of mass destruction, and as we listened to the very able work being done by the Attorney General of the United States and others in connection with the crisis of September 11, they are obligated to tell this Nation that we cannot ring the all clear sign, that we have many problems and it could possibly include weapons of mass destruction of the type of chemical or biological. It is difficult for me to enunciate that in this Chamber. That is precisely what these funds are to be used for, to train firefighters. They are oftentimes both professional and volunteer. I thank my colleague.

Last year, I remember, we wanted to give parity with the professional volunteer. That has been done. They are the first on the scene. Unless they have some training to make an assessment right away, they themselves could become victims of a chemical or biological attack and their services would be incapacitated, depending on the problem. That training is included. It is important.

There are funds to protect firefighting personnel at the scenes of fire and other emergencies. In New York City there was tremendous personal risk in these situations trying to extract survivors and yet at the same time confronted with a weakened structure, smoke, and all types of things. They themselves could be trapped. Special training is required for extricating the firemen as well as the remaining victims.

Other uses of the funds:

To certify firefighters, to establish wellness and fitness programs for firefighting personnel, to ensure that the firefighting personnel can carry out their duties—there are tremendous arduous, physical requirements for the men and women who bravely wear the uniforms of firefighters; to fund emergency medical services provided by fire departments—more and more often, they are the first on the scene to render the basic necessities of medical care and to save lives; to acquire additional firefighting vehicles, including firetrucks. We all have romance about the firetrucks. I know some of the volunteer groups in my State kept the old truck to remind them of the need to

get a new truck, but they never seem to discard the old truck. In times of the parade, the old truck comes out and everybody is proud to see it again. However, we have to get state-of-the-art equipment; to acquire additional firefighting equipment, including equipment for communications and monitoring; to acquire personnel protective equipment, required for firefighting personnel, by the Occupational Safety and Health Administration and other personnel protective equipment for firefighting personnel; to modify fire stations, fire-training facilities, and other facilities to protect the health and safety of firefighting personnel; to enforce fire codes; to fund fire prevention programs; to educate the public about arson prevention and detection; or to provide incentives for the recruitment and retention of volunteer firefighting personnel for volunteer firefighting departments and other firefighting departments that utilize volunteers.

I commend our distinguished colleague. I am proud to be a cosponsor on this important piece of legislation.

Mr. DODD. I thank my colleague from Virginia for his eloquent comments and remarks. He has made a strong statement on the value of this amendment and the contribution it has made.

As I pointed out in my remarks, we put in \$100 million a year ago and we had over \$3 billion worth of grant requests from 20,000 departments across the country. We are not going to satisfy all of that, even if there is a full appropriation to equal the authorization amounts here, but it can make a difference for these people.

My office spoke with Senator MCCAIN's office and I ask unanimous consent Senator MCCAIN be listed as a cosponsor of this amendment. He has no objection to this amendment being adopted. I urge we agree to the amendment by voice vote. Perhaps others may want to be heard.

Mr. WARNER. I accept, certainly, the statement by the Senator. I understand Senator MCCAIN still has this matter under advisement.

Mr. DODD. He told me he wants to be a cosponsor so we will do that much, anyway.

I ask unanimous consent Senator MCCAIN be added as a cosponsor.

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

(Mr. DODD assumed the Chair.)

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I commend the distinguished Presiding Officer of the Senate, the Senator from Connecticut, for his leadership on firefighting issues.

As Governor of South Carolina some years back, I helped to establish the Firefighting Institute in my State. I have always been interested in these

issues and I continue to admire the bravery of our firemen. When I came to the Senate in the late 1960s during the civil rights era, protestors would pull the fire boxes during demonstrations. When the firemen came to the scene where the alarm was given, they were shooting the firemen. We lost several firemen as a result of this. At the time, there was a \$50,000 benefit for the FBI and law enforcement personnel, but none, whatsoever, for the Federal firefighters. So we amended that in our committee to make sure we took care of the firefighters and their families.

The current initiative before us that Senator DODD first presented last year, is something firefighters around the country are looking for. We in government shortchange some, when it comes to prisons, when it comes to law enforcement, when it comes to firefighters. It has been my experience over the years of service that we take these public services for granted when it comes to funding.

I guess my frustration with this neglect is an outcome of growing up and coming along during the days of the Depression when anybody was glad to get any kind of job. The fact is, law enforcement officials and firefighters have historically been underpaid. We cannot accept this any longer. We can see the courage displayed in New York, and the magnificent sacrifices made.

Mr. WARNER. I say to the distinguished chairman, Senator MCCAIN has now indicated he joins in full support of this measure, so I am prepared to agree to the amendment, with the distinguished Presiding Officer in the chair; is that agreeable?

Mr. HOLLINGS. If it is agreeable here.

The PRESIDING OFFICER. The Presiding Officer is very content for that to occur.

The question is on agreeing to the amendment.

The amendment (No. 1750) was agreed to.

Mr. WARNER. I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

(Mr. HOLLINGS assumed the Chair.)

Mr. LEVIN. Talk about a seamless transition, as the Senator from Connecticut said, this is a seamless transition of the Presiding Officers.

The PRESIDING OFFICER. All working together.

AMENDMENTS NOS. 1793 THROUGH 1808, EN BLOC

Mr. LEVIN. I ask consent it be in order to send 16 amendments to the desk, and I ask they be considered en bloc. I understand these amendments have been cleared by the other side.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself and Mr. WARNER, proposes amendments numbered 1793 through 1808, en bloc.

Mr. WARNER. I wish to join my distinguished chairman in commending the hard work of our staff over the course of Friday, Saturday, Sunday, and today, working on this package. It is well known to all members of the committee what is included in the amendments. Therefore, the amendments have been cleared on our side.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments Nos. 1793 through 1808 were agreed to, en bloc, as follows:

AMENDMENT NO. 1793

(Purpose: To authorize, and authorize the appropriation of, \$8,000,000 for military construction for the Air Force for airfield repairs at Masirah Island, Oman)

In section 2301(b), in the table, insert after the item relating to Osan Air Base, Korea, the following new item:

Oman	Masirah Island	\$8,000,000
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In section 2301(b), in the table, strike the item identified as the total in the amount column and insert "\$257,392,000".

In section 2304(a), in the matter preceding paragraph (1), strike "\$2,579,791,000" and insert "\$2,587,791,000".

In section 2304(a)(2), strike "\$249,392,000" and insert "\$257,392,000".

AMENDMENT NO. 1794

(Purpose: To authorize the Secretary of the Navy to acquire land for the Harvey Point Defense Testing Activity in Hertford, North Carolina)

At the end of subtitle C of title XXVIII, add the following:

SEC. 2827. LAND ACQUISITION, PERQUIMANS COUNTY, NORTH CAROLINA.

The Secretary of the Navy may, using funds previously appropriated for such purpose, acquire any and all right, title, and interest in and to a parcel of real property, including improvements thereon, consisting of approximately 240 acres, or any portion thereof, in Perquimans County, North Carolina, for purposes of including such parcel in the Harvey Point Defense Testing Activity, Hertford, North Carolina.

AMENDMENT NO. 1795

(Purpose: To provide for the conveyance of the excess Army Reserve Center in Kewaunee, Wisconsin)

At the appropriate place in the bill insert the following sections:

SEC. . LAND CONVEYANCE, ARMY RESERVE CENTER, KEWAUNEE, WISCONSIN.

(a) CONVEYANCE REQUIRED.—The Administrator of General Services may convey, without consideration, to the City of Kewaunee, Wisconsin (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of Federal real property, including improvements thereon, that is located at 401 5th Street in Kewaunee, Wisconsin, and contains an excess Army Reserve Center. After such conveyance, the property may be used and occupied only by the City, or by another local or State government entity approved by the City.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real

property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Administrator. The cost of the survey shall be borne by the City.

(c) REVERSIONARY INTEREST.—During the 20-year period beginning on the date the Administrator makes the conveyance under subsection (a), if the Administrator determines that the conveyed property is not being used and occupied in accordance with such subsection, all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States. Upon reversion, the United States shall immediately proceed to a public sale of the property.

(d) ADDITIONAL TERMS AND CONDITIONS.—(1) The property shall not be used for commercial purposes.

(2) The Administrator may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

SEC. . TREATMENT OF AMOUNTS RECEIVED.

Any net proceeds received by the United States as payment under subsection (c) of the previous section shall be deposited into the Land and Water Conservation Fund.

AMENDMENT NO. 1796

(Purpose: To increase by \$22,700,000 the amount for the Air Force for missile procurement for the nuclear detonation detection system program, and to provide an offset)

On page 18, line 14, increase the amount by \$22,700,000.

On page 23, line 12, reduce the amount by \$22,700,000.

AMENDMENT NO. 1797

(Purpose: To make permanent the authority to provide transitional health care for members of the Armed Forces who are involuntarily separated, and to extend eligibility for transitional health care under that authority to mobilized members of the reserve components)

On page 235, between lines 15 and 16, insert the following:

SEC. 718. TRANSITIONAL HEALTH CARE TO MEMBERS SEPARATED FROM ACTIVE DUTY.

(a) PERMANENT AUTHORITY FOR INVOLUNTARILY SEPARATED MEMBERS AND MOBILIZED RESERVES.—Subsection (a) of section 1145 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “paragraph (2), a member” and all that follows through “of the member),” and inserting “paragraph (3), a member of the armed forces who is separated from active duty as described in paragraph (2)”;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) This subsection applies to the following members of the armed forces:

“(A) A member who is involuntarily separated from active duty.

“(B) A member of a reserve component who is separated from active duty to which called or ordered in support of a contingency operation if the active duty is active duty for a period of more than 30 days.

“(C) A member who is separated from active duty for which the member is involuntarily retained under section 12305 of this title in support of a contingency operation.

“(D) A member who is separated from active duty served pursuant to a voluntary

agreement of the member to remain on active duty for a period of less than one year in support of a contingency operation.”; and

(4) in paragraph (3), as redesignated by paragraph (2), is amended by striking “involuntary” each place it appears.

(b) CONFORMING AMENDMENTS.—Such section 1145 is further amended—

(1) in subsection (c)(1), by striking “during the period beginning on October 1, 1990, and ending on December 31, 2001”; and

(2) in subsection (e), by striking the first sentence.

(c) REPEAL OF SUPERSEDED AUTHORITY.—(1) Section 1074b of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 55 of such title is amended by striking the item relating to section 1074b.

(d) TRANSITION PROVISION.—Notwithstanding the repeal of section 1074b of title 10, United States Code, by subsection (c), the provisions of that section, as in effect before the date of the enactment of this Act, shall continue to apply to a member of the Armed Forces who is released from active duty in support of a contingency operation before that date.

AMENDMENT NO. 1798

(Purpose: To authorize appropriations for fiscal year 2002 for military activities of the Department of the Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes)

At the appropriate place, insert:

Of the funds authorized to be appropriated for section 301, \$230,255,000 shall be available for Environmental Restoration, Formerly Used Defense Sites.

AMENDMENT NO. 1799

(Purpose: To require a plan to ensure that the embarkation of civilian guests does not interfere with the operational readiness and safe operation of Navy vessels)

At the appropriate place in the bill, insert the following new section.

SEC. . PLAN.—The Secretary of the Navy shall, not later than February 1, 2002, submit to Congress a plan to ensure that the embarkation of selected civilian guests does not interfere with the operational readiness and safe operation of Navy vessels. The plan shall include, at a minimum:

Procedures to ensure that guest embarkations are conducted only within the framework of regularly scheduled operations and that underway operations are not conducted solely to accommodate non-official civilian guests,

Guidelines for the maximum number of guests that can be embarked on the various classes of Navy vessels,

Guidelines and procedures for supervising civilians operating or controlling any equipment of Navy vessels,

Guidelines to ensure that proper standard operating procedures are not hindered by activities related to hosting civilians,

Any other guidelines or procedures the Secretary shall consider necessary or appropriate.

Definition. For the purposes of this section, civilian guests are defined as civilians invited to embark on Navy ships solely for the purpose of furthering public awareness of the Navy and its mission. It does not include civilians conducting official business.

AMENDMENT NO. 1800

(Purpose: To express the sense of the Senate on defense burdensharing by allies of the United States)

At the end of subtitle B of title XII add the following:

SEC. 1217. ALLIED DEFENSE BURDENSARING.

It is the sense of the Senate that—

(1) the efforts of the President to increase defense burdensharing by allied and friendly nations deserve strong support;

(2) host nation support agreements with those nations in which United States military personnel are assigned to permanent duty ashore should be negotiated consistent with section 1221(a)(1) of the National Defense Authorization Act for Fiscal Year 1998 (P.L. 105-85) which sets forth a goal of obtaining financial contributions from host nations that amount to 75 percent of the non-personnel costs incurred by the United States government for stationing military personnel in those nations.

AMENDMENT NO. 1801

(Purpose: To make available \$650,000 for the Defense Language Institute Foreign Language Center for an expanded Arabic language program)

At the end of subtitle D of title III, add the following:

SEC. 335. DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER EXPANDED ARABIC LANGUAGE PROGRAM.

Of the amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army, \$650,000 may be available for the Defense Language Institute Foreign Language Center (DLIFLC) for an expanded Arabic language program.

AMENDMENT NO. 1802

(Purpose: Authorization.—\$3,000,000 is authorized for appropriations in section 301(5), for the replacement or refurbishment of air handlers and related control systems at Keesler AFB Medical Center)

At the appropriate place in the bill, add the following:

SEC. 301(5). AUTHORIZATION OF ADDITIONAL FUNDS.

Of the amount authorized to be appropriated by section 301(5), \$2,000,000 may be available for the replacement and refurbishment of air handlers and related control systems at Air Force medical centers.

AMENDMENTS NO. 1803

(Purpose: To require an annual assessment and report on the vulnerability of Department of Energy facilities to terrorist attack)

On page 553, between lines 12 and 13, insert the following:

SEC. 3159. ANNUAL ASSESSMENT AND REPORT ON VULNERABILITY OF DEPARTMENT OF ENERGY FACILITIES TO TERRORIST ATTACK.

(a) IN GENERAL.—Part C of title VI of the Department of Energy Organization Act (42 U.S.C. 7251 et seq.) is amended by adding at the end the following new section:

“ANNUAL ASSESSMENT AND REPORT ON VULNERABILITY OF FACILITIES TO TERRORIST ATTACK

“SEC. 663. (a) The Secretary shall, on an annual basis, conduct a comprehensive assessment of the vulnerability of Department facilities to terrorist attack.

“(b) Not later than January 31 each year, the Secretary shall submit to Congress a report on the assessment conducted under subsection (a) during the preceding year. Each

report shall include the results of the assessment covered by such report, together with such findings and recommendations as the Secretary considers appropriate.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of that Act is amended by inserting after the item relating to section 662 the following new item:

“Sec. 663. Annual assessment and report on vulnerability of facilities to terrorist attack.”.

AMENDMENT NO. 1804

(Purpose: To eliminate a restriction on the use of certain vessels previously authorized to be sold)

On page 396, between lines 13 and 14, insert the following:

SEC. 1217. RELEASE OF RESTRICTION ON USE OF CERTAIN VESSELS PREVIOUSLY AUTHORIZED TO BE SOLD.

Section 3603(a) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 112 Stat. 2273) is amended by striking “for full use as an oiler”.

AMENDMENT NO. 1805

(Purpose: To authorize the Secretary of the Navy to fund Department of Veterans Affairs space renovations when the Secretary of Veterans Affairs makes additional land available to the Navy at Great Lakes Naval Training Center)

At the end of subtitle A of title III, add the following:

SEC. 306. FUNDS FOR RENOVATION OF DEPARTMENT OF VETERANS AFFAIRS FACILITIES ADJACENT TO NAVAL TRAINING CENTER, GREAT LAKES, ILLINOIS.

(a) AVAILABILITY OF FUNDS FOR RENOVATION.—Subject to subsection (b), of the amount authorized to be appropriated by section 301(2) for operations and maintenance for the Navy, the Secretary of the Navy may make available to the Secretary of Veterans Affairs up to \$2,000,000 for relocation of Department of Veterans Affairs activities and associated renovation of existing facilities at the North Chicago Department of Veterans Affairs Medical Center.

(b) LIMITATION.—The Secretary of the Navy may make funds available under subsection (a) only after the Secretary of the Navy and the Secretary of Veterans Affairs enter into an appropriate agreement for the use by the Secretary of the Navy of approximately 48 acres of real property at the North Chicago Department of Veterans Affairs property referred to in subsection (a) for expansion of the Naval Training Center, Great Lakes, Illinois.

AMENDMENT NO. 1806

(Purpose: To provide an amount for the training of active duty and reserve component personnel in the management of the consequences of an incident involving the use or threat of use of a weapon of mass destruction)

On page 65, after line 24, insert the following:

SEC. 335. CONSEQUENCE MANAGEMENT TRAINING.

Of the amount authorized to be appropriated by section 301(5), \$5,000,000 may be available for the training of members of the Armed Forces (including reserve component personnel) in the management of the consequences of an incident involving the use or threat of use of a weapon of mass destruction.

AMENDMENT NO. 1807

(Purpose: To authorize the acceptance of contributions for the repair of the damage to the Pentagon Reservation caused by the terrorist attack on September 11, 2001 or establishment a memorial of the attack at the Pentagon Reservation)

At the end of subtitle D of title XXVIII, add the following:

SEC. 2844. ACCEPTANCE OF CONTRIBUTIONS TO REPAIR OR ESTABLISHMENT MEMORIAL AT PENTAGON RESERVATION.

(a) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The Secretary of Defense may accept contributions made for the purpose of establishing a memorial or assisting in the repair of the damage caused to the Pentagon Reservation by the terrorist attack that occurred on September 11, 2001.

(b) DEPOSIT OF CONTRIBUTIONS.—The Secretary shall deposit contributions accepted under subsection (a) in the Pentagon Reservation Maintenance Revolving Fund established by section 2674(e) of title 10, United States Code.

AMENDMENT NO. 1808

(Purpose: To authorize payment of career continuation bonuses for aviation officers and surface warfare officers for early commitments to remain on active duty)

On page 192, after line 20, insert the following:

SEC. 621. ELIGIBILITY FOR CERTAIN CAREER CONTINUATION BONUSES FOR EARLY COMMITMENT TO REMAIN ON ACTIVE DUTY.

(a) AVIATION OFFICERS.—Section 301b(b)(4) of title 37, United States Code, is amended by striking “has completed” and inserting “is within one year of the completion of”.

(b) SURFACE WARFARE OFFICERS.—Section 319(a)(3) of title 37, United States Code, is amended by striking “has completed” and inserting “is within one year of the completion of”.

AMENDMENT NO. 1797

Mrs. CARNAHAN. Mr, President, last week I spoke of a group of Americans who will be on the front lines of the new war on terrorism—reservists and national guard members. President Bush has authorized the call-up of 50,000 of these citizen soldiers.

Together with a bipartisan group of Senators, I offered legislation that I believe would greatly support these brave men and women, and their families. This amendment would allow those called to active duty and their families to have access to uninterrupted health care coverage. My amendment is based on legislation I introduced with Senator DEWINE earlier this year. It would allow reservists returning from deployments, to extend their TRICARE coverage for close to six months or until their civilian health insurers returned their coverage to them.

Today, I have expanded the scope of this legislation to cover not only reserve components, but two other categories of military personnel who will require help transitioning to civilian life once their active duty service has ended.

First, there are active duty personnel who are involuntarily retained. These

are personnel who were scheduled to separate from military service, but were ordered to stay on active duty to support military operations in times of crisis. Second, there are those who are involuntarily separated. These are personnel who are downsized after a large mobilization such as the one the President has ordered.

Our military personnel need to know that their Nation will not turn its back on them or their families. Today I offer an amendment that will ensure that they receive adequate health care when they return from active duty.

My legislation will build off of a Gulf War era statute that is set to expire this year. Under previous laws, involuntarily retained and separated servicemen and women were allowed to extend their military health care coverage for a certain period of time, depending on their length of service.

Service men and women with over 6 years of active duty service could extend their TRICARE benefit for up to 120 days after they separated from service. Those with under 6 years would be allowed to extend their coverage for up to 60 days after they separated from service.

I understand that the Department of Defense was going to request re-authorization of this benefit in light of the current crisis. However, their request will probably not come to Congress in time to be attached to the fiscal year 2002 authorization bill. It is time that we act now, in the name of these brave soldiers, sailors, airmen, and Marines. But moreover, we must expand this benefit to other critical parts of our force—reservists and national guard members.

Currently, when Reservists are called up, they are temporarily considered active duty components. While they are in harm's way, members of the reserves and national guard, and their dependents, are entitled to the same military health care coverage as other military personnel—what is called, TRICARE. Reservists who have deployed for more than 30 days during a major contingency may extend their military health care coverage for 30 days after they return.

My amendment will provide comfort to thousands of military families whose loved ones risk their lives defending our Nation. But more importantly, it would be part of our national effort to unite behind our troops during this time of national crisis.

Over 50,000 reservists may soon be called into service. As President Bush himself has said, “We’re talking about somebody’s mom, or somebody’s dad, somebody’s employee, somebody’s friend, or somebody’s neighbor.”

I want to thank both Senators LEVIN and WARNER as well as their staffs for their important assistance in writing this legislation. Together, we crafted a measure that will assure our service

personnel that when they return home they will not be denied health care because of their military service.

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

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

The motion to lay on the table was agreed to.

Mr. LEVIN. Mr. President, I believe now we have cleared the decks of all cleared amendments. We are hoping more can be cleared yet tonight. We will be here at least for a few minutes. For the moment, 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. DODD. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. DODD. Mr. President, I ask unanimous consent the Senator from Maryland, Mr. SARBANES, and the Senator from Maine, Ms. SNOWE, be added as cosponsors of the just-adopted fire act amendment, if I may.

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

Mr. DODD. I further ask unanimous consent that any additional Members have until the close of business today to add themselves as cosponsors.

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

Mr. DODD. Mr. President, if I may, I want to take just a few minutes, while the chairman and ranking member are off the floor, to comment on some other aspects of this bill that is before us, the Department of Defense authorization bill, and to comment about a larger measure.

I have filed an amendment which I may offer. I doubt if I will, but I want to talk about it, if I may. I rise to speak about the election reform provisions contained in the DOD authorization bill. First, let me applaud the members of the committee for including these provisions in the DOD authorization bill.

We are all familiar with the fact that last year in the national elections there were issues raised about the ability of our men and women in uniform to cast ballots and have those ballots counted. I know the Presiding Officer, the Senator from South Carolina, who represents major military installations in his State, men and women from his State who have served in significantly high numbers, has talked about their right to vote.

At this very hour, as we are gathered here, many of them are scattered to the four corners of the globe, protecting and defending the interests of our Nation. There were provisions adopted in the committee print which I think go a significant way toward

minimizing the kinds of irregularities and problems our men and women in uniform witnessed last year in casting their ballots and having their ballots counted.

As we prepare to defend our democracy, as we talk about this the most significant of the bills we debate and discuss on national security, I think it is vital that we also work together in a bipartisan fashion to strengthen our democracy at home. So I commend and thank our colleagues for adding these provisions to the Defense authorization bill.

This is a new world, as we have all heard repeated over and over again during the last several weeks. We are living in a new world where our very democracy is under assault. In fact, if I can quote from President Bush's recent speech to the joint session of Congress, the reason we are under attack is because of our democratic system. As the President said just a few nights ago:

They hate what they see right here in this Chamber, a democratically elected government. Their leaders are self appointed. They hate our freedoms: Our freedom of religion, our freedom of speech, our freedom to vote and assemble, and to disagree with each other.

Those are important statements. So as we prepare to send troops possibly into harm's way, it is necessary that we try to do everything we can to secure for these brave men and women their precious freedom—the freedom to vote.

I can think of few more important statements the United States could make to terrorists than to take steps to strengthen and secure the right to vote for all eligible Americans, and to have their votes counted. If the terrorists harbored any illusions that they would destabilize our democracy by perpetrating acts of evil against innocent people, our determination to strengthen the right to vote proves that the terrorists are sadly mistaken.

The provisions of this bill help ensure that right by setting uniform non-discriminatory voting standards, residency requirements, and registration of balloting rights for uniformed service voters and their spouses and dependents. There are over 6 million men and women who serve in our uniformed services. These citizens put themselves on the line and are at risk every day to protect our Nation. Yet, in some cases, when they cast their votes, those votes have not been counted. This is unacceptable. It is most appropriate that we address this inadequacy in the text of the Department of Defense authorization measures.

I fully support these provisions which provide for certain minimum Federal requirements for voting and registration. Specifically, this provision requires States to ensure that each voting system used within a State for

elections for Federal, State, and local offices, provide overseas voters and absent uniformed service voters with a meaningful opportunity to exercise their voting rights as citizens of the United States; second, to count an absentee ballot for an election for Federal, State, or local office that is timely submitted by an overseas voter or absent uniformed services voter to the proper official and is otherwise valid; third, it permits absent uniformed services voters to use absentee registration procedures and vote by absentee ballot in primary, general, special, and runoff elections for State and local offices; lastly, to accept and process any voter registration application from an absent uniformed services voter if the application is received by the State official not less than 30 days before the date of the election and is otherwise valid.

I fully support all of these Federal requirements. Importantly, this bill mandates these requirements. The bill doesn't say that it would permit any State to opt out of these desperately needed reforms. These are mandates. The States shall do this regardless of jurisdiction. These men and women are serving in our Federal uniformed services. They are protecting our Nation.

Whether they are voting for a local office or the Presidency of the United States, we have to mandate these requirements.

The chairman of the committee, the ranking member, and Republicans and Democrats alike support mandated provisions in the context of voting rights for uniformed services voters.

The only way to guarantee that such requirements become part of the voting rights for uniformed services voters is in fact to mandate them and to give the States the resources they may require to implement these provisions.

This bill is an important and long overdue effort to ensure that our uniformed services voters, regardless of race, ethnicity, disability, the language they speak, or the resources of the community they live in, either abroad or in America, have an equal opportunity to cast their votes and have their votes counted.

But we also need to make sure that when these uniformed services voters and their families return to civilian life, their rights to vote remain protected regardless of race, ethnicity, disability, the language they speak, or the resources of the community in which they live—whether it is abroad or in America, in my view.

Today we are ensuring in this bill the right to cast a vote and have that vote counted for our uniformed services voters.

I see the presence of the distinguished ranking member, Senator WARNER. I commend the Senator and Senator LEVIN for incorporating these voting rights for our men and women in uniform.

Before this Congress recesses for the year, or in the alternative, at the earliest opportunity next year, I hope we set similar minimum Federal standards to ensure the same opportunity for all eligible American voters, regardless of race, ethnicity, disability, the language they speak, or the resources of the community in which they live—whether it is abroad or in America.

We must enact such comprehensive election reforms while there is time to affect the elections for Federal offices in the year 2002 to the extent possible, and more particularly the next Presidential election in the year 2004.

To this end, I have filed my comprehensive election reform bill, S. 565, the Dodd-Conyers bill, as an amendment to the Defense Department authorization act. The Rules Committee ordered this measure reported on August 2 by a vote of 10-0. The Dodd-Conyers bill—the Equal Protection Voting Rights Act of 2001—I believe, as well as 51 of my colleagues, is the strongest and most comprehensive election reform proposal that has been introduced in Congress today. For that reason, it enjoys more support than any other election reform bill in both Houses. Some 211 Democrat and Republican and independent Members of Congress support this legislation.

Let me briefly describe once again to my colleagues what this bill will do. In fact, it is completely consistent with the provisions contained in this DOD authorization bill for the men and women in uniform.

Specifically, the Dodd-Conyers bill creates a temporary commission to study election reform issues and then submit a report of recommendations in those areas.

It creates a grant program to States and localities for Federal funds to acquire updating voting systems and technology, improve voting registration systems, and educate voters and poll workers.

Lastly, it establishes three minimum Federal requirements for elections for Federal office, effective year 2004, with authorization for appropriations to pay for these requirements.

These three requirements are:

No. 1, Federal standards for voting systems, machines and technology;

No. 2, provisional voting; and

No. 3, distribution of sample ballots and voting instructions.

These three areas are not radical ideas for Federal requirements. The Federal standards for voting machines do not dictate what specific voting machine ought to be used by States and localities. How people vote in Virginia, South Carolina, Connecticut, or Michigan ought to be up to what local people want to do; which machine; which system they want to have in place. We don't decide that at the Federal level. We do not use the approach of "one size

fits all". On the contrary, in my bill States are merely required to adopt the Federal standards for voting systems and equipment governed by the Federal Election Commission. At this time, over 36 States have voluntarily adopted these VSS standards. Those standards do not require specific machines or software but rather specific functionality and performance. For example, voting systems must have some error notification functions, be accessible to disabled voters, and have a capacity for audit trail to avoid fraud. Those basic requirements are not terribly complicated. I don't think that is a radical idea in the 21st century.

When you are voting for the Presidency of the United States, and when you are voting for the national assembly, how people vote in one jurisdiction affects the votes of others in other jurisdictions. You are not just voting for a local office. If you get it wrong in Connecticut when voting for the President, then voters in South Carolina have their vote diluted because the outcome could affect how they cast their ballots from South Carolina.

In Presidential elections, a national Congress having minimum Federal Standard that applies to all 50 States is absolutely required. Otherwise, you lend yourself to be open to the probability that in local areas where voters may not be allowed to vote, or the votes can't be counted, the overall outcome is affected. That dilutes the rights of other voters in other jurisdictions who have done it right and is a violation of the "one person, one vote" principle. This is not a radical idea.

The second requirement is provisional voting. Again, this is not a radical idea. Many jurisdictions already do it.

Very simply, someone shows up to vote. They claim they have registered to vote. They have filled out all the paperwork. And, for whatever reason, the person sitting in that precinct says: I am sorry, we don't have your name on the voter registration lists or there is a challenge for some other reason. We don't think you are registered to vote. At that point, you become a provisional voter. You allow that person to cast their ballot. Like an absentee ballot, you set it aside and allow that process to go forward. The person casts their ballot, the ballot is set aside, and at the end of the process, you go back and determine whether or not the voter was an eligible voter and otherwise entitled to cast a vote and have that vote counted. If the voter was right, you cast the ballot. If the voter was wrong, you don't cast the ballot.

This is not terribly complicated. I think, depending on the definition of "provisional ballot" process used, all jurisdictions already have some form of "provisional balloting". Again, it allows people who believe they have voted—in many cases properly reg-

istered—to then actually cast their ballot and have that vote counted.

Thirdly, the distribution of sample ballots and voting instructions: Thus far, every jurisdiction has sample ballots, the issue is how and whether those sample ballots are distributed. Because of the many different factors that influence ballots, such as constitutional amendments or referendums, it can be costly and labor intensive to print and distribute such sample ballots.

Today, having people take a look at sample ballots before you actually go in to vote just might facilitate the process, raise the level of awareness, and give people a chance to become more familiar with what is on the ballot. It is a value.

Those are all three of the requirements. The big battle is over whether or not they ought to be voluntary or mandated.

In the DOD bill, we said when it comes to uniformed services, this is not a choice you have, it is mandated. If this bill is adopted, we will mandate that every jurisdiction in America—whether you like it or not—is going to see to it that men and women in uniform have the right to vote and their vote counted.

It is not a great leap to say if it is good for uniformed services voters, it is also good to mandate the three basic minimum Federal requirements for all eligible voters, particularly when you are talking about elections of the Presidency and the National Congress?

I am not going to offer this larger provision on this bill. We have already incorporated in committee the minimum voting requirements for men and women in uniform. I strongly support what the committee has done. But I do want to raise the issue.

I know in the midst of everything else that is going on, it is not terribly likely—although it may become likely if the session runs longer than some anticipate—to actually bring up the election reform bill.

I cannot think of anything we could do that would express our sense of unity as Americans—I guess memories may fade a little bit, and obviously the events of September 11 are so huge that many people may have forgotten the amount of time and attention the Nation took last year—almost a year ago—on November 7th with the national election. In the weeks that went by before we resolved what occurred, night after night we watched what happened in the State of Florida, because that State happened to be the pivotal one. I quickly point out the problems existed in almost every State. And in some States, Georgia and Illinois for example, the problems were much more significant than the problems in Florida, we now know.

But I think we ought to go back and remind ourselves of what occurred and

how disappointed we were, as Americans, to see a voting system that had fallen into such disrepair. We were lecturing the rest of the world on how to vote. We had sent teams all over the globe, going to Third World countries, to show them how we do it in America. Well, now the world has gotten a good view of how we did it in America. Frankly, we were not terribly impressed nor was the world.

So I cannot think of a better message we could give to terrorists, and others who want to destabilize our country, than that we are going to get our voting system right, that we are going to come together, as Democrats and Republicans, and fashion a system that makes us all proud. My hope is that will happen.

As some may know, I have had discussions with my good friend from Missouri, Senator KIT BOND, who has some very strong ideas on how we could minimize voter fraud in this country. And it is a problem. He said something that I think is true, that we ought to have as sort of a slogan on this bill that it ought to be easy to vote and very difficult to commit fraud. And today it is hard to vote and maybe pretty easy to commit fraud. We need to reverse that trend.

So I am hopeful he and I can work out some proposal that we can present to the entire body here, possibly before we end this session of Congress. What a tremendous message we could send, that we are improving the voting process in this country. These requirements that I have laid out and talked about have already been adopted by many States.

The Voting systems standards have been voluntarily adopted by over 36 States. As I mentioned earlier, provisional voting, or some aspect of a provisional balloting procedure, has also been adopted in every State and the District of Columbia by statutes. For example, 20 States have provisional balloting statutes, 12 States contain some aspect of the provisional process, not all of them and about 18 States have no provisional ballot statutes but contain some related provisions, such as same-day voter registration.

The third requirement is sample ballot distribution and voting instructions. It is fairly straightforward. My best information indicates that at this time all States and the District of Columbia have laws providing for some form of sample ballots. However, how these sample ballots are distributed appears to vary quite significantly from State to State.

I will not go into all the details here. I don't want to take the time of my colleagues. Suffice it to say that the committee deserves a great deal of credit for what they have done for our men and women in uniform. The Federal mandate ought to substantially minimize the problems that occurred a

year ago across the nation for our men and women in uniform serving overseas when they want to cast votes and have their votes counted.

My hope is we can complete the process now by providing comprehensive election reform for every eligible American voter who desires to cast a vote and have that vote counted, just as we provide for our men and women in uniform. The men and women in uniform will be the first to tell you they do not want to be treated differently in that regard. They are citizens of the country. They are citizen soldiers, but citizens. And the right to vote and have your vote counted ought to be a right that is guaranteed to every eligible U.S. citizen who meets the requirements, regardless of race, ethnicity, disability, the language they speak, or the resources of the community they live in, whether abroad or in the United States.

So my hope is that in the midst of all the other things we are going to do to make our country stronger, to make it more secure, to protect our airports, to protect our buildings, to protect our people from the threats of terrorist attack, the one thing we might also try to do in the midst of all of this is to make our elections process stronger and prove that our democracy is strong.

It has been pointed out—I mentioned it earlier today—the tremendous heroic achievements of the passengers on the flight that crashed in Pennsylvania. Many of us believe that plane may have very well been headed for Washington, DC, and headed for this very building. We do not know exactly what happened there, but it appears as though some very heroic passengers took some very courageous action.

In fact, we do know from cell phone conversations that they did something that ought to remain in the minds of every one of us. They, in the midst of all of this, decided to have a vote about what to do, according to the cell phone conversations of several spouses who heard from their husbands.

Imagine this: Here are terrorists on a plane who are about to crash this plane—maybe into this very building, or some other facility; symbols of our democracy, our freedom, and our rights—and the passengers on that doomed aircraft decided to cast a ballot about what to do.

Mr. President, I would like to see us be able to cast our ballots as far as the eye can see in the future of this country, and to see that this process is strengthened, that every citizen, race, ethnicity, disability, the language they speak, the resources of the community in which they live, can have an equal opportunity to cast a vote and an equal opportunity to have that vote counted.

I cannot think of a better message that we could send, beyond the things we are doing already, to those who are

hiding in the shadows of the world tonight, possibly planning some form of terrorist attack, disregarding basic rights of people, than to say that in the target of your hostility, in a place called America, people have an equal opportunity to cast a vote and have those votes counted. We are going to make it stronger in the coming days and weeks, not weaker.

So I commend, again, the committee for their efforts. I further look forward to the opportunity when we can bring up a comprehensive election reform bill to right the wrongs and concerns that I think all of us agree occurred in last year's national elections. What better message can we send to the caves of Afghanistan, or wherever these people may be residing—they may be watching this debate—than that you may try, over and over again, to do everything to destabilize this country, but the people who cast their ballots on that plane that crashed in Pennsylvania are a reflection of who we are as a people. You will never deny us the right to vote and the right to choose our leaders democratically. I think the bill that JOHN CONYERS and I have offered in the House and the Senate, with some 51 cosponsors in this Chamber, goes a long way to achieving that desired result.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. 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. BOND. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

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

The Senator from Missouri is recognized.

(The remarks of Mr. BOND pertaining to the introduction of S. 1479 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BOND. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARPER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CARNAHAN). Without objection, it is so ordered.

AMENDMENTS NOS. 1809 THROUGH 1820, EN BLOC

Mr. LEVIN. Madam President, I ask unanimous consent that it be in order now to send 12 amendments to the desk and that they be considered en bloc. I understand these amendments have now been cleared by the other side.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Madam President, the amendments have been cleared on this side.

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

Mr. LEVIN. I urge the Senate adopt these 12 amendments.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN] proposes amendments numbered 1809 through 1820, en bloc.

The amendments are as follows:

AMENDMENT NO. 1809

(Purpose: To authorize, with an offset, an additional \$6,500,000 for research, development, test, and evaluation Defense-wide, with \$5,000,000 allocated for the Big Crow Program and \$1,500,000 allocated for the Defense Systems Evaluation program)

At the end of subtitle B of title II, add the following:

SEC. 215. BIG CROW PROGRAM AND DEFENSE SYSTEMS EVALUATION PROGRAM.

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide, is hereby increased by \$6,500,000, with the amount of the increase to be available for operational test and evaluation (PE605118D).

(b) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated by section 201(4), as increased by subsection (a)—

(1) \$5,000,000 may be available for the Big Crow program; and

(2) \$1,500,000 may be available for the Defense Systems Evaluation (DSE) program.

(c) OFFSET.—The amount authorized to be appropriated by section 301(5) for operation and maintenance for Defense-wide activities is hereby reduced by \$6,500,000.

AMENDMENT NO. 1810

(Purpose: Authorization.—\$2,500,000 is authorized for appropriations in section 201(1), in PE62303A214 for Enhanced Scramjet Mixing)

At the appropriate place in the bill, add the following:

SEC. 201(1). AUTHORIZATION OF ADDITIONAL FUNDS.

AUTHORIZATION.—The amount authorized to be appropriated in section 201(1) is increased by \$2,500,000 in PE62303A214 for Enhanced Scramjet Mixing.

OFFSET.—The amount authorized to be appropriated by section 301(5) is reduced by \$2,500,000.

AMENDMENT NO. 1811

(Purpose: To authorize, with an offset, \$2,800,000 for the Special Operations Forces Command, Control, Communications, Computers, and Intelligence Systems Threat Warning and Situational Awareness (PRIVATEER) program)

At the end of subtitle A of title II, add the following:

SEC. 203. FUNDING FOR SPECIAL OPERATIONS FORCES COMMAND, CONTROL, COMMUNICATIONS, COMPUTERS, AND INTELLIGENCE SYSTEMS THREAT WARNING AND SITUATIONAL AWARENESS PROGRAM.

(a) INCREASED AUTHORIZATION OF APPROPRIATIONS FOR RESEARCH, DEVELOPMENT,

TEST, AND EVALUATION, DEFENSE-WIDE.—The amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide, is hereby increased by \$2,800,000.

(b) AVAILABILITY.—Of the amount authorized to be appropriated by section 201(4), as increased by subsection (a), \$2,800,000 may be available for the Special Operations Forces Command, Control, Communications, Computers, and Intelligence Systems Threat Warning and Situational Awareness (PRIVATEER) program (PE1160405BB).

(c) OFFSET.—The amount authorized to be appropriated by section 301(5) for operation and maintenance for Defense-wide activities is hereby reduced by \$2,800,000.

AMENDMENT NO. 1812

(Purpose: To set aside funds for the critical infrastructure protection initiative of the Navy)

On page 65, after line 24, insert the following:

SEC. 335. CRITICAL INFRASTRUCTURE PROTECTION INITIATIVE OF THE NAVY.

Of the amount authorized to be appropriated by section 301(2), \$6,000,000 may be available for the critical infrastructure protection initiative of the Navy.

AMENDMENT NO. 1813

At the appropriate place, insert:
STUDY AND PLAN.—

(a) With the submission of the fiscal year 2003 budget request, the Secretary of Defense shall provide to the congressional defense committees a report and the Secretary's recommendations on options for providing the helicopter support missions for the ICBM wings at Minot AFB, North Dakota; Malmstrom AFB, Montana; and F.E. Warren AFB, Wyoming, for as long as these missions are required.

(b) Options to be reviewed include:

(1) the Air Force's current plan for replacement or modernization of UH-1N helicopters currently flown by the Air Force at the missile wings;

(2) replacement of the UH-1N helicopters currently flown by the Air Force with UH-60 Black Hawk helicopters, the UH-1Y, or another platform;

(3) replacement of UH-1N helicopters with UH-60 helicopters and transition of the mission to the Army National Guard, as detailed in a November 2000 Air Force Space Command/Army National Guard plan, "ARNG Helicopter Support to Air Force Space Command;"

(4) replacement of UH-1N helicopters with UH-60 helicopters or another platform, and establishment of composite units combining active duty Air Force and Army National Guard personnel; and,

(5) other options as the Secretary deems appropriate.

(c) Factors to be considered in this analysis include:

(1) any implications of transferring the helicopter support missions to the command and control of and responsibility for missile field force protection;

(2) current and future operational requirements, and the capabilities of the UH-1N, the UH-60 or other aircraft to meet them;

(3) cost, with particular attention to opportunities to realize efficiencies over the long run;

(4) implications for personnel training and retention; and,

(5) evaluation of the assumptions used in the plan specified in (b)(3) above.

(d) The Secretary shall consider carefully the views of the Secretary of the Army, Sec-

retary of the Air Force, Commander in Chief of the United States Strategic Command, and the Chief of the National Guard Bureau.

AMENDMENT NO. 1814

(Purpose: To require a report on health and disability benefits for pre-accession training and education programs)

On page 171, between lines 2 and 3, insert the following:

SEC. 589. REPORT ON HEALTH AND DISABILITY BENEFITS FOR PRE-ACCESSION TRAINING AND EDUCATION PROGRAMS.

(a) STUDY.—The Secretary of Defense shall conduct a review of the health and disability benefit programs available to recruits and officer candidates engaged in training, education, or other types of programs while not yet on active duty and to cadets and midshipmen attending the service academies. The review shall be conducted with the participation of the Secretaries of the military departments.

(b) REPORT.—Not later than March 1, 2002, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the findings of the review. The report shall include the following with respect to persons described in subsection (a):

(1) A statement of the process and detailed procedures followed by each of the Armed Forces under the jurisdiction of the Secretary of a military department to provide health care and disability benefits to all such persons injured in training, education, or other types of programs conducted by the Secretary of a military department.

(2) Information on the total number of cases of such persons requiring health care and disability benefits and the total number of cases and average value of health care and disability benefits provided under the authority for each source of benefits available to those persons.

(3) A discussion of the issues regarding health and disability benefits for such persons that are encountered by the Secretary during the review, to include discussions with individuals who have received those benefits.

(4) A statement of the processes and detailed procedures followed by each of the Armed Forces under the jurisdiction of the Secretary of a military department to provide recruits and officer candidates with succinct information on the eligibility requirements (including information on when they become eligible) for health care benefits under the Defense health care program, and the nature and availability of the benefits under the program.

(5) A discussion of the necessity for legislative changes and specific legislative proposals needed to improve the benefits provided those persons.

AMENDMENT NO. 1815

At the appropriate place, insert:

The Senate finds that a national tragedy occurred on September 11, 2001, whereby enemies of freedom and democracy attacked the United States of America and injured or killed thousands of innocent victims;

The Senate finds that the perpetrators of these reprehensible attacks destroyed brick and mortar buildings, but the American spirit and the American people have become stronger as they have united in defense of their country;

The Senate finds that the American people have responded with incredible acts of heroism, kindness, and generosity;

The Senate finds that the outpouring of volunteers, blood donors, and contributions of food and money demonstrates that America will unite to provide relief to the victims of these cowardly terrorist acts;

The Senate finds that the American people stand together to resist all attempts to steal their freedom; and

Whereas united, Americans will be victorious over their enemies, whether known or unknown: Now, therefore, it is the sense of the Senate that—

(1) the Secretary of the Treasury should—
(A) immediately issue savings bonds, to be designated as “Unity Bonds”; and

(B) report quarterly to Congress on the revenue raised from the sale of Unity Bonds; and

(2) the proceeds from the sale of Unity Bonds should be directed to the purposes of rebuilding America and fighting the war on terrorism.

AMENDMENT NO. 1816

At the appropriate place, insert:

SEC. . PERSONNEL PAY AND QUALIFICATIONS AUTHORITY FOR DEPARTMENT OF DEFENSE PENTAGON RESERVATION CIVILIAN LAW ENFORCEMENT AND SECURITY FORCE.

Section 2674(b) of title 10, United States Code, is amended—

(1) by inserting “(1)” before the text in the first paragraph of that subsection;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and

(3) by adding at the end the following new paragraph:

“(2) For positions whose permanent duty station is the Pentagon Reservation, the Secretary, in his role and exclusive discretion, may—

“(A) without regard to the pay provisions of title 5, fix the rates of basic pay for such positions occupied by civilian law enforcement and security personnel appointed under the authority of this section so as to place such personnel on a comparable basis with other similar federal law enforcement and security organizations within the vicinity of the Pentagon Reservation, not to exceed basic pay for personnel performing similar duties in the Uniformed Division of the Secret Service or the Park Police.

AMENDMENT NO. 1817

(Purpose: To further improve benefits under the TRICARE program)

On page 222, line 17, and after “include comprehensive health care,” insert the following “including services necessary to maintain function, or to minimize or prevent deterioration of function, of the patient.”

On page 226, strike line 15, and insert the following:

SEC. 706. PROSTHETICS AND HEARING AIDS.

Section 1077 of title 10 United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

“(16) A hearing aid, but only for a dependent of a member of the uniformed services on active duty and only if the dependent has a profound hearing loss, as determined under standards prescribed in regulations by the Secretary of Defense in consultation with the administering Secretaries.”;

(2) in subsection (b)(2), by striking “Hearing aids, orthopedic footwear,” and inserting “Orthopedic footwear”; and

(3) by adding at the end the following new subsection:

“(f)(1) Authority to provide a prosthetic device under subsection (a)(15) includes authority to provide the following:

“(A) Any accessory or item of supply that is used in conjunction with the device for the purpose of achieving therapeutic benefit and proper functioning.

“(B) Services necessary to train the recipient of the device in the use of the device.

“(C) Repair of the device for normal wear and tear or damage.

“(D) Replacement of the device if the device is lost or irreparably damaged or the cost of repair would exceed 60 percent of the cost of replacement.

“(2) An augmentative communication device may be provided as a voice prosthesis under subsection (a)(15).

“(3) A prosthetic device customized for a patient may be provided under this section only by a prosthetic practitioner who is qualified to customize the device, as determined under regulations prescribed by the Secretary of Defense in consultation with the administering Secretaries.”.

SEC. 707. DURABLE MEDICAL EQUIPMENT.

(a) ITEMS AUTHORIZED.—Section 1077 of title 10, United States Code, as amended by section 706, is further amended—

(1) in subsection (a)(12), by striking “such as wheelchairs, iron lungs, and hospital beds,” and inserting “which”; and

(2) by adding at the end the following new subsection:

“(g)(1) Items that may be provided to a patient under subsection (a)(12) include the following:

“(A) Any durable medical equipment that can improve, restore, or maintain the function of a malformed, diseased, or injured body part, or can otherwise minimize or prevent the deterioration of the patient’s function or condition.

“(B) Any durable medical equipment that can maximize the patient’s function consistent with the patient’s physiological or medical needs.

“(C) Wheelchairs.

“(D) Iron lungs.

“(E) Hospital beds.

“(2) In addition to the authority to provide durable medical equipment under subsection (a)(12), any customization of equipment owned by the patient that is durable medical equipment authorized to be provided to the patient under this section or section 1079(a)(5) of this title, and any accessory or item of supply for any such equipment, may be provided to the patient if the customization, accessory, or item of supply is essential for—

“(A) achieving therapeutic benefit for the patient;

“(B) making the equipment serviceable; or

“(C) otherwise assuring the proper functioning of the equipment.”.

(b) PROVISION OF ITEMS ON RENTAL BASIS.—Paragraph (5) of section 1079(a) of such title is amended to read as follows:

“(5) Durable equipment provided under this section may be provided on a rental basis.”.

SEC. 708. REHABILITATIVE THERAPY.

Section 1077(a) of title 10, United States Code, as amended by section 706(1), is further amended by inserting after paragraph (16) the following new paragraph:

“(17) Any rehabilitative therapy to improve, restore, or maintain function, or to minimize or prevent deterioration of function, of a patient when prescribed by a physician.”.

SEC. 709. MENTAL HEALTH BENEFITS.

(a) REQUIREMENT FOR STUDY.—The Secretary of Defense shall carry out a study to determine the adequacy of the scope and availability of outpatient mental health benefits provided for members of the Armed

Forces and covered beneficiaries under the TRICARE program.

(b) REPORT.—Not later than March 31, 2002, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the study, including the conclusions and any recommendations for legislation that the Secretary considers appropriate.

SEC. 710. EFFECTIVE DATE.

AMENDMENT NO. 1818

(Purpose: To amend Title 5 of the United States Code to authorize payment of hostile fire pay to civilian employees of the federal government under certain conditions)

SEC. . HOSTILE FIRE OR IMMINENT DANGER PAY

(a) IN GENERAL.—Chapter 59, Subchapter IV of title 5, United States Code, is amended by adding at the end the following new section:

“§ 5949 Hostile fire or imminent danger pay

“(a) The head of an Executive agency may pay an employee special pay at the rate of \$150 for any month in which the employee, while on duty in the United States—

“(1) was subject to hostile fire or explosion of hostile mines;

“(2) was in an area of the Pentagon in which the employee was in imminent danger of being exposed to hostile fire or explosion of hostile mines and in which, during the period on duty in that area, other employees were subject to hostile fire or explosion of hostile mines;

“(3) was killed, injured, or wounded by hostile fire, explosion of a hostile mine, or any other hostile action; or

“(4) was in an area of the Pentagon in which the employee was subject to the threat of physical harm or imminent danger on the basis of civil insurrection, civil war, terrorism, or wartime conditions.

“(b) An employee covered by subsection (a)(3) who is hospitalized for the treatment of his injury or wound may be paid special pay under this section for not more than three additional months during which the employee is so hospitalized.

“(c) For the purpose of this section, “United States” means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States.

“(d) An employee may be paid special pay under this section in addition to other pay and allowances to which entitled. Payments under this section may not be considered to be part of basic pay of an employee.”.

(b) TECHNICAL AMENDMENT.—The table of sections at the beginning of chapter 59 of such title is amended by inserting at the end the following new item:

“Sec. 5949 Hostile fire or imminent danger pay.”.

(c) EFFECTIVE DATE.—This provision is effective as if enacted into law on September 11, 2001, and may be applied to any hostile action that took place on that date or thereafter.

AMENDMENT NO. 1819

(Purpose: To provide family support benefits for the families of members of the Armed Forces involved in national emergency operations of the Armed Forces)

At the end of title VI, add the following:

Subtitle F—National Emergency Family Support

SEC. 681. CHILD CARE AND YOUTH ASSISTANCE.

(a) **AUTHORITY.**—The Secretary of Defense may provide assistance for families of members of the Armed Forces serving on active duty during fiscal year 2002, in order to ensure that the children of such families obtain needed child care and youth services.

(b) **APPROPRIATE PRIMARY OBJECTIVE.**—The assistance authorized by this section should be directed primarily toward providing needed family support, including child care and youth services for children of such personnel who are deployed, assigned, or ordered to active duty in connection with operations of the Armed Forces under the national emergency.

SEC. 682. FAMILY EDUCATION AND SUPPORT SERVICES.

During fiscal year 2002, the Secretary of Defense is authorized to provide family education and support services to families of members of the Armed Services to the same extent that these services were provided during the Persian Gulf war.

AMENDMENT NO. 1820

(Purpose: To authorize the Secretary of Transportation, in consultation with the Secretary of Defense, to waive, or limit the application of, vehicle weight limits applicable to a route on the Interstate System in the State of Maine during a period of national emergency)

On page 363, after line 25, add the following:

SEC. 1066. WAIVER OF VEHICLE WEIGHT LIMITS DURING PERIODS OF NATIONAL EMERGENCY.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(h) **WAIVER FOR A ROUTE IN STATE OF MAINE DURING PERIODS OF NATIONAL EMERGENCY.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of this section, the Secretary, in consultation with the Secretary of Defense, may waive or limit the application of any vehicle weight limit established under this section with respect to the portion of Interstate Route 95 in the State of Maine between Augusta and Bangor for the purpose of making bulk shipments of jet fuel to the Air National Guard Base at Bangor International Airport during a period of national emergency in order to respond to the effects of the national emergency.

“(2) **APPLICABILITY.**—Emergency limits established under paragraph (1) shall preempt any inconsistent State vehicle weight limits.”.

AMENDMENT NO. 1809

Mr. BINGAMAN. Madam President, I am introducing this amendment with Senator DOMENICI to S. 1438, the fiscal year 2002 National Defense Authorization Act, to provide funds badly needed for two vital test support activities in the Department of Defense, DoD. The Big Crow program provides DoD with highly sophisticated airborne electronic warfare capabilities that enable us to test our newest weapon systems and technologies in a realistic battle environment in which electronic warfare is likely to be used. The system can also be used operationally if a requirement suddenly occurs. The Defense Systems Evaluation, DSE, pro-

gram provides aircraft to replicate enemy and friendly aircraft in testing Army air defense programs and technology. Both of these programs provide vital test support assets used by all the military services. Unfortunately, it is typical for programs that provide cross-service support to be inadequately funded by their parent service organization. This year's President's budget request did not seek any funding for these programs, perhaps relying on the Congress, once again, to provide the emergency funds needed to keep them operating.

Thus we find ourselves again this year, seeking the funding needed for these two programs in order for them to continue to provide vital test support activities for all of the military services. The amendment, which Senator DOMENICI and I offer, will provide the minimum necessary funding to enable Big Crow and DSE to operate during fiscal year 2002.

There are other test support programs in the DoD that suffer the same circumstance as the two for which I am seeking funding. They refer to them in the Pentagon as “the orphans.” The Defense Science Board, DSB, recently completed a review of operational testing and evaluation in the Department of Defense and published a report containing a number of significant recommendations about how to improve that process to make it more effective and efficient. The DSB recommended that DoD seek ways to encourage and implement joint service testing. Among their recommendations, the DSB endorsed budget oversight responsibility for orphan programs such as Big Crow and DSE to the Director, Operational Test and Evaluation in the Office of the Secretary of Defense. Actual test and evaluation activities would remain the province of the military services.

This year's Defense authorization bill reported out by the Armed Services Committee contains a provision requesting the Secretary of Defense to review the DSB report and to submit recommendations regarding its implementation with the budget request submission for fiscal year 2003. I am hopeful that the Secretary will endorse the DSB findings so that the Department will finally exercise appropriate oversight and support for cross-service test activities. In the meantime, the amendment I am introducing is necessary to keep those essential test activities underway. I urge my colleagues to support its adoption.

The PRESIDING OFFICER. The question is on agreeing to amendments Nos. 1809 through 1820, en bloc.

The amendments (Nos. 1809 through 1820) were agreed to.

Mr. LEVIN. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LEVIN. Madam President, we had hoped and expected there was going to be an additional amendment of Senator HOLLINGS to which Senator WARNER and I had agreed, but there was a last minute objection, I believe, on the Republican side. We will try to do the best we can on that in the morning.

Mr. WARNER. Madam President, the chairman is correct. We believed we had it worked out, and at the last minute there was an objection on this side.

MORNING BUSINESS

Mr. LEVIN. Madam President, I ask unanimous consent that there be a period for morning business, with Senators permitted to speak for up to 5 minutes each.

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

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Madam President, I ask unanimous consent that it be in order for me to deliver my remarks from my seat.

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

CAREER-ENDING HONORS FOR GENERAL HENRY H. SHELTON

Mr. HELMS. Madam President, this morning marked an unmistakably glorious conclusion to the remarkable military career of one of North Carolina's most famous citizens, GEN Henry H. Shelton.

It occurred at Fort Myer, VA, with scores of America's best-known leaders—both military and civilian, on hand for the spectacular event.

All branches of the armed services participated. The Secretary of Defense, for example, Don Rumsfeld, was there, as was Secretary of State Colin Powell. The marching bands didn't miss a cue or a note. It was splendid, every minute of it, in every detail.

General Shelton's farewell remarks were a modest review of the many things he had seen and things he had done in many places around the world. His wife Carolyn's eyes brimmed with tears a few times, a measurement of her pride in, and her love for, her remarkable husband.

All in all, it served to make those of us present a bit prouder of our country as we surveyed the troops from all of the services and heard the bands strike up.

I believe Senators will enjoy reviewing the address by GEN Henry H. Shelton on this, the morning of his retirement from the U.S. Army—and especially, as General Shelton turned over the chairmanship of the Joint Chiefs of Staff to his friend, GEN Dick Myers.