

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Michigan.

Ms. STABENOW. Mr. President, I yield back the time on the Treasury-Postal appropriations bill.

The PRESIDING OFFICER. All time is yielded back.

TANF SUPPLEMENTAL GRANTS

Mr. DASCHLE. Mr. President, I would like to enter into a colloquy at this time.

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

Mr. DASCHLE. I thank the Chair.

Mrs. HUTCHISON. I thank the Chair, and I thank the distinguished majority leader.

Mr. President, I seek recognition to ask the majority leader to commit to working with me on an issue that is very important to many States, and it is important to the high-growth States that also have very tough problems in meeting their welfare needs, States such as Texas, Alabama, Alaska, Arizona, Colorado, Florida, and Georgia.

Many States in the welfare bill were trying to gear up to change their welfare programs. As you know, the welfare reform bill was a 5-year bill, but the temporary assistance for the supplemental grants for high-growth States was only authorized for 4 years.

The Finance Committee yesterday marked up and passed out the 1-year extension that would match the welfare bill to help these States.

The budget resolution that we passed accommodated the cost of this added 1-year authorization. I am bringing it up because I wanted to offer it as an amendment on the Labor-HHS appropriations bill, but it was considered legislation. The Finance Committee has acted, and in one of those process things, I just wanted to make sure that we did not get lost in the shuffle because my State is certainly counting on it, and Florida is counting on it.

It will make a huge budget deficit for many of these States if we do not authorize and appropriate this last year of the supplemental request for the welfare reform bill.

My purpose in bringing this up is to say I will not offer my amendment on the Labor-HHS bill, but I did want to get the commitment from the majority leader that we will work to fix this technical error before we go out of session so that the States that have already budgeted, thinking this money was coming, will have the benefit of this expenditure.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, I appreciate the concern and the coopera-

tion of the Senator from Texas. She has been a very strong advocate for her State in this regard. I completely appreciate the situation in which she finds herself in this effort.

TANF supplemental payments need to be extended for 1 more year. There shouldn't be any question about that.

The Graham bill to extend these payments, as she noted, was marked up in the Finance Committee today. I understand there is a bipartisan commitment to move that bill through the Senate and have it enacted into law. I assure her I will do everything I can to accommodate that bill and to see that we are successful in getting it done before the end of this session of Congress.

Mrs. HUTCHISON. Mr. President, I very much appreciate the majority leader coming to the floor to give this assurance because as we are dividing the money in the last appropriations bills—I know the majority leader has some priorities—I want to make sure this is also a priority. It affects so many States that have been impacted by the large number of needy families because they are higher growth than the original welfare formula was able to accommodate.

I do thank the majority leader. I look forward to working with him in every way I can. I am glad he mentioned the Senator from Florida, Mr. GRAHAM, who sponsored the bill in the Finance Committee. It is very important to our two States that we accomplish this before the end of the year. I certainly know, with the majority leader's support, we will be able to do that.

I thank the Chair. I yield the floor.

Mr. DASCHLE. Mr. President, I thank the Senator from Texas again for her cooperation and look forward to working with her in the weeks ahead.

I yield the floor.

Mr. GRAHAM. Mr. President, I am proud to be here with my partner, Senator HUTCHISON and the Senate majority leader to join in this important discussion. Just a few hours ago, the Finance Committee reported out the TANF Supplemental Grants Act of 2001. This bill is critical to the ability of 17 States to help their most vulnerable citizens move from welfare to work.

If this bill is not passed into law, several states will be forced to scale back their welfare reform efforts, which have shifted in recent years to include support services for low-income working families and efforts to address the multiple barriers to employment that face a substantial share of the families that remain on welfare. In these difficult economic times, States will require all available resources to provide cash assistance and work support services to low income families who have been displaced from their jobs. Our bill will give these States the tools necessary to do just that.

I thank Senator HUTCHISON for her leadership on this issue, Senators BAU-

CUS and GRASSLEY for making a commitment to the passage of this bill by reporting it out of committee today, and Senator DASCHLE for his dedication to ensuring the bill's passage into law this year.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the conference report will be stated.

The legislative clerk read as follows:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2311) making appropriations for energy and water development for fiscal year ending September 30, 2002, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of conferees.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of October 30, 2001.)

The PRESIDING OFFICER. Who yields time?

Mr. REID. Mr. President, what is the matter now before the Senate?

The PRESIDING OFFICER. The conference report to accompany H.R. 2311.

Mr. REID. Mr. President, I am entitled 10 minutes under the unanimous consent agreement, as is the Senator from New Mexico, Mr. DOMENICI, the two managers of this appropriations conference report. I am not going to take that time.

When the bill came before the Senate, it passed overwhelmingly. I believe it was 92-2. Two people voted against it. By the time we got to conference, there were two or three open items. We settled those in one evening.

It is a good bill. As with all pieces of legislation, it is probably imperfect, but it is the best we can do.

I see my friend from Montana in the Chamber. There is a provision in the bill about which he and I have spoken dealing with drilling for oil in New York near the Finger Lakes. The Senator is absolutely right that the matter in our bill is under the jurisdiction of the Interior Appropriations Subcommittee and not within the jurisdiction of matters of the Energy and Water Appropriations Subcommittee. That was done in this Chamber.

Certainly, we did not try to hide anything. It was in the bill before it went to conference.

It is for 1 year. Originally the amendment given to us would have done it permanently. It is basically for 1 year during the appropriations cycle.

So I say to my friend from Montana publicly, as I said privately, I am sorry he was not aware of this. It certainly was nothing that was done by either

Senator DOMENICI or me. We would be happy to work with him next year if there is a problem in this regard.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, in responding to the Democratic whip's remarks, I brought this to his attention this afternoon as it was brought to my attention. Section 316 of the Senate bill that was included in the conference agreement with a slight modification says as to prohibition of oil and gas drilling in the Finger Lakes National Forest of New York: no Federal permit or lease shall be issued for oil or gas drilling in Finger Lakes National Forest of New York during fiscal year 2002.

Basically, that is legislating on an appropriations bill. It was put into a managers' package and, of course, with the jurisdiction being over in Interior appropriations, if any action was taken at all. Now, this rider blocks, without further consideration, oil and gas permits within that national forest. It looks like not only a jurisdictional issue, and I respect the desire of the Senators from New York to work on issues in their State, but in this time of an economic downturn and trying to make some sense of an energy policy in this country, it seems ludicrous to me that a nongermane amendment would be allowed on this legislation, especially in a time when we are trying to find energy for this country and wean us off this foreign dependence on oil.

It is especially questionable to allow a rider at this time when New York is searching for economic opportunities, asking the Congress to provide thousands and millions and billions of dollars in their time of need, and yet take away from the State an economic base, a base from which to grow. It makes no sense to me at all, especially when there is the potential for jobs and economic growth and then that is taken away sort of in a dark-of-the-night rider.

I do not presume to change Medicare policy in an Interior bill. I do not attempt to change the nuclear storage policy on an Interior bill because the jurisdiction lies elsewhere. From my position on the Interior Subcommittee, I would like to consult with the leadership of the Energy and Water Subcommittee, the Bureau of Reclamation or the Department of Energy on issues where we have overlapping jurisdiction. And we do. We exchange that information freely.

Now I realize it is too late to change this in this conference report, and I want to pass this conference report with basically the chairman of that subcommittee on the Appropriations Committee.

The chairman and the ranking member have done a great job of putting together this bill. I support it wholeheartedly. I thank them for all they put into this, especially those relating to the State of Montana.

The inclusion of section 316 is an exception rather than the rule. I expect in the future we will have closer consultation on the matters that cross subcommittee jurisdiction. I also believe the fate of 316 may change as soon as we have better information as to its actual impact on oil and gas operations.

I would think the Senators contemplating their economic base in their State would know this is ill-advised at this time.

Again, I applaud the managers of this legislation and wholeheartedly support it, with the exception of this.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REID. 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. REID. Mr. President, if I could get the attention of my friend from New Mexico, Senator DOMENICI, I say to him we worked very hard Wednesday night to complete this conference report. I want to compliment the Senator because I have just briefly been chairman of this subcommittee but, as I said at that conference, the way we have worked together, it really does not matter who is chairman and who is the ranking member. We understand the jurisdiction in the subcommittee and have worked closely together for many years.

I would like to send a message to this administration, and I say "this administration" because it does not matter who we have in the White House. It seems whether it is a Democrat or Republican, we get treated the same. I am speaking about the Corps of Engineers. The Corps is always underfunded, recognizing that we in Congress will bail them out.

It reminds me of when I was chairman of the Military Construction Subcommittee. They did the same with the Guard and Reserve units at home. The administration simply would not fund those appropriately. As a result, Congress had to come every year and bail out the administration. That is what we have done in this bill. We have bailed out the administration, just as we did the 8 years that Clinton was President and the 4 years before that when Bush was President. I do not know why they do not recognize the importance of the Corps of Engineers.

I say to my friend, the distinguished Senator from New Mexico, the Corps has been a salvation to the State of Nevada, not only in rural Nevada but in urban Nevada. Las Vegas could not have the growth it has but for the Corps of Engineers, which has been

magnificent in projects to stop flooding and flood control projects.

So I say to my friend, I hope somehow we can get the message to this administration that they should look at what the Corps does, and maybe this administration will do the right thing and set an example for other administrations to follow because, as I say for the second time, I am not going after President George Bush and his administration. I am going after all administrations for how they neglect and ignore the Corps of Engineers and, frankly, the Bureau of Reclamation which does such good things for our country.

Will the Senator from New Mexico agree with my statement?

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. First, I say to my friend, the chairman of the subcommittee, the Senator from Nevada, I believe we have a very good bill. When one has water projects that everybody in the country believes they need, they are Members of the Senate and House and they indicate that there is a flood protection project, it meets the standard that the Corps has set up, and that means they are going to pay their portion of it required by law, and it fits every standard. It is pretty difficult for us to say we are not going to do it this year because, once again, the administration has underfunded water projects—that is, the Corps of Engineers—and so the request is going to have to be taken somewhere else. There is no somewhere else. If there is a major flood protection project, it meets the standards in terms of cost-benefit. Clearly, we have to ask the U.S. Government, as part of its Corps of Engineers, to work to fund it. There is a split in the cost. The local unit has to pay its share.

The Senator asked a good question. I can answer it because I was chairman of this subcommittee for almost 6½ years, and the Senator from Nevada was ranking member. We saw a number of budgets. We only saw one budget from President Bush. The remaining were from Bill Clinton. Never in any year in my 6½ years or the Senator who is wrapping up his first year—never have we had a realistic assessment of the Corps of Engineers' work to be done, needed in these United States for various water projects. It started back perhaps as far as President Ronald Reagan, perhaps as far back as Richard Nixon.

Think how difficult water projects were. The OMB, which is the technical group that puts together a budget, always finds it easy to recommend to a President a reduction, a cut, or not enough money for the Corps of Engineers to do its work. The Office of Management and Budget is not interested in water projects or flood protection as a major endeavor of the United States. They think it is secondary. They go

through their work and are delighted they are meeting a budget that reduces expenditures. An easy item for them to cut includes water projects and the Corps of Engineers. That will save a lot of money.

They find in Congress a Senator, a Representative, or a Governor who has requests of the subcommittee and looks seriously at a project not taken care of in that process I just described. That happens every year. Every year we find very good projects, needed by the local community, which fit the Corps of Engineers' requirements already evaluated in terms of the cost-benefit ratio. If it does not have a good cost-benefit ratio, we are not supposed to pay for it. Even if it does, somebody decides anyway they will not do it. That usually is the Office of Management and Budget representing the President.

We now have a good bill. We had to go over the President and the Corps of Engineers, but most Members of Congress think this is a good deal. The Corps, in my opinion, continues to be maligned regardless of how well it does its work. Somebody on some issue puts forth facts and somebody decides it is time to attack the Corps of Engineers.

I have been here long enough to see a cycle. In part of my Senate life, the Corps of Engineers was valued; it was very important. The recommendations they made were good and everybody knew they were technically sound. Then we had a cycle when the White House was joined by Senators and Representatives and the Corps of Engineers was to be maligned: It was not a very good institution of our Government. There are still people who do not want the projects to be built, who think the Corps of Engineers is not good. Very few will say their projects are not well done, well defined and well engineered.

The White House, one after another, continued to propose reductions. We get blamed for spending too much because they did not spend enough. When we do the responsible thing and add funding, we are spending too much on water projects or funding your favorite or my favorite or some Senator's favorite water project.

The balance in this bill is pretty good. In the future, water projects will go up, not down. That is how I see it. I hope we can complete our bill and have a vote tonight. It is a good bill.

I am pleased to join Chairman REID to present the conference report for the fiscal year 2002 energy and water appropriations before the Senate today. This has been a tough process and I want to thank all of the members involved for their patience in working through the issues.

Chairman REID has done a good job under very difficult circumstances to put together a fair agreement that accommodates, to the extent possible, all of the competing desires. The situation

was particularly difficult for the Senate, as the conference allocation for defense funding was \$550 million below the Senate passed bill.

Despite the difficulties involved, we were still able to put together a conference agreement that funds nuclear weapons stockpile stewardship at \$5.7 billion. Although that is a \$350 million reduction from the Senate passed level, it still represents a \$700 million (14 percent) increase over last year's conference level, and is \$400 million over the budget request. This significant increase will allow us to get many programs back on track, including the pit production effort. It also allows us to begin a major infrastructure rebuilding program this year with a \$200 million appropriation.

The bill is not perfect. In fact, I remain concerned that the Senate was not able to hold all of the increased funding we provided for nonproliferation work at the NNSA. In particular, we had provided a significant increase of \$55 million to nonproliferation research and development. Before September 11, I was a strong believer in the important work our laboratories do in research, development and deployment of technologies we need to detect and respond to the growing threat of chemical, biological and nuclear terrorism. As such, we added a significant sum of money in the Senate bill.

The importance of this work is obvious to everyone today, as we have seen the NNSA labs play key roles in our government's response and clean-up of the anthrax attacks. Furthermore, the labs are now playing much greater roles in providing technical advice and technologies to many other government agencies—from advising the postal service on how to protect the mail, to developing the most advanced chem/bio detectors for deployment in Washington and other areas. The nonproliferation R&D account funds these and many other activities. As the Congress moves forward this year, we must find other resources in the \$20 billion supplemental to fund these needs. In fact, I have suggested to the President and others, that we should spend an additional \$255 million specifically for counter-terrorism R&D and nuclear nonproliferation activities beyond what the President requested in the supplemental.

I look forward to working with all Senators to further address this issue before we adjourn this year.

As for the water portion of the bill, my colleagues may recall that the administration proposed a \$600 million reduction to the Corps of Engineers, or a 13 percent reduction from last year's level. Given the state of the country's aging infrastructure, we all felt that this was an irresponsible budget to propose. Therefore, the conference worked to restore the majority of the cuts, by restoring \$500 million of the reduction.

It will come as no surprise to my colleagues that the requests for additional projects and funding far outweighed the resources of this bill. However, the conference has tried to balance critical needs across the country.

Before I end my statement, I would be remiss if I did not mention and commend the outstanding staff involved in this process for the Senate. Senator REID's staff of Drew Willison and Roger Cockerell, for they have been professional and very open with me and my staff throughout this whole process. In addition, I would like to thank my own staff, Clay Sell, Tammy Perrin, Jim Crum, and Lashawnda Smith. They have all served us well and we appreciate their fine work.

Mr. President, I will now briefly state my best analysis of this bill. I will talk about two items. First, everybody should know that in the next 30 or 40 minutes we will vote on the bill. The title of the bill "energy and water," seems as though it doesn't have anything serious in terms of America's future: We are just spending the money needed to pay for things. This doesn't have oil production, utility lines. It has nothing to do with enhancing America's production of energy by changing tax laws.

It is energy and water tied together. In that piece called "energy" is all of the money needed and to be appropriated by the Congress for the nuclear weapons safety and maintenance. All the weapons we own are under the control and jurisdiction, by happenstance, of the Department of Energy. Money is transferred from the Department of Defense to this subcommittee to pay for all of the activities with reference to nuclear weaponry.

Part of that is a new concept and a new carve-out with a new boss. General Gordon, who used to be with the CIA and was a general in the military before that, has accepted a job to head up the agency that has been carved out. He has jurisdiction over two things. They are gigantic. One is the science-based stockpile stewardship. Interesting words. The other is nonproliferation. They are very important programs.

The part that has to do with the science-based stockpile stewardship came into being when Congress, the year before last, was filled to the gills over the dysfunctional nature of the management of this part of the U.S. Government's business by the Department of Energy. People were allegedly stealing important secrets, and the contentions were flying as to whether the Department of Energy or the laboratories could keep secrets and keep important items from getting into the hands of our enemies.

It was decided, and I was one who helped write the bill, and was joined by a number of other chairmen at that

point, and we passed a bill; the National Nuclear Security Administration was created. General Gordon heads it. Ultimately, when it has everything in shape, the nuclear activity that has to do with the science-based stockpile stewardship and all of the activities regarding nuclear weaponry will be in charge of that carve-out within the Department.

While putting that together, some Senators did not think it was a good idea, including my friend, the chairman, who was then the ranking member. He has iterated his position recently, saying he wasn't for it then but he thinks it is a good idea and he supports it wholeheartedly now and, in particular, the general who heads it.

The reason it is in existence is that America has made a commitment in a very dangerous world. We made a commitment on our own that we would do no more nuclear testing. It was voluntary by the United States. We are still living with it.

I yield the floor.

Ms. STABENOW. Mr. President, I ask unanimous consent to use the time allocated to me under the energy and water appropriations conference report at this time.

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

Ms. STABENOW. Mr. President, I rise at this time to support the conference committee on the energy and water appropriations bill. I want to indicate how extremely pleased I am that this bill includes an absolutely critical provision to protect the Great Lakes from oil and gas drilling. This provision, which I offered, along with Senator FITZGERALD and numerous others, including the occupant of the chair, as an amendment to the Senate bill, protecting the waters of the Great Lakes by asking, first, for a complete study of the impact of oil and gas drilling in the Great Lakes to be done by the Army Corps of Engineers, and it places an immediate 2-year ban on new oil and gas drilling during the process of this study. It is my hope that this is the first step to a permanent ban on any oil and gas drilling in the Great Lakes.

I first thank the distinguished chairman of the Subcommittee on Energy and Water Development of the Appropriations Committee, Senator REID, for his support of this important Great Lakes amendment. I thank him very much. I thank the ranking member of Energy and Water, Senator DOMENICI, who was equally as supportive. I very much appreciate both having that amendment adopted in the Senate and their willingness to make sure that it remained in the conference report.

I also thank House Chairman CALLAHAN and Ranking Member VISCLOSKEY for their willingness to support this provision and include it in the conference report, as well as all of the House and Senate conferees.

Mr. President, I emphasize that preventing drilling in the Great Lakes is an issue about which we all care on both sides of the aisle. As I indicated earlier, Senator PETER FITZGERALD was the lead Republican cosponsor of my amendment. I am extremely pleased and grateful to him for stepping forward. He and Senator DURBIN of Illinois have both stepped forward in strong leadership to protect the Great Lakes.

I also thank these distinguished Senators who joined me in this effort, in lending their name and their leadership: My senior Senator from Michigan, Senator CARL LEVIN; as I mentioned, Senator DURBIN; Senator VOINOVICH; Senator DAYTON, who is in the chair; Senator FEINGOLD, Senator SCHUMER, Senator KOHL, Senator WELLSTONE, Senator CLINTON, Senator BAYH, and Senator DEWINE. This was a Great Lakes effort of Senators on both sides of the aisle.

Finally, I thank my colleagues in the House, Congressmen DAVE BONIOR and BART STUPAK, and the Michigan House delegation that worked together on a bipartisan basis to support this effort—particularly BART STUPAK who has been a real pioneer in the effort of protecting the Great Lakes. When it was time in the conference committee to call on critical support to explain what we were doing, I am very grateful to Congressman DAVE CAMP for his willingness to be intimately involved in this effort, as well as Congressmen FRED UPTON, PETE HOEKSTRA, and VERN EHLERS for their wonderful support.

In case my colleagues are not aware, this is a particular issue of concern to Michigan, where it was decided they would be interested in providing up to 30 new permits for oil and gas leasing in the Great Lakes and Lake Huron. At this point in time, this will allow us to staff and reevaluate what was being proposed and what, I might add, has been overwhelmingly opposed in Michigan, as well as in all of the Great Lakes States. There has been overwhelming opposition to doing anything that would jeopardize our Great Lakes.

The Great Lakes are one of our Nation's most precious public natural resources. And 33 million people rely on the Great Lakes for their drinking water. In fact, 10 million of them rely on Lake Michigan alone. Millions of people use the Great Lakes each year to enjoy the beaches, the great fishing, and boating. The latest estimate shows that recreational fishing totals a \$1.5 billion boost to Michigan's tourist economy alone.

The Great Lakes coastlines are also home to wetlands, dunes, endangered species, and plants, including the rare piping plover, Michigan monkey flower, Pitcher's thistle, and the dwarf lake iris. Lake Michigan alone contains over 417 coastal wetlands, the most of any Great Lake.

Great Lakes drilling would place the tourism economy, the Great Lakes ecosystem, and a vital source of drinking water at great risk for a very small amount of oil.

Last year, Michigan produced about 2 minutes' worth of oil—2 minutes' worth of oil—from Great Lakes drilling, which has been allowed since 1979. That is 2 minutes of usage in a year. From our standpoint, this amount of oil is certainly not worth any potential risk.

I can't stress how important tourism is to the Michigan economy and how important it is that we are coming together in this way to address our important natural resource.

The Great Lakes are interconnected, and they border eight States: Minnesota, Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, New York, and, of course, Michigan.

This means that an oil spill in Lake Michigan could wash up on the shores of not only Michigan, but Indiana, Illinois, and Wisconsin. That is why we joined together to put forward this Federal policy to protect the Great Lakes.

The provision in the energy and water appropriations conference report is reasonable, prudent. It is an approach to an issue that makes sense. It asks the Army Corps of Engineers to study the safety and the environmental impact of drilling in the Great Lakes, and it places a 2-year ban on any new drilling.

Again, I thank Senator HARRY REID for his outstanding leadership in so many ways, as he manages the floor, and certainly in this area of energy and water, where my great State of Michigan is in his debt for his leadership. He and Senator DOMENICI together have put forward an excellent bill and one that is going to make sure we have put forward a policy to protect our Great Lakes.

I might say one other thing. I hope this is the beginning of an effort to look for ways, as the Great Lakes Senators, to work together to address a number of threats to the Great Lakes. We have now stopped oil and gas drilling. I hope now we will join together on issues of invasive species, ballast water dumping from ships that come in from outside the Great Lakes Basin and are bringing in zebra mussels and sea lamprey and other invasive species wreaking havoc in the lakes. We have a number of threats to this great natural resource, and I think the amendment we were successful in achieving here is a wonderful example of what we can do together on a bipartisan basis, working together with colleagues in the House.

I thank again everybody who was involved in this effort, including, I might add, a wonderful staff of mine, Noushin Jahanian, the person working specifically on this issue; my legislative director, Sander Lurie; chief of staff,

Jean Marie Neal, and all of those who worked hard to achieve this very important goal for the Great Lakes. Thank you.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I ask unanimous consent when Senator McCAIN completes his statement, Senator KYL be recognized to offer an amendment.

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

Mr. REID. I have spoken to Senator KYL. Senator KYL has asked for 30 minutes, equally divided.

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

Mr. REID. I have asked that Senator KYL be recognized when Senator McCAIN completes his statement, for purposes of offering an amendment to the Labor-HHS bill. Everyone should be advised when the Senator finishes his statement, we are going to enter into a unanimous consent agreement on the Kyl amendment. In that way, the Senator will not need to be interrupted.

Mr. DOMENICI. And when will we vote on the energy and water bill?

Mr. REID. We will vote on it—as soon as we finish the statement of the Senator from Arizona, we are going to do the Kyl amendment and then we will have three votes. One will be on the Treasury-Postal Service conference report, the energy and water conference report, and then on the Kyl amendment. As we have been advised by our faithful staff, not necessarily in that order.

Mr. DOMENICI. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

AGRICULTURE APPROPRIATIONS

Mr. McCAIN. Mr. President, I would like to address two issues tonight. One is the last-minute amendments that were made to the Agriculture appropriations bill last week, and a statement concerning the conference report for the fiscal year 2002 energy and water appropriations. I do not intend to spend too much time because I know my colleagues are inconvenienced.

But one of the reasons I am having to give this statement now is because last Thursday night we sat around. All the Senators were sitting around and when I asked what we were waiting for they said: The managers' package of amendments.

Finally the managers' package showed up. Everyone was in line to vote so we could get out of here. Guess what. They asked unanimous consent for the adoption of the management package—the manager of the bill, the Senator from Wisconsin. I said: Reserving the right to object, what is in it? Does anybody know what is in it?

Of course that was met with a resounding silence. So I informed my col-

league at that time I was very worried about a managers' package that none of us had seen, and I was worried that there might be provisions in it that I and others might find objectionable.

Then I was told there were 35 amendments included in the managers' package. Let's remember that a managers' package is supposed to be technical corrections to the overall bill. I want to tell my colleagues what went on last Thursday night and the reason this system has lurched out of control. It is a disgrace, I say to my colleagues; it is a disgrace.

To reiterate, at the tail end of last week's proceedings, the managers for the agriculture appropriations bill "cleared" a package of 35 amendments to be included in the final Senate bill. Again, these are 35 amendments that none of the other Senators voting on the bill had received any information about, nor had any opportunity to review.

While I did not object at the time to approving these amendments by unanimous consent, I was very concerned about the nature of these amendments. As it turns out, I had good reason to be concerned. Of these 35 amendments, about 15 of these amendments included direct earmarked spending or objectionable legislative riders. These additional earmarks amount to an extra \$8 million in porkbarrel spending—on top of the \$372 million already included by the appropriators in the Senate bill.

Mr. President, I understand that the managers for a bill have the privilege to add and remove certain provisions to a bill in order to move it along the process, or agree to clarifying technical amendments. I am not singling out the managers for the agriculture appropriations bill because the negotiation process is a part of any bill under consideration.

However, this particular situation involves a direct spending measure and should require higher scrutiny in approving federal funds, which are normally considered in the committee process to ensure that projects are authorized and approved by the Congress. This should be true of any of the appropriations or budget bills we consider.

Unfortunately, there is no way for us to tell if these last-minute earmarks were included because of their national priority or merit. They are simply added on, either in attempts to gain support to move the bill or tack on earmarks that might not pass legislative review.

Some of my colleagues may be interested to know what amendments were included in the last-minute roundup in the manager's package. Let me give you a sample:

Relief for sugar growers from paying a required marketing assessment;

Special consideration provided to the State of Alaska—that should surprise a lot of my colleagues—for income quali-

fications for housing for individuals under 18;

There is another surprise: an increase in the earmark for West Virginia State College by more than \$500,000, and including additional language for preferential consideration to this same college by designating it as an 1890 institution;

Expansion of subsidies for sweet potato producers and horse-breeder loans;

Earmark of \$230,000 to purchase conservation easements in Kentucky and \$230,000 earmark to the University of Kentucky. There may be a little bell rung here. A little trip down memory lane. These states, just by pure coincidence, are the states which the appropriators represents;

Funding for repairs caused by an avalanche in Valdez, Alaska;

Directive language to give special consideration to the Tanana River in Alaska;

Earmark of \$500,000 for Oklahoma State University;

Language limiting the import of fish and fish products.

I am greatly concerned about this process. I tell the appropriators now I will not allow a vote until I have seen the managers' package of amendment. If they don't like it, look at what we adopted last night.

I am gravely troubled by the managers' insertion into this bill the latter provision that would effectively ban all imports of Vietnamese catfish to the United States. Vietnamese catfish constitute an important part of our catfish consumption in the United States. Americans like to eat them. Moreover, the guiding principle of the recently ratified, and historic, United States-Vietnam Bilateral Trade Agreement was to open our markets to each other's products.

To my deep dismay, a midnight amendment inserted by the managers on behalf of several Senators with wealthy catfish growers in their states violates our solemn trade agreement with Vietnam. With a clever trick of Latin phraseology and without any mention of Vietnam, these southern Senators single-handedly undercut American trade policy in a troubling example of the very parochialism we have urged the Vietnamese Government to abandon by ratifying the bilateral trade agreement. Vietnamese catfish are no different than American catfish by nutritional and safety standards—but they are different in the eyes of the large, wealthy agribusinesses on whose behalf this provision was slipped into the agriculture appropriations bill. After preaching for years to the Vietnamese about the need to get government out of micromanaging the economy, we have sadly implicated ourselves in the very sin our trade policy ostensibly rejects.

Sweet potatoes, sugar, catfish, horse-breeders, and dozens of amendments passed without seeing the light of day.