

**SEC. 3. ADDITIONAL COMPENSATION FOR DEPENDENTS.**

Section 1115(1) is amended—

(1) by striking “\$117” in clause (A) and inserting “\$124”;

(2) by striking “\$201” and “\$61” in clause (B) and inserting “\$213” and “\$64”, respectively;

(3) by striking “\$80” and “\$61” in clause (C) and inserting “\$84” and “\$64”, respectively;

(4) by striking “\$95” in clause (D) and inserting “\$100”;

(5) by striking “\$222” in clause (E) and inserting “\$234”;

(6) by striking “\$186” in clause (F) and inserting “\$196”.

**SEC. 4. CLOTHING ALLOWANCE FOR CERTAIN DISABLED VETERANS.**

Section 1162 is amended by striking “\$546” and inserting “\$580”.

**SEC. 5. DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.**

(a) **NEW LAW RATES.**—Section 1311(a) is amended—

(1) by striking “\$881” in paragraph (1) and inserting “\$935”;

(2) by striking “\$191” in paragraph (2) and inserting “\$202”.

(b) **OLD LAW RATES.**—The table in section 1311(a)(3) is amended to read as follows:

Monthly rate	Pay grade	Monthly rate	Pay grade
E-1 .....	\$935	W-4 .....	\$1,119
E-2 .....	935	O-1 .....	988
E-3 .....	935	O-2 .....	1,021
E-4 .....	935	O-3 .....	1,092
E-5 .....	935	O-4 .....	1,155
E-6 .....	935	O-5 .....	1,272
E-7 .....	967	O-6 .....	1,433
E-8 .....	1,021	O-7 .....	1,549
E-9 .....	1,066	O-8 .....	1,699
W-1 .....	988	O-9 .....	1,818
W-2 .....	1,028	O-10 .....	2,199 <sup>4</sup>
W-3 .....	1,058		

<sup>1</sup>If the veteran served as Sergeant Major of the Army, Senior Enlisted Advisor of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse's rate shall be \$1,149.

<sup>2</sup>If the veteran served as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse's rate shall be \$2,139.

(c) **ADDITIONAL DIC FOR CHILDREN.**—Section 1311(b) is amended by striking “\$222” and inserting “\$234”.

(d) **AID AND ATTENDANCE ALLOWANCE.**—Section 1311(c) is amended by striking “\$222” and inserting “\$234”.

(e) **HOUSEBOUND RATE.**—Section 1311(d) is amended by striking “\$107” and inserting “\$112”.

**SEC. 6. DEPENDENCY AND INDEMNITY COMPENSATION FOR CHILDREN.**

(a) **DIC FOR ORPHAN CHILDREN.**—Section 1313(a) is amended—

(1) by striking “\$373” in paragraph (1) and inserting “\$397”;

(2) by striking “\$538” in paragraph (2) and inserting “\$571”;

(3) by striking “\$699” in paragraph (3) and inserting “\$742”;

(4) by striking “\$699” and “\$136” in paragraph (4) and inserting “\$742” and “\$143”, respectively.

(b) **SUPPLEMENTAL DIC FOR DISABLED ADULT CHILDREN.**—Section 1314 is amended—

(1) by striking “\$222” in subsection (a) and inserting “\$234”;

(2) by striking “\$373” in subsection (b) and inserting “\$397”;

(3) by striking “\$188” in subsection (c) and inserting “\$199”.

**SEC. 7. EFFECTIVE DATE.**

The amendments made by this Act shall take effect on December 1, 2001.

Mr. ROCKEFELLER. Mr. President, as chairman of the committee on Veterans' Affairs, I am tremendously pleased to urge prompt, favorable Senate action on the pending measure, legislation that will provide a cost-of-living adjustment to veterans' compensation for next year. This measure includes the actual adjusted amounts as calculated, based on the increase in the Consumer Price Index. I thank my colleague on the Veterans' Affairs Committee, Ranking Minority Member Senator ARLEN SPECTER, for his diligence and commitment to providing this important increase to well deserving veterans.

The Veterans' Compensation Cost-of-Living Adjustment Act of 2001 directs the Secretary of Veterans Affairs to increase, as of December 1, 2001, the rates of veterans' disability compensation, as well as compensation for eligible dependents and surviving spouses. The legislation raises compensation by 2.6 percent, the same percentage as the increase provided to Social Security recipients.

It is particularly timely that we move this legislation during the week of Veterans Day. Veterans and their families depend on the cost-of-living increase to ensure that their well-deserved benefits not be eroded by inflation. Veterans' disability compensation rates must keep pace with the increasing cost of living.

I urge all of my colleagues to support passage of this bill.

Mr. President, I ask unanimous consent that a summary of the legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**SUMMARY OF S. 1088**

This bill contains the annual Cost-of-Living Adjustment (COLA) to veterans disability compensation. The manager's amendment strikes the text of the House bill and inserts the actual amount of the increased rates. The percentage of the increase will be the same percentage—2.6 percent—as Social Security recipients will receive. There are no other provisions contained in the bill as amended.

The bill (H. R. 2540), as amended, was read the third time and passed.

The title amendment (No. 2150) was agreed to, as follows:

Amend the title so as to read “An Act to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans.”

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

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDENT pro tempore. Without objection, it is so ordered.

**AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—CONFERENCE REPORT**

The PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of the conference report accompanying H.R. 2330, which the clerk will report.

The assistant legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2330), making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agency programs for the fiscal year ending September 30, 2002, having met have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, signed by a majority of the conferees on the part of both Houses.

(The report is printed in the House Proceedings of the RECORD of November 9, 2001, page H7962.)

The PRESIDENT pro tempore. Under the previous order, there will be 60 minutes of debate on the conference report with the time to be equally divided and controlled.

The Senator from Wisconsin.

Mr. KOHL. Mr. President, I am pleased to bring to the Senate, the conference report on H.R. 2330, the Agriculture, Rural Development, Food and Drug, and Related Agencies Appropriations Act, 2002. The House approved this measure day before yesterday, and we need to take swift action in the Senate on final passage in order for the President to sign this conference report into law as soon as possible.

This conference report includes \$75.8 billion in total spending for fiscal year 2002. These funds will be used to support programs and services of the United States Department of Agriculture—except for the Forest Service—the Food and Drug Administration, and the Commodity Futures Trading Commission. Of this total, \$16 billion is discretionary spending, and this amount is within the subcommittee's 302(b) allocation.

As I have stated before, this is not simply an “agricultural” bill. This bill not only supports the rural sector, it supports all sectors. It supports families in the cities; it supports inspectors along our borders; it supports the availability of drugs and vaccines to respond to the challenges of today and whatever tomorrow may bring. I support this conference report, and I hope all Senators will do the same.

Again, I thank Senator COCHRAN, ranking member of this subcommittee, and his staff for their tireless and indispensable help this year. I also thank my staff and all people who have helped bring us to this final stage of the appropriations process.

The PRESIDENT pro tempore. Who seeks recognition?

Mr. COCHRAN. Mr. President, I yield myself such time as I may consume.

The PRESIDENT pro tempore. The Senator from Mississippi is recognized for such time as he may consume.

Mr. COCHRAN. Mr. President, I am pleased today to join my friend from Wisconsin, Senator KOHL, to present for the Senate's approval the conference report on H.R. 2330. This conference agreement provides total new budget authority of \$75.8 billion for the programs and activities administered by the United States Department of Agriculture, the Food and Drug Administration, and the Commodity Futures Trading Commission. These include programs that provide housing opportunities for low and moderate-income residents of rural America, that protect our Nation's food supplies against pests and diseases, assure the safety and efficacy of drugs and medical products, and provide nutrition assistance for America's children and working families.

This is the seventh conference report of the 13 regular fiscal year 2002 appropriations bills to be presented to the Senate this year for approval. This conference agreement has been approved by the House of Representatives by a substantial vote in that body, and Senate passage of the conference report today would be the final step necessary to send this bill to the President for his signature. I am hopeful the Senate will approve the conference report and give our committee a vote of confidence in our efforts to resolve successfully the differences that existed between the Senate and House-passed bills.

We think we defended the Senate's interests aggressively, and we worked out a compromise that will serve the interests not only of the two bodies but of the American people as well.

Mr. President, I reserve the remainder of our time.

The PRESIDENT pro tempore. Who seeks recognition? Time is running.

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

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Under whose time does the Senator seek recognition?

Mr. CRAIG. Under that of the ranking minority member, Senator COCHRAN.

The PRESIDENT pro tempore. From Senator COCHRAN. Very well, the Senator is recognized.

Mr. CRAIG. Mr. President, I thank the chairman of the subcommittee, Senator KOHL, and Senator COCHRAN, for the tremendous cooperation they have extended to me and Idaho agriculture as we have considered this very important appropriations bill. I am pleased the conference report is now before us.

We all know that agriculture over the last 4 or 5 years has had a very difficult time, especially at the production level, in finding a commodity with which the producer could break even or make a profit. That has certainly been true in my State of Idaho. While that has gone on, there have been opportunities to improve the research capability and certainly the conference report we have before us represents that. All of our Nation's agricultural production has historically benefited from Federal dollars that have flowed into research at our colleges and universities that ultimately produce hybrid crops, better techniques, better conservation, better use of water and soil. All of those things in combination make agriculture as great as it is in our country today.

I am always amazed at the abundance we have produced as a result of a private-State-Federal partnership. It can at times be a problem, too, and that explains part of where we are today. With phenomenal abundance and availability of commodities, commodity prices in the last several years have been at about their all-time lows in relation to the cost of production. As a result of that, certainly this appropriating subcommittee and the authorizing Committee of Agriculture here in the Senate, along with the House of Representatives, has made every effort to assure that production agriculture at least had a safety net so we would not lose this valuable part of the American economy.

I know our consumers oftentimes take for granted when they go to the supermarket, and go to the food shelf in that supermarket, finding such an abundance at such a low price. They oftentimes assume it is always going to be there. Very seldom do we have the ability to look behind at the thousands and thousands of American producers and processors that provide that high-quality food to the American consumer. This legislation assists in that important part of the American lifestyle and the American economy.

Also, as agriculture has dwindled, and especially in my State of Idaho where we have seen Federal policy and national attitudes over the last two or three decades that would suggest we ought not log or we ought not mine or we ought not graze because somehow it damages the environment, we have seen rural economies dwindle, unem-

ployment rise, and many of our rural areas, which are farm and resource communities, in dire straits.

In this package is also a rural economic development component that is increasingly important to rural America. As agriculture struggles, many of the other associated service industries, and many of the industries that were very typical in my State, have suffered even more. Many of them have shut down. Over the last decade, and in part because of the philosophy of the former administration, we have seen an 80-percent decline in logging on public lands. That has cost Idaho, and other States like Idaho, tens of thousands of jobs. As a result, unemployment in those areas has grown to 12 percent and 14 percent.

Unemployment means people out of work. It means no food on the table. Oftentimes it means fewer clothes for the children. It means strife within the family because of the economic circumstances they are experiencing. To be able to turn that around is part of my job. But it is also part of the job of the Congress, to have sensitivity toward economic development of the kind that is, in fact, represented here as we strive to fund U.S. Forest Service programs, USDA programs that will benefit rural communities of the kind that make up a very large part of my State.

I thought it important and appropriate this morning that I come to the floor to thank the chairman, Senator KOHL, and the ranking member, Senator COCHRAN, for the cooperation and the sensitivity they have shown. Certainly, the chairman of the full committee, who is now the Presiding Officer here in the Senate, has always had an eye to rural America. I appreciate that because his State of West Virginia is much like mine. It is built on resources. It is built on mining. It is built on the rural lifestyle.

That has been and remains a major part of the American economy. This bill represents that sensitivity, and I thank them for that.

I yield the floor.

The PRESIDENT pro tempore. Who seeks recognition?

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

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KOHL). Without objection, it is so ordered.

Mr. BYRD. Mr. President, I thank the Chair.

How much time do I have, Mr. President?

The PRESIDING OFFICER. Senator BYRD has up to 20 minutes.

Mr. BYRD. Mr. President, I thank the Chair, Senator KOHL, who is also chairman of the agriculture appropriations subcommittee. I thank him for his good work on behalf of the people of his State, for his good work on behalf of the people of my State, and for his good work on behalf of the people of the Nation. He is an apt student of public service and of the legislative process. He is one of my favorites. When I speak in that term, I think of the legislative process and I think of this institution, the Senate.

I also thank Senator COCHRAN, who is the ranking member of the subcommittee. I thank him for his service to the Nation and to his people and to my people—to our people. Senator COCHRAN likewise does good work for the Nation and for the committee. He is a very able member of the Appropriations Committee.

This conference report includes \$75.8 billion in total spending for fiscal year 2002. This amount is \$3 million below the level passed by the Senate. Of the total amount provided, \$16.0 billion is discretionary spending, and this amount is within the subcommittee's 302(b) allocation. This conference does not include one cent—not one copper penny—of emergency spending.

This conference report supports programs related to agricultural research, conservation, rural development, promotion of international trade, and many other traditional programs for which the agriculture bill has become so well known. This conference report also supports domestic food programs such as Food Stamps and the Women, Infants, and Children, WIC, program, as well as the other food safety and public health programs of the Food and Drug Administration and other agencies. The programs supported by this conference report serve the most basic of needs of the American people in nearly every facet of their lives.

On September 11—another day that will always live in history, a date that will not be a footnote in the annals of mankind—the American people were reminded of the importance of programs related to public health, food supply, and food safety. These programs have long been a part of the Agriculture Appropriations bill, and they are continued, and strengthened, by this bill.

I am particularly pleased that the conference report contains a number of provisions related to the treatment of animals—those creatures that cannot speak for themselves, those creatures without which mankind would perish. We should think of them, and we do think of them. There are two principle underlying statutes that provide authority to agencies under the jurisdiction of this conference report on the subject of animal treatment. They are the Animal Welfare Act and the Humane Slaughter Act.

The Animal Welfare Act was first authorized by Public Law 89-544, the Act of August 24, 1966, and is today carried out by USDA's Animal and Plant Health Inspection Service (APHIS). The primary purpose of this Act was to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and certain other animals intended to be used for purposes of research or experimentation, and for other purposes. Think of the service that those animals render to mankind. And they don't do it without a sacrifice to themselves. Today, in addition, this act is used to regulate individual dog breeders and handlers and larger operations such as circuses and zoos around the nation.

The Humane Slaughter Act was originally passed in 1958, and requires that animals be rendered insensitive to pain before they are killed in a slaughterhouse. This Act is today carried out by USDA's Food Safety Inspection Service, FSIS.

For a number of years, the level of funding at APHIS for inspections and enforcement of the Animal Welfare Act had been held stagnant. More recently, this Congress has been able to provide significant increases for these activities, including \$2.5 million provided through an amendment I offered in the supplemental appropriations bill that was signed into law on July 20, 2001.

In this conference report, additional increases are provided for these purposes. In this conference report that we are debating today, I say, additional increases are provided for these purposes.

This conference report includes an increase of \$2.4 million above the President's request for animal welfare inspections and the conferees have directed the agency to hire additional inspectors and support staff to increase the overall number of inspections, and to conduct more repeat inspections of facilities found to be in noncompliance with the act. Let's go back and look at them again, if they are not complying with the act. This year's appropriation of \$15,167,000—in addition to funds made available in the supplemental—represents an increase of 60 percent since fiscal year 1999. So, at last, we are paying more attention—and we ought to pay more attention—to these animals and to the enforcement of the law in regard to their slaughter.

Increased inspections are logically followed by increased demand for investigations and enforcement. This conference report includes an increase of \$1,852,000—that is in addition to funds made available in the supplemental—for APHIS investigation and enforcement activities. In addition, Statement of Managers language directs the agency to hire additional inspectors to service the backlog of animal care investigations. I would like to mention that the conference com-

mittee became aware of reported violations of the Animal Welfare Act regarding treatment of polar bears by a traveling circus, and Statement of Managers language is included directing the agency to investigate this matter, take appropriate action, and report to the Appropriations Committee.

Earlier this year, news accounts described incidents in meat slaughterhouses which were atrocious—atrocious—violations of the Humane Slaughter Act. As part of the \$2.5 million amendment that I sponsored in this year's supplemental, an enhanced program of oversight within the agency has been initiated to ensure better enforcement of this act. Last month, the U.S. Department of Agriculture announced that it had begun this new initiative—using both funds provided by the supplemental and other Departmental funds—and had placed additional FSIS personnel in field district offices to work closely with plant inspectors and veterinarians.

These individuals, who will be officially known as "Humane Handling Verification Experts and Liaisons"—let me repeat, these individuals, who will be officially known as "Humane Handling Verification Experts and Liaisons"—will work to tighten up enforcement and oversight of the Humane Slaughter Act.

We are talking about animals. I am not one of those who claim that man is an animal. Man was created a little lower than the angels but above the beasts of the field. Read the Scriptures. Read Milton's "Paradise Lost." Yes, the animals serve us every day in ways that we do not tend to remember. They serve us. But for the animals, mankind would not exist upon the Earth, in all likelihood. Oh, you say, he might become a vegetarian, but what about the beasts of burden? The righteous man looks to the welfare of his beast. So, I intend to watch this initiative. You can bet on it. I intend to watch this initiative with keen interest and will look forward to making sure that resources are continually provided to make it an effective tool to stop inhumane treatment of animals.

I guess my little dog Billy has had a great deal to do with my attitude toward animals. He has a little sister named Bonnie. Billy Byrd is 15 years old. But if there is a creature on this Earth that is absolutely and forever unflinchingly loyal and dedicated to me—and there is—it is my little dog Billy, that Maltese terrier. He is an animal, but he feels pain. He must understand affection and love because he gives it to me and he gives it to Erma; and I give it and she gives it in return.

Yes, never does he let me leave the door for work that he does not follow me to the last step. That is an animal. We are talking about animals that are slaughtered for the food that graces

the table of men and women and children around the world—animals that we should treat humanely.

Mr. President, again I want to congratulate the chairman and the ranking member of the Agriculture Appropriations Subcommittee for a job well done. Well done, Senator KOHL. Well done, Senator COCHRAN. I also thank all members of the subcommittee for their contributions to this final product. I thank the members of the staff on both sides of the aisle, without whom, where would we find ourselves. I thank them. I support this conference report, and I hope that all Senators will do the same.

Mr. President, I thank the Chair and I yield the floor.

Mr. CONRAD. Mr. President, I rise to offer for the record the Budget Committee's official scoring of the conference report to H.R. 2330, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for Fiscal Year 2002.

The conference report provides \$16.018 billion in discretionary budget authority, which will result in new outlays in 2002 of \$12.038 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the report total \$16.282 billion in 2002. By comparison, the Senate-passed version of the bill provided \$16.137 billion in discretionary budget authority, which would have resulted in \$16.118 billion in total outlays. The conference report is at its revised Section 302(b) allocation for budget authority and outlays. The conferees have met their target without the use of any emergency designations.

I commend Senators KOHL and COCHRAN for working together in a bipartisan manner with their House counterparts to complete in an expedited manner the conference to this very important piece of legislation, which provides funding for agriculture, conservation, rural development, and domestic food programs. I also commend Chairman BYRD and Senator STEVENS, as well as House Chairman YOUNG and Ranking Member OBEY on the significant progress made by the two appropriations committees over the last couple of weeks in completing the 2002 appropriations bill.

Mr. President, I ask unanimous consent that a table displaying the budget committee scoring of this bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONFERENCE REPORT TO H.R. 2330, THE AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002, SPENDING COMPARISONS—CONFERENCE REPORT

(In millions of dollars)

	General purpose	Mandatory	Total
<b>Conference report:</b>			
Budget Authority .....	16,018	43,112	59,130
Outlays .....	16,282	33,847	50,129
<b>Senate 302(b) allocation:<sup>1</sup></b>			
Budget Authority .....	16,018	43,112	59,130
Outlays .....	16,282	33,847	50,129
<b>President's request:</b>			
Budget Authority .....	15,399	43,112	58,511
Outlays .....	15,789	33,847	49,636
<b>House-passed:</b>			
Budget Authority .....	15,668	43,112	58,780
Outlays .....	16,044	33,847	49,891
<b>Senate-passed:</b>			
Budget Authority .....	16,137	43,112	59,249
Outlays .....	16,118	33,847	49,965
<b>CONFERENCE REPORT COMPARED TO:</b>			
<b>Senate 302(b) allocation:<sup>1</sup></b>			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
<b>President's request:</b>			
Budget Authority .....	619	0	619
Outlays .....	493	0	493
<b>House-passed:</b>			
Budget Authority .....	350	0	350
Outlays .....	238	0	238
<b>Senate-passed:</b>			
Budget Authority .....	-119	0	-119
Outlays .....	164	0	164

<sup>1</sup> For enforcement purposes, the budget committee compares the conference report to the revised Senate 302(b) allocation.

Notes.—Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER (Mr. NELSON of Florida). Who yields time to the Senator from Illinois?

Mr. BYRD. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Three and a half minutes.

Mr. BYRD. I yield the 3½ minutes to the distinguished Senator from Illinois.

Mr. DURBIN. I thank the Senator from West Virginia. First, I congratulate him on his excellent remarks. All of us who have owned pets and have developed a friendship and affection for them can certainly identify with his kind words about his beloved Billy Byrd and Billy Byrd's sister Bonnie. I say to Senator BYRD, I was not aware your dog had a sister. I am glad that has been reported formally in the CONGRESSIONAL RECORD.

I also congratulate Senator KOHL because he has worked hard on the Agriculture appropriations bill that is before us. I am happy to serve on the subcommittee. I know the hours that have been put in by the Senator and his staff.

Let me highlight two aspects of this bill that we ought to keep in mind. It is known as the Agriculture appropriations bill, but it is so much more.

As important as agriculture is to America, this bill contains as much money or more for nutrition and feeding as it does for agricultural programs.

This morning a man by the name of Robert Forney came to my office. Bob is an old friend. He was head of the Chicago Stock Exchange. When he retired

last year, Bob Forney became the CEO of a program known as Second Harvest. Second Harvest is the largest emergency food provider in America. They keep the canned goods and other items of food available for families who are struggling.

Bob came to tell me this morning that the challenge facing food banks across America and feeding programs is growing geometrically; 415,000 Americans lost their jobs last month. Many of them lost jobs that don't qualify for unemployment insurance, and they are struggling to feed their children.

In this land of prosperity, children are going hungry and the numbers grow by the day. This bill, with its provision for WIC, for mothers, infants, and small children, as well as the provision for food stamps, addresses that. We ought to be mindful of the need to watch this closely. More money probably will be needed before the end of the next fiscal year.

There is an important element in this bill about food safety. I salute Senator BYRD, who stood here yesterday and said: Let us put money into food security at a time when American families are worried about bioterrorism. We lost because colleagues from the other side of the aisle said this is not an emergency. We know better. America knows better.

This bill, which funds the Food and Drug Administration and the U.S. Department of Agriculture to make certain that our food is safe, provides funds, but the bill offered by Senator BYRD would have given the additional resources needed for more inspectors, better inspection, better peace of mind for people all across America. That bill was defeated. I hope we have a chance to debate that again.

What happened yesterday really turned this Chamber on its head. We are supposed to listen to the people we represent. We are supposed to speak for them and advocate for them. What Senator BYRD came forward with yesterday was spending so that we could produce vaccines to prepare America for a possible bioterrorist attack. Some have said: There the Democrats go again, spending money right and left on porkbarrel. Vaccines to immunize our children and families in case of a bioterrorist attack is not porkbarrel or wasteful. It is prudent and thoughtful. I thank Senator BYRD for his leadership on that.

Putting money into law enforcement: We tried yesterday so that across Illinois and West Virginia and Wisconsin and across the Nation, our first responders, whether police or firefighters, will have the resources to respond to an act of terrorism.

Modernization for computers: The Senator from West Virginia may be stunned to learn, as I did recently, that a new FBI agent told me their computer system at the FBI does not have

e-mail, nor does it have access to the Internet. That is the computer system of the premier law enforcement agency in America.

Senator BYRD put resources in that bill to modernize computers at the FBI and other important law enforcement agencies. The Republicans voted against it, saying it was not an emergency.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. I thank the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. BYRD. Will the Senator yield 30 seconds?

Mr. McCAIN. I am always happy to yield to the Senator from West Virginia.

Mr. BYRD. I thank the Senator.

I thank Senator DURBIN, the very distinguished and able Senator from Illinois, for his kind remarks and for his references to the amendment of yesterday. We will be back.

I again thank the distinguished Senator who yielded me the time.

Mr. McCAIN. I thank the Senator.

Mr. President, the Agriculture appropriations bill is fundamental to the Nation's agricultural economy and supports foreign and domestic food programs. Unfortunately, porkbarrel interests also received remarkable support in this final conference report. While this final conference report includes less porkbarrel spending than the Senate bill passed just a couple weeks ago, it still includes \$335 million in wasteful, unnecessary, and unreviewed spending which is \$30 million more than the amount included in the final report passed last year.

Every single appropriations bill we have passed so far has an increase in porkbarrel spending over last year. We are now up to \$9.6 billion of wasted, unnecessary programs.

While the Senator from Wisconsin is on the floor, I saw one of the more egregious things happen the other night when there was a managers' package which had 35 provisions in it. When we were about to vote on it, I asked: Does anybody here know what is in this package? No one did.

We found out what was in it. What was in it was a violation of a trade agreement we just concluded with Vietnam. We found 15 porkbarrel projects identified by State for members of the appropriations subcommittee. I tell the Senator from Wisconsin, I will not allow a vote again until the managers' package is examined. That was an egregious act that was done by the Senate. My constituents deserve a lot better than what happened the other night with a managers' package which was brought up late in the evening. No one had seen it. When we found out, it was certainly something that I never would have allowed to pass.

When the Senate considered and passed the Agriculture spending bill a couple weeks ago, the typical porkbarrel trickery reached unprecedented levels. Midnight legislative riders were covertly slipped in unseen by a majority of the Senate. Erroneous earmarks for special interest projects were tacked on—again, unseen and circumventing the normal committee process—and funding priorities in stark discord with that of the administration.

Many of my colleagues have spoken before the Senate about the economic struggle of America's farmers. Common sense would dictate that this bill be directed towards supporting those Federal programs that most benefit farmers in need. Instead, special interests reign and millions of taxpayers' dollars are diverted to funding research facilities, universities, and farming conglomerates.

Even emergency dollars provided by Congress for farmers do not reach intended beneficiaries. This porkbarrel bonanza includes millions for projects that administrations have proposed for elimination year after year. Yet generous benefactors on the Appropriations Committee keep the spigot open and continue to drain dollars from hard-working taxpayers.

This method of budget monopolization is ricocheting out of control. Let's take a look at the top 10 porkbarrel earmarks in this final Agriculture appropriations bill.

No. 10, \$2.2 million for the Center for Cool and Cold Water Aquaculture in Leetown, WV. I come from a pretty hot State. It is starting to cool off now. Maybe we could get some of that money out in Arizona for cool and cold water aquaculture rather than have it all be devoted to Leetown, WV.

No. 9, \$600,000 for a tristate joint peanut research project in Alabama. Naturally it is in Alabama, but it is tristate.

No. 8, \$600,000 for agricultural waste utilization in West Virginia. Nowhere else in America—\$600,000 for agricultural waste utilization in West Virginia. I guess agricultural waste needs to be utilized more importantly in West Virginia than any other part of America.

No. 7, Increase of \$750,000 for the Wisconsin Livestock Identification Consortium. We now have a consortium in Wisconsin to identify livestock.

No. 6, \$2 million to pay for efficient irrigation in New Mexico and Texas—efficient irrigation in New Mexico and Texas.

No. 5, \$100,000 for the Trees Forever Program in Illinois. Trees Forever. I have mentioned on the floor, I would like to see a cactus forever program. Perhaps the appropriators might devote that to my State of Arizona.

No. 4, \$200,000 for the Iowa Soybean Association. Last I checked, the Iowa

Soybean Association was a private organization composed of individuals who decided to join in this association in support of soybeans. Now we are going to give them \$200,000.

No. 3, \$4.5 million for the U.S. Vegetable Laboratory in Charleston, SC.

No. 2, \$230,000 for animal waste management in Oklahoma.

No. 1, \$100,000 for the Weed It Now initiative in Massachusetts, New York, and Connecticut. Weed It Now. Mr. President, we need a Weed It Now program on these appropriations bills. We need to weed out this outrageous dispensation of American tax dollars.

I want to speak briefly about one of the concealed provisions slipped into the managers' amendment just before the Senate passed this bill. This provision effectively bans all imports of Vietnamese catfish into the United States. The sly wording of this measure doesn't mention Vietnam at all. But it does patently violate our solemn trade agreement with Vietnam, before the Vietnamese National Assembly has even ratified that agreement. The ink isn't even dry yet, and we are violating that. Why? No doubt it was inserted on behalf of several large, wealthy U.S. agribusinesses that will handsomely profit by killing competition from Vietnamese catfish imports.

Whether you are a free trader or an opponent of harmful special interest riders hidden in big spending bills, you can't help but find this sort of behavior to be a scandalous abrogation of our duty to the national interest. After preaching for years to the Vietnamese about the need to get government out of the business of micromanaging their economy, we have sadly implicated ourselves in the very sin our trade policy claims to reject. I will work with Senators KERRY, PHIL GRAMM, and others to see that this offensive trade barrier doesn't stand.

We have a great responsibility to American citizens. I urge my colleagues to exercise greater prudence and principle in this responsibility.

Mr. President, I have an article from the Wall Street Journal of yesterday, and I also have an article from the Washington Post of today. I ask unanimous consent that both of those articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Nov. 14, 2001]

ADD-ON SPENDING PROJECTS ARE ON COURSE TO EXCEED THOSE OF LAST ADMINISTRATION

(By David Rogers)

WASHINGTON.—After tough talk last spring, the White House appears to be retreating from its vow to stem the tide of year-end spending projects added by Congress to annual appropriations bills.

Soon after taking office, the administration proposed to write off billions of dollars in existing pork-barrel projects as "one-time" expenditures. But as the legislative session draws to a close just the opposite is

the case, and the number of so-called spending earmarks by lawmakers may actually be growing.

Congress yesterday sent President Bush a \$112.7 billion appropriations bill estimated to have close to 1,400 earmarks attached to science, veterans, housing and environmental programs. The list of projects in a single account in the Department of Housing and Urban Development consumed 10 pages of the Congressional Record, and space-science programs increasingly have become a conduit for grants to home state universities.

The action came as House and Senate negotiators approved a \$75.9 billion agriculture budget adding scores of research projects along with an amendment to help U.S. catfish growers fight off imports from Vietnam. Hours later, still more earmarks were approved as part of a final \$39.3 billion Commerce, Justice, and State Department budget that adds money for maritime loan subsidies that the White House wants to terminate.

The administration has raised objections, but nothing like this week's veto threat over how much Congress can spend in response to the terrorist attacks. For example, in a recent five-page letter to negotiators on the HUD and science bill, the issue of earmarks was almost the last issue raised by Budget Director Mitchell Daniels Jr. His Deputy, Sean O'Keefe, insisted yesterday that progress is being made incrementally, but on a bipartisan basis. House Appropriations staff say the administration has been little help in curbing the more earmark-prone Senate. "We haven't heard a peep," said James Dyer, chief clerk to the House Appropriations panel.

Last spring, the tone was very different, as the Office of Management and Budget tallied up more than 6,000 earmarks costing \$15 billion in the last appropriations bills approved by the departing Clinton administration. In trying to make room for its own initiatives—including the president's tax cut—OMB assumed cuts of \$8 billion from such earmarks and other "one time" expenditures. Failure to enforce this budget discipline, now, could come back to haunt the administration, which faces the prospect of rising costs because of terrorist strikes and a troubled economy.

The revised agriculture budget yesterday is a first sign of these pressures. As unemployment has risen, so has the projected caseload next year for federal nutrition programs, and lawmakers had to add \$211 million to Mr. Bush's request to pay these bills.

All of this comes at a time of increasingly bitter relations between the Appropriations and OMB. Mr. Daniels is blamed by lawmakers in both parties for precipitating the veto clash this week with Mr. Bush. In a "Dear Mitch" letter, House Appropriations Chairman Bill Young (R., Fla.) and Wisconsin Rep. David Obey, the ranking Democrat, asked that OMB freeze all spending and transfers from an emergency fund until there is more consultation with the panel.

[From the Washington Post, Nov. 15, 2001]

IN CONGRESS, PORK STAYS ON MENU  
PET PROJECTS SOMETIMES AT ODDS WITH NEW  
SPENDING DEMANDS

(By John Lancaster and Dan Morgan)

Last month, lawmakers rejected a proposal to add \$131 million to a program that helps Russia keep track of its nuclear stockpile. It's not that they didn't like the idea: After Sept. 11, almost everyone in Congress agrees

on the need to do more to stop terrorists from acquiring nuclear bombs.

But House and Senate negotiators meeting to decide the final shape of a \$24.6 billion spending bill covering the nation's nuclear and water programs could not find room for the increase.

They had other priorities, including: A museum at the Atomic Testing History Institute in Las Vegas (\$1 million);

Aquatic-weed removal in the Lavaca and Navidad rivers in Texas (\$350,000).

A study of erosion on Waikiki Beach in Hawaii (\$350,000).

Targeting funds for specific projects at the request of individual lawmakers is a time-honored ritual on Capitol Hill, and this year is no exception. But as Congress completes work on 13 annual spending bills, its business-as-usual approach to managing the federal budget is colliding with the new demands of fighting terrorism.

The soaring costs of responding to the attacks—Congress has already approved \$40 billion for the purpose—have done little so far to curb congressional appetites for courthouses, highways, dams, parks and other purely parochial items. According to congressional aides, the number of such "earmarks" in this year's crop of spending bills is likely to approach or even exceed last year's record number, which was estimated by the White House budget office at 6,400 (a threefold increase from 1995).

Many of the earmarks, as in previous years, reflect political clout more than national need. Money is flowing disproportionately to the districts of appropriations committee members and congressional leaders—including self-described fiscal conservatives such as Senate Minority Leader Trent Lott, who secured millions for projects in his home state of Mississippi.

"These legislative hijinks are bad enough in peacetime," Sen. John McCain (R-Ariz.) told the Senate last week, after noting acridly that on Sept. 13, while the Pentagon and the World Trade Center "still smoldered," the Senate approved \$2 million for the Oregon Groundfish Outreach Program. "America is at war. . . . Congress should grow up and stop treating the domestic budget as a political Toys R Us."

There is no shortage of examples: \$510,000 for a chapel at Kaneohe Bay Marine Corps Base in Hawaii; \$100,000 to study the feasibility of converting a building in Martinsburg, W. Va., to a museum for Army artifacts; \$70,000 to refurbish a bird observatory in Montgomery County, Pa.; \$500,000 for the Montana Sheep Institute.

"Pork thrives in good times and bad times," said Allen Schick, a congressional expert at the Brookings Institution. He added, "the problem is not the individual project, but the cumulative effect. . . . When you add up the total, it just blows your mind."

Earmarks do not automatically swell the federal budget, because in some cases they merely direct government agencies to spend money for specific purposes within the limits of available funds. But many of this year's items were added on top of President Bush's budget request, sometimes in House-Senate conferences where they received little scrutiny. Successive administrations have insisted that such choices are better left to federal agencies, complaining that earmarks create upward pressure on the budget by crowding out more important needs.

Members of the appropriations committees—who note that the Constitution grants Congress authority over spending—say they

can judge local needs better than federal bureaucrats because they have their ears to the ground back home.

Several congressional aides defended this year's earmarks, observing that spending legislation was largely drafted—and in some cases voted on by one or both chambers—before Sept. 11. They also noted that, whatever the particulars of individual bills, spending is on track to stay within the overall budget ceiling of \$686 billion negotiated by the Bush administration and congressional leaders last month.

There is little question, however, that the fat surplus projections of recent years, now fading into memory, have eased pressure on Congress to show restraint. White House budget director Mitchell E. Daniels Jr. has all but abandoned the quest he launched earlier this year to contain the practice of earmarking. "To be honest, the appropriators weren't that receptive," an administration official said.

Despite broad bipartisan agreement on the need to spend more to fight terrorism—lawmakers have tried without success to persuade the White House to lift the \$40 billion ceiling on emergency spending related to the Sept. 11 attacks—they have been reluctant to do so at the expense of pet projects back home.

During a House-Senate conference on the energy and water bill Oct. 26, for example, Rep. Chet Edwards (D-Tex.) offered an amendment that would have added \$131 million to an Energy Department program to help Russia safeguard its nuclear materials. He was responding, in part, to a January warning by a department task force—chaired by former Senate Republican leader Howard H. Baker Jr. (Tenn.) and former White House counsel Lloyd Cutler—that lax nuclear security in Russia was "the most urgent unmet national security threat to the United States today."

But conferees rejected Edwards's proposal to shift the money from a program to refurbish nuclear warheads in the U.S. arsenal. Nor did they consider taking funds from hundreds of local water projects or other earmarks, such as the atomic history museum.

"That's a very fair question to ask," Edwards said when queried about why he did not suggest the option.

Edwards said that while he would have been open to an across-the-board cut in water projects to fund the nonproliferation program, "it is politically very difficult" to eliminate individual earmarks—some of which, he acknowledged, he sought on behalf of his own constituents.

The \$1 million earmark to pay for exhibits at the Atomic Testing History Institute was added by Sen. Harry M. Reid (D-Nev.), the assistant majority leader, who chairs the energy and water panel of the Appropriations Committee. Reid's hand is evident throughout the final bill, which adds 50 Nevada-specific items worth \$146 million to Bush's original budget request.

According to a spokesman, Reid strongly supports the Energy Department's nonproliferation efforts but objects to shifting funds for the purpose "at the eleventh hour." The spokesman, Nathan Naylor, said it was not surprising that a bill to fund nuclear programs would steer a lot of money to Nevada, given the state's central role in nuclear testing.

Naylor said the atomic history museum would "chronicle the historic sacrifice that Nevada has made for the country during the Cold War," when some of its residents were poisoned by radiation from above-ground

tests in the 1950s. "This is part of our history, and if this is what it costs to protect that legacy, so be it," he said.

Reid is hardly alone in using his leadership post to channel federal resources to the folks back home.

Lott, for example, has joined the Bush administration in opposing additional spending for homeland defense, the military and New York City in a pending supplemental appropriations bill. "He's concerned about spending just spiraling completely out of control," Lott told reporters last week. "And I share that concern."

But even as Lott was making that comment, the Senate was giving final approval to a spending bill that included \$10 million for the Stennis Space Center in Bay St. Louis, Miss.; \$50,000 for a street extension that will "link cultural and entertainment districts" in Jackson, Miss.; \$500,000 for Lott's alma mater, the University of Mississippi; and more than \$1 million for water systems in Jackson and Picayune, Miss.

In a similar vein, Rep. Jerry Lewis (R-Calif) used his power as chairman of the Appropriations defense subcommittee to steer a \$10 million grant to the city of San Bernardino, in his district, to clean up the underground water supply. The bill would direct the Army to clean up radioactive waste at a site in the district of Rep. John P. Murtha (Pa.), the ranking Democrat on the panel.

Senate appropriators, meanwhile, used the \$10.5 billion military construction bill, signed by the president on Nov. 5, to speed up stalled environmental projects in their states and districts. For example, the report attached to the enacted bill gives the Pentagon 90 days to submit a master plan for "environmental remediation" of Hunters Point Naval Shipyard in San Francisco, home town of the chairman of the military construction panel in the Senate, Dianne Feinstein (D).

According to a Senate study, the nine states that will receive the most earmarked military construction money are represented by senior members of the defense or military construction panels, or the two armed services committees.

To pay for earmarked projects while staying within a \$10.5 billion ceiling established by the appropriations committees, House and Senate conferees adopted a 1.127 percent across-the-board cut in regular military construction accounts.

Mr. MCCAIN. Mr. President, I am against what is going on here. In a time of war, some have called it "war profiteering." I think it is wrong. We are abrogating our responsibilities to the American people. I also think it is time the administration step in and the President veto some of these bills with these outrageous spending projects in them.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Nevada.

Mr. REID. Mr. President, I ask unanimous consent that the time run equally on both sides.

The PRESIDING OFFICER. The time is running equally.

Mr. REID. The Senator from Arizona has said I can yield back his time.

The PRESIDING OFFICER. Without objection, the time is yielded back.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

UNANIMOUS CONSENT AGREEMENT—H.R. 2500

Mr. REID. Mr. President, I ask unanimous consent that immediately following the action on the Agriculture appropriations conference report, the Senate proceed to the consideration of the conference report to accompany H.R. 2500, the Commerce-State-Justice appropriations bill, and that it be considered under the following limitations: 45 minutes for debate with time equally divided under and controlled as follows: 15 minutes each for Senator HOLLINGS, Senator GREGG, and Senator MCCAIN, or their designees; that upon the use or yielding back of time, without further intervening action or debate, the Senate proceed to vote on adoption of the conference report.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. It is my understanding that the order is that the vote begin at 11:30; is that right?

The PRESIDING OFFICER. The vote will begin when all time is yielded back.

Mr. REID. How much time is outstanding?

The PRESIDING OFFICER. There are approximately 4 minutes on each side.

Mr. KOHL. Mr. President, I yield back the remainder of the time on our side.

The PRESIDING OFFICER. The time is yielded back.

Mr. REID. Mr. President, upon the advice of the Republican staff, I yield back their time.

The PRESIDING OFFICER. All time is yielded back.

Mr. KOHL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the conference report.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. REID. I announce that the Senator from New Jersey (Mr. TORRICELLI) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 7, as follows:

[Rollcall Vote No. 339 Leg.]

YEAS—92

Akaka	Allen	Bennett
Allard	Baucus	Biden

Bingaman	Enzi	McConnell
Bond	Feingold	Mikulski
Boxer	Feinstein	Miller
Breaux	Fitzgerald	Murkowski
Brownback	Frist	Murray
Bunning	Graham	Nelson (FL)
Burns	Gramm	Nelson (NE)
Byrd	Grassley	Nickles
Campbell	Hagel	Reed
Cantwell	Harkin	Reid
Carnahan	Hatch	Roberts
Carper	Helms	Rockefeller
Chafee	Hollings	Santorum
Cleland	Hutchinson	Sarbanes
Clinton	Hutchison	Schumer
Cochran	Inhofe	Sessions
Collins	Inouye	Shelby
Conrad	Jeffords	Smith (OR)
Corzine	Johnson	Snowe
Craig	Kennedy	Specter
Crapo	Kerry	Stabenow
Daschle	Kohl	Stevens
Dayton	Landrieu	Thomas
DeWine	Leahy	Thompson
Dodd	Levin	Thurmond
Domenici	Lieberman	Warner
Dorgan	Lincoln	Wellstone
Durbin	Lott	Wyden
Edwards	Lugar	

NAYS—7

Bayh	Kyl	Voinovich
Ensign	McCain	
Gregg	Smith (NH)	

NOT VOTING—1

Torricelli

The conference report was agreed to.

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

The motion to lay on the table was agreed to.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of the conference report to accompany H.R. 2500, which the clerk will report.

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. 2500), "making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes," having met have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, signed by all of the conferees on the part of both Houses.

(The report is printed in the House proceedings of the RECORD of November 9, 2001 page H7986.)

The PRESIDING OFFICER (Mrs. CARNAHAN). Under the previous order, there are 45 minutes for debate of which Senator HOLLINGS, Senator GREGG, and Senator MCCAIN have 15 minutes each.

Who yields time?

Mr. HOLLINGS. Madam President, I yield myself such time as is necessary.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.