service from the determination of eligibility for free and reduced price meals of a child of the member; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HAGEL, Madam President, I ask unanimous consent to include the text of the bill be printed in the RECORD.

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

S. 1973

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. EXCLUSION OF CERTAIN MILITARY BASIC ALLOWANCES FOR DETERMINATION OF ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS.

Section 9(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)) is amended by adding at the end the following:

"(7) EXCLUSION OF CERTAIN MILITARY HOUSING ALLOWANCES.—For the 2-year period beginning on the date of enactment of this paragraph, the amount of a basic allowance provided under section 436 of title 37, United States Code, on behalf of a member of a uniformed service for housing that is acquired or constructed under subchapter IV of chapter 77, United States Code, or any related provision of law, shall not be considered to be income for the purpose of determining the eligibility of a child of the member for free or reduced price lunches under this Act."
the FBI. We must face the mistakes of the past, and make the changes needed to ensure that they are not repeated. In meeting the international terrorist challenge, the Congress has an opportunity and obligation to strengthen the institutional flaws of the FBI based on lessons learned from recent problems the Bureau has experienced.

This view is not mine alone. When Director Bob Mueller testified at his confirmation hearings last July, he forthrightly acknowledged that the Bureau’s remarkable legacy of service and accomplishment has been tarnished by some serious and highly publicized problems in recent years. Waco, Ruby Ridge, the FBI lab, Wen Ho Lee, Robert Hanssen, and the McVeigh documents—these familiar names and events remind us all that the FBI is far from perfect and that the next director faces significant management and administrative challenges.” Since then, the Judiciary Committee has forged a consensus with the Attorney General to get the FBI back on track.

Congress sometimes has followed a hands-off approach about the FBI. But with the FBI’s new increased powers, with our increased reliance on them to stop the material flow of weapons and explosives, and with the many new efforts of the public and private sectors to protect our nation, the funding requested in the President’s budget will come increased scrutiny. Until the Bureau’s problems are resolved and new challenges overcome, we have to take a hands-on approach.

Indeed our hearings and other oversight activities have highlighted tangible steps the Congress should take in an FBI reform bill as part of this hands-on approach. Last year’s hearings demonstrated the need to improve FBI internal accountability, extend whistleblower protection, end the double-standard for discipline of senior FBI executives, enhance the FBI’s internal security program to protect against espionage as occurred in the Hanssen case, modernize the FBI’s information technology systems. Since last year’s oversight hearings, the committee has explored additional management issues that are reflected in the FBI Reform Act. Senator Grassley called attention to concerns about the practices of the FBI and other Federal criminal investigative agencies in reporting and using statistics on their investigations. In addition, FBI officials responsible for protecting its facilities informed the committee of deficiencies in retaining the most qualified people on the FBI’s own police force to protect some of our nation’s most important and, unfortunately, most targeted facilities.

When Director Mueller announced the first stage of his FBI reorganization last December, he stressed the importance of taking a comprehensive look at the FBI’s missions for the future, and Deputy Attorney General Thompson’s office has told us that the Attorney General will conduct an independent investigation that enables the FBI Director to hold FBI personnel accountable and learn the necessary lessons from mistakes. When Director Mueller was asked at his confirmation hearing about a separate FBI Inspector General, he replied, “If I were the Attorney General I might have some concern about a separate Inspector General feeding the perception that the FBI is an independent institution accountable only to itself. And I’m not certain in my own mind whether or not what the accountability you seek cannot be discharged by an Inspector General with appurtenant personnel in the Department of Justice, as opposed to establishing another Inspector General in the FBI.” Attorney General Ashcroft decided to follow this route, and Title I of the FBI Reform Act codifies his action.

The committee also heard disturbing testimony about retaliation against FBI Agents who are tasked to investigate their colleagues or who discuss issues with the Congress, either directly through the General Accounting Office, which assists in congressional oversight. Therefore, Title II is important to ensure that the Federal whistleblower protection laws protect FBI personnel to the greatest extent possible. Senator Enzi deserves great credit for stressing the need for this provision and developing the language in the bill. The bill extends whistleblower protections to employees who report wrongdoing to their supervisors or to Congress. Federal whistleblowers will enjoy basic procedural protections, including the normal procedures and judicial review provided under the Administrative Procedure Act, if they are subjected to retaliation. It also ensures that those who report wrongdoing to the Office of the Special Counsel have access to the normal Merit System Protection Board rights if retaliated against.

Title VII addresses the issue of a double standard for discipline of senior executives. Internal investigations must lead to fair and just discipline. A troubling internal FBI study that was released at the committee’s July hearing documented a double standard at work with senior FBI executives receiving a slap on the wrist for the same kind of conduct that would result in serious discipline for lower level employees. At his confirmation hearing, Director Mueller said it is “very important that we do not have double standards with senior FBI executives. Internal investigations must lead to fair and just discipline.”

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to have sold many of the nation’s most sensitive national security secrets to the Soviet Union and to Russia. Just as the Ames case forced the CIA to re-vamp its security program after 1994, the Hansen case requires major change in FBI security. Former FBI and CIA Director William Webster chairs a commission that is completing its review of lessons learned from the Hansen case for the Attorney General and the FBI Director. It is my hope that Judge Webster will testify before the Judiciary Committee when his report is complete to present his unclassi-fied findings and recommendations. The FBI Reform Act includes provi-sions that are based on the Judiciary Committee’s initial oversight hearings and we remain open to incorporating the considered recommendations and reforms for which the Webster Com-mission may call.

Title III of the FBI Reform Act would establish a Career Security Program in the FBI and Title IV would establish an FBI Counterintelligence Polygraph Program for screening personnel in ex-ceptionally sensitive positions with specific safeguards. In addition, as a re-sult of events and terrorist attacks against FBI assets, Title V would au-thorize an FBI police force as part of comprehensive security enhancements.

The FBI Career Security Program would bring the FBI into line with other law enforcement agencies that have strong career security profes-sional cadres whose skills and leader-ship are dedicated to the protection of agency information, personnel, and fa-cilities. The challenges of espionage, information technology vulnerability, and the FBI’s high profile as a target of terrorist attack require that the FBI match or exceed the best security pro-grams in the intelligence and national security community. This can only be achieved by a fundamental change that reverts, again, to the model found too often in civilian agencies, to treat security as a secondary mission and security as-signments as obstacles to career ad-vancement. Before the Hansen case, an FBI Special Agent experienced as a criminal investigator might be as-signed for a few years to a security po-sition and then move on without build-ing continuity of security expertise. Turnover in FBI security work was high, the top rank was Headquarters Section Chief.

Director Mueller has changed direc-tion by creating a Assistant Director position to head a new Security Divi-sion and supporting the principle of a Security Career Program. I support this change. Title II of the FBI Reform Act provides the statutory mandate and tools to achieve this goal based on the experience of the Defense Depart-ment in reformatting its acquisition ca-reer program. The key requirements are leadership and accountability in a Security Division, creation of career program boards, designation of security positions, identification of se-curity career paths requiring appro-priate training and experience, and de-velopment of education programs for security professionals. To help ensure that security professionals gain stature comparable to Special Agents, the pro-gram would limit the preference for Special Agents in considering persons for Security Director. Additional FBI security managers would complete a security management course accredited by the Joint Security Training Consortium recently formed by the Intelligence Community and the Department of De-fense.

The FBI Counterintelligence Polygraph Program that would be estab-lished under Title III of the Act also addresses the security issue. Title III recognizes the security value of poly-graph screening, but provides specific safeguards for those who may be sub-ject to adverse action based on poly-graph exams. Screening procedures must address the problems of “false positive” responses, limit adverse ac-tions taken solely by reason of physio-logical reactions in an examination, ensure quality assurance and control, and allow subjects to have prompt ac-cess to unclassified reports on examina-tions that result in adverse actions. Title III is based upon the simple conviction that increased security and protection of employee rights can and must coexist at the FBI.

Title IV of the Act provides long overdue statutory authorization for a permanent FBI Police force, to protect critical FBI facilities. It would provide the men and women who currently guard the highest risk targets with the same pay and benefits as members of the Uniformed Division of the United States Secret Service. Today the FBI police force operating under delegated authority from the General Services Administration has been unable to retain skilled personnel at a rate com-mensurate with the threat and the need expressed in the past. The FBI Reform Act would bring the FBI police force generally into line not only with the Uniformed Division of the Secret Service, but also with the Capitol Police and the Supreme Court police. It is intended to be consistent with the current Memorandum of Agreement between the FBI and the Metropolitan Police Force of the Dis-trict of Columbia with respect to FBI buildings and grounds covered in Wash-ington, D.C.

The Attorney General has directed Deputy Attorney General Thompson to lead a management review of the FBI, while Director Mueller has already begun reorganizing the Bureau. Con-gress must participate in reviewing the FBI’s structure and identifying its fu-ture priorities. The FBI is being called on today to protect the national secu-rity from terrorist and intelligence threats mounted from abroad. FBI in-vestigations now extend overseas far more than they did only a few years ago. In the light of the govern-ment’s decision to use law enforcement as an instrument of national security along with diplomacy, military deploy-ments, and intelligence operations. At the same time, it must continue with other uniquely Federal areas of en-force ment. Title VI requires a set of re-port that would enable Congress to en-gage the Executive branch in a con-structive dialogue building a more ef-fective FBI for the twenty-first century.

To help Congress participate in charting the FBI’s course, Title VI di-rects the Attorney General to submit a comprehensive report on the legal au-thorities for FBI programs and activi-ties. In the late 1970s the Judiciary Committee considered a legis-la tive charter for the FBI that would spell out its authorities and re-sponsibilities. That proposal was set aside in 1980 despite determined efforts by then-Judiciary Committee Chair-man Kennedy, Judge Webster and At-ty-orney General Civiletti to reach agreement. The time is ripe to revive consideration of this effort.

In addition to a comprehensive char-ter, Congress should consider whether the FBI should continue to have re-sponsibility for the broad range of inves-tigations that it is currently ex-pected to conduct. I believe we have gone too far in federalizing criminal law enforcement and that more respon-sibilities which are not uniquely fed-eral can be transferred back to the states. In addition, even within the Federal law enforcement family, nu-merous agencies perform redundant functions. The Attorney General’s re-port would recommend whether the FBI should continue to have all its cur-rent investigative responsibilities, whether existing legal authority for any FBI program or activity should be modified or repealed, and whether the FBI must or should have express statu-tory authority for new or existing pro-grams or activities.

Title VI also recognizes that the task of modernizing FBI’s information tech-nology and management is as impor-tant as setting the FBI’s future mis-sions. Judiciary Committee oversight hearings have documented, and Direc-tor Mueller has acknowledged, that the FBI must overcome years of neglect in this regard. Congress is providing the funds, especially in the FY 2002 Counterterrorism Supplemental for technology assistance. We must ensure, however, that the FBI can and does use these funds effectively. There is con-cern that the FBI may need greater flexi-bility than is allowed under cur-rent law to procure new technologies. Congress also needs to see detailed plans as to how the FBI plans to update its information technology systems. Unfortunately, the Department of Jus-tice and the FBI have not provided quarterly status reports on the prin-cipal FBI computer upgrade program, known as TRILOGY, as requested in the Appropriations act for FY 2001. Congress should require the Attorney General to address these concerns in a com-prehensive report on FBI information management and technology.
Finally, Title VI requires the Comptroller General to investigate and complete a report on how statistics are reported and used by Federal law enforcement agencies, including the FBI. Senator GRASSLEY has focused attention on whether the FBI and other agencies may be double-counting criminal investigations and arrests in the reporting of accomplishments. We also need to ascertain whether the FBI and other agencies properly prioritize their activities which comply in making management decisions. It is important to get the facts and recommendations that put the FBI into the context of the full spectrum of Federal law enforcement agencies. Title VI ensures that the GAO can complete this important task by requiring agencies to comply with its requests for the information that is necessary to assist in preparing this report.

The legislation which Senator GRASSLEY and I introduce today is just one part of a bipartisan, hands-on approach to FBI reform. The committee plans additional oversight hearings to consider the Justice Department Inspector General’s report on the belated production of documents in the Oklahoma City bombing case and the report of Judge Webster’s Commission on the security lessons of the Robert Hansen espionage case. The committee also intends to hear from Director Mueller and Deputy Attorney General Thompson on their response to these reports and on their actions and goals in reorganizing the FBI and charting its management course for the future.

At the same time, we are focusing oversight attention on key aspects of FBI and law enforcement performance in connection with the September 11 terrorist attacks and the lessons learned for developing an effective counterterrorism and homeland security strategy. Contemplated by the sunset provisions in the USA PATRIOT Act, we must monitor the implementation of new surveillance and investigative powers provided to strengthen counterterrorism efforts and, in some provisions, law enforcement and counterintelligence efforts generally.

The FBI Reform Act is designed to strengthen the FBI as an institution that has a unique role as both a law enforcement agency and a member of the intelligence community. As the Judiciary Committee continues its oversight work and more is learned about recent FBI performance, additional legislation may prove necessary. Especially important will be the lessons from the attacks of September 11, 2001, the anthrax attacks, and implementation of the USA PATRIOT Act and other counterterrorism measures. Strengthening the FBI cannot be accomplished overnight, but today, with the introduction of FBI Reform Act, we take an important step into the future.

For all of these reasons, I am pleased to introduce this legislation with Senator GRASSLEY. I ask unanimous consent that the text of the bill be printed in the RECORD along with the sectional analysis.

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

SEC. 101. AUTHORITY OF THE DEPARTMENT OF JUSTICE INSPECTOR GENERAL.

Section 101 of the FBI and USA PATRIOT Reconsideration Act of 1976 (5 U.S.C. App.) is amended—

(1) in subsection (b), by striking paragraphs (2) and (3) and inserting the following:

(2) except as specified in subsection (a) and paragraph (3), may investigate allegations of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, or may, in the discretion of the Inspector General, refer such allegations to the Office of Professional Responsibility or the internal affairs office of the appropriate component of the Department of Justice; and

(3) shall refer to the Counsel, Office of Professional Responsibility of the Department of Justice, on request of the Inspector General, involving Department attorneys, investigators, or law enforcement personnel, where the allegations relate to the exercise of the authority of an attorney to investigate, litigate, or provide legal advice, except that no such referral shall be made if the attorney is employed in the Office of Professional Responsibility;

(2) by adding at the end the following:

(d) The Attorney General shall ensure by regulation that any component of the Department of Justice receiving a nonfrivolous allegation of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice shall report that information to the Inspector General.

SEC. 102. REVIEW OF THE DEPARTMENT OF JUSTICE.

(a) APPOINTMENT OF OVERSIGHT OFFICIAL WITHIN THE OFFICE OF INSPECTOR GENERAL.

(1) IN GENERAL.—The Inspector General of the Department of Justice shall direct that 1 official from the Office of the Inspector General be responsible for supervising and coordinating independent oversight of programs and operations of the Federal Bureau of Investigation and the Office of Professional Responsibility.

(2) CONTINUATION OF OVERSIGHT.—The Inspector General may continue individual oversight in accordance with paragraph (1) after September 30, 2003, at the discretion of the Inspector General.

(b) INSPECTOR GENERAL OVERSIGHT PLAN FOR THE FEDERAL BUREAU OF INVESTIGATION.

Not later than 30 days after the date of enactment of this Act, the Inspector General of the Department of Justice shall submit to the Chairman and ranking member of the Senate and the House of Representatives, a plan for oversight of the Federal Bureau of Investigation, which plan may include—

(1) an audit of the financial systems, information technology systems, and computer security systems of the Federal Bureau of Investigation;

(2) an assessment and evaluation of programs and processes of the Federal Bureau of Investigation to identify systemic weaknesses or implementation failures and to recommend corrective actions;

(3) a review of the activities of internal affairs offices of the Federal Bureau of Investigation, including the Inspections Division and the Office of Professional Responsibility;

(4) an investigation of allegations of serious misconduct by personnel of the Federal Bureau of Investigation;

(5) a review of matters relating to any other program or operation of the Federal Bureau of Investigation that the Inspector General determines require review; and

(6) an identification of resources needed by the Inspector General to implement a plan for oversight of the Federal Bureau of Investigation.

(c) REPORT ON INSPECTOR GENERAL FOR FEDERAL BUREAU OF INVESTIGATION.

Not later than 90 days after the date of enactment of this Act, the Inspector General shall submit a report and recommendation to the Chairman and ranking member of the Committees on the Judiciary of the Senate and the House of Representatives concerning whether there should be established, within the Department of Justice, a separate office of the Inspector General for the Federal Bureau of Investigation that shall be responsible for supervising independent oversight of programs and operations of the Federal Bureau of Investigation.

TITLE II—WHISTLEBLOWER PROTECTION

SEC. 201. INCREASING PROTECTIONS FOR FBI WHISTLEBLOWERS.

Section 2303 of title 5, United States Code, is amended to read as follows:

"2303. Prohibited personnel practices in the Federal Bureau of Investigation

"(a) Definition.—In this section, the term 'personnel action' means any action described in clauses (1) through (x) of section 2302(a)(2)(A).

"(b) Prohibited practices.—Any employee of the Federal Bureau of Investigation who has the authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take a personnel action with respect to any employee of the Bureau or because of—

"(1) any disclosure of information by the employee to the Attorney General (or an employee designated by the Attorney General for such purpose), a supervisor of the employee, the Inspector General, or a Member of Congress that the employee reasonably believes evidences—

"(A) a violation of any law, rule, or regulation;

"(B) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

"or

"(2) any disclosure of information by the employee to the Special Counsel of information that the employee reasonably believes evidences—

"(A) a violation of any law, rule, or regulation;

"(B) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

"(c) Individual right of action.—Chapter 12 of this title shall apply to an employee of the Federal Bureau of Investigation who claims that a personnel action has been taken under this section against the employee as a reprisal for any disclosure of information described in subsection (b)(2).

"(d) Regulations.—The Attorney General shall prescribe regulations to ensure that a personnel action under this section shall not..."
be taken against an employee of the Federal Bureau of Investigation as a reprisal for any disclosure of information described in subsection (b)(1), and shall provide for the enforcement of such regulations in a manner consistent with applicable provisions of sections 1214 and 1221, and in accordance with the procedures set forth in sections 554 through 559.

TITRE III—FBI SECURITY CAREER PROGRAM

SEC. 301. SECURITY MANAGEMENT POLICIES.

The Attorney General shall establish policies and procedures for the effective management (including accession, education, training, and career development) of persons serving in security positions in the Federal Bureau of Investigation.

SEC. 302. DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) In General.—Subject to the authority, direction, and control of the Attorney General, the Director of the Federal Bureau of Investigation (referred to in this title as the "Director") shall carry out all powers, functions, and duties of the Attorney General with respect to the security workforce in the Federal Bureau of Investigation.

(b) Policy Implementation.—The Director shall implement the policies of the Attorney General established in accordance with this Act that are implemented throughout the Federal Bureau of Investigation.

SEC. 303. DIRECTOR OF SECURITY.

(a) In General.—The Director shall appoint a Director of Security, or such other title as the Director may determine, to assist the Director in the performance of the duties of the Director under this Act.

SEC. 304. SECURITY CAREER PROGRAM BOARDS.

(a) Establishment.—The Director acting through the Office of Security shall establish security career program boards to advise the Director in managing the hiring, training, education, and career development of personnel in the security workforce of the Federal Bureau of Investigation.

(b) Composition of Board.—The security career program board shall include—

(1) the Director of Security (or a representative of the Director of Security);

(2) the senior officials, as designated by the Director, with responsibility for personnel management;

(3) the senior officials, as designated by the Director, with responsibility for information management;

(4) the senior officials, as designated by the Director, with responsibility for training and career development in the various security disciplines and programs;

(5) such other senior officials for the intelligence community as the Director may designate;

(b) Chairperson.—The Director of Security (or a representative of the Director of Security) shall be the chairperson of the board.

(c) Subordinate Boards.—The Director of Security shall establish subordinate boards to which the functions of the security career program board may be delegated.

SEC. 305. DESIGNATION OF SECURITY POSITIONS.

(a) In General.—The Director shall designate, by regulation, those positions in the Federal Bureau of Investigation that are security positions for purposes of this Act.

(b) Required Considerations.—In designating security positions under subsection (a), the Director shall include, at a minimum, all security-related positions in the areas of—

(1) personnel security and access control;

(2) information systems security and information assurance;

(3) physical security and technical surveillance countermeasures;

(4) operational, program, and industrial security; and

(5) information security and classification management.

SEC. 306. CAREER DEVELOPMENT.

(a) Career Paths.—The Director shall ensure that appropriate career paths for personnel who are in positions that are security positions and who are in positions in which security is identified in terms of the education, training, experience, and assignments necessary for career progression to the next seniority level shall make available published information on those career paths.

(b) Limitation on Preference for Special Agents.—

(1) In General.—Except as provided in the policy established under paragraph (2), the Attorney General shall ensure that no requirement for the special agent position of the Federal Bureau of Investigation (referred to in this title as a "Special Agent") is used in the consideration of persons for security positions.

(2) Policy.—The Attorney General shall establish a policy that permits a particular security position to be specified as available only to Special Agents, if a determination is made, under criteria specified in the policy, that a Special Agent—

(A) is required for that position by law;

(B) is essential for the performance of the duties of the position; or

(C) is necessary for another compelling reason.

(c) Report.—Not later than December 15 of each year, the Director shall submit to the Attorney General a report that lists—

(1) each security position that is restricted to Special Agents under the policy established under paragraph (2); and

(b) the recommendation of the Director as to whether each restricted security position should remain restricted.

(d) Opportunities To Qualify.—The Attorney General shall ensure that all personnel, including Special Agents, are provided the opportunity to acquire the education, training, and experience necessary to qualify for senior security positions.

SEC. 307. GENERAL EDUCATION, TRAINING, AND EXPERIENCE REQUIREMENTS.

(a) In General.—The Director shall establish education, training, and experience requirements for each security position, based on the level of complexity of duties carried out in the position.

(b) Qualification Requirements.—Before being assigned to a position as a program manager or deputy program manager of a significant security program or position—

(1) must have completed a security program management course that is accredited by the Intelligence Community-Department of Defense Joint Security Training Consortium or is determined to be comparable by the Director; and

(2) must have not less than 5 years experience in security of which not less than 2 years were performed in a similar program office or organization.

SEC. 308. EDUCATION AND TRAINING PROGRAMS.

(a) In General.—The Director, in consultation with the Director of the Office of Personnel Management, shall establish and implement education and training programs for persons serving in senior security positions in the Federal Bureau of Investigation.

(b) Other Programs.—The Director shall ensure that programs established under subsection (a) are established and implemented, to the maximum extent practicable, uniformly with the programs of the Intelligence Community and the Department of Defense.

SEC. 309. OFFICE OF PERSONNEL MANAGEMENT APPROVAL.

(a) In General.—The Attorney General shall submit any requirement that is established under section 307 to the Director of the Office of Personnel Management for approval.

(b) Final Approval.—If the Director does not disapprove the requirements established under section 307 within 30 days after the date on which the Director receives the requirement, the requirement is deemed to be approved by the Director of the Office of Personnel Management.

TITRE IV—FBI COUNTERINTELLIGENCE POLYGRAPH PROGRAM

SEC. 401. DEFINITIONS.

In this title:

(1) Polygraph Program.—The term "polygraph program" means the counterintelligence screening polygraph program established under section 402.

(2) Polygraph Review.—The term "polygraph Review" means the review of the scientific validity of the polygraph for counterintelligence screening purposes conducted by the Committee to Review the Scientific Evidence on the Polygraph of the National Research Council.

SEC. 402. ESTABLISHMENT OF PROGRAM.

Not later than 6 months after publication of the results of the Polygraph Review, the Director, in consultation with the Director of the Federal Bureau of Investigation and the Director of Security of the Federal Bureau of Investigation, shall establish a polygraph program for the Federal Bureau of Investigation that consists of periodic polygraph examinations of employees, or contractor employees, of the Federal Bureau of Investigation who are in positions specified by the Director of the Federal Bureau of Investigation as exceptionally sensitive in order to minimize the potential for unauthorized release or disclosure of exceptionally sensitive information.
SEC. 404. REPORT ON FURTHER ENHANCEMENT OF FBI PERSONNEL SECURITY PROGR.

(a) IN GENERAL.—Not later than 9 months after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to Congress a report setting forth recommendations for any legislation that may be necessary to enhance the effectiveness of those programs.

(b) CONTENTS OF REPORT.—The report submitted under subsection (a) shall provide—

(1) an analysis and evaluation of whether authority for waiver of procurement law (including any regulation implementing such a law) is necessary to expediently and cost-effectively acquire information management and technology programs of the Federal Bureau of Investigation to improve its investigative operations in order to respond better to national law enforcement, intelligence, and counterintelligence requirements;

(2) the results of the studies and audits conducted by the Strategic Management Council and the Inspector General of the Department of Justice to evaluate the information management and technology programs of the Federal Bureau of Investigation, including systems, policies, procedures, practices, and operations; and

(3) a plan for improving the information management and technology programs of the Federal Bureau of Investigation.

(c) RESULTS.—The results provided under subsection (b)(2) shall include an evaluation of—

(1) information technology procedures and practices regarding procurement, training, and systems maintenance;

(2) record keeping policies, procedures, and practices of the Federal Bureau of Investigation and the information technology infrastructure of the Federal Bureau of Investigation in supporting and accomplishing the overall mission of the Federal Bureau of Investigation.

(3) the management of information technology projects of the Federal Bureau of Investigation, focusing particularly on how information is inputs, stored, managed, utilized, and shared within the Federal Bureau of Investigation;

(4) the effectiveness of the information management and technology programs of the Federal Bureau of Investigation;

(5) the quality assurance and quality control practices of the Federal Bureau of Investigation; and

(6) the Federal Bureau of Investigation's policies on the appropriate use of information technology development programs.

(b) CONTENTS OF REPORT.—The report submitted under subsection (a) shall provide—

(1) an analysis and evaluation of whether authority for waiver of procurement law (including any regulation implementing such a law) is necessary to expediently and cost-effectively acquire information management and technology programs of the Federal Bureau of Investigation to improve its investigative operations in order to respond better to national law enforcement, intelligence, and counterintelligence requirements;

(2) the results of the studies and audits conducted by the Strategic Management Council and the Inspector General of the Department of Justice to evaluate the information management and technology programs of the Federal Bureau of Investigation, including systems, policies, procedures, practices, and operations; and

(3) a plan for improving the information management and technology programs of the Federal Bureau of Investigation.

(c) RESULTS.—The results provided under subsection (b)(2) shall include an evaluation of—

(1) information technology procedures and practices regarding procurement, training, and systems maintenance;

(2) record keeping policies, procedures, and practices of the Federal Bureau of Investigation and the information technology infrastructure of the Federal Bureau of Investigation in supporting and accomplishing the overall mission of the Federal Bureau of Investigation;

(3) the management of information technology projects of the Federal Bureau of Investigation, focusing particularly on how information is inputs, stored, managed, utilized, and shared within the Federal Bureau of Investigation;

(4) the effectiveness of the information management and technology programs of the Federal Bureau of Investigation; and

(5) the quality assurance and quality control practices of the Federal Bureau of Investigation; and

(6) the Federal Bureau of Investigation's policies on the appropriate use of information technology development programs.

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(1) an analysis and evaluation of whether authority for waiver of procurement law (including any regulation implementing such a law) is necessary to expediently and cost-effectively acquire information management and technology programs of the Federal Bureau of Investigation to improve its investigative operations in order to respond better to national law enforcement, intelligence, and counterintelligence requirements;

(2) the results of the studies and audits conducted by the Strategic Management Council and the Inspector General of the Department of Justice to evaluate the information management and technology programs of the Federal Bureau of Investigation, including systems, policies, procedures, practices, and operations; and

(3) a plan for improving the information management and technology programs of the Federal Bureau of Investigation.

(c) RESULTS.—The results provided under subsection (b)(2) shall include an evaluation of—

(1) information technology procedures and practices regarding procurement, training, and systems maintenance;

(2) record keeping policies, procedures, and practices of the Federal Bureau of Investigation and the information technology infrastructure of the Federal Bureau of Investigation in supporting and accomplishing the overall mission of the Federal Bureau of Investigation;

(3) the management of information technology projects of the Federal Bureau of Investigation, focusing particularly on how information is inputs, stored, managed, utilized, and shared within the Federal Bureau of Investigation;

(4) the effectiveness of the information management and technology programs of the Federal Bureau of Investigation; and

(5) the quality assurance and quality control practices of the Federal Bureau of Investigation; and

(6) the Federal Bureau of Investigation's policies on the appropriate use of information technology development programs.
(6) the security and access control techniques for classified and sensitive but unclassified information systems in the Federal Bureau of Investigation.

(3) CRITERIA FOR REVIEW.—The plan provided under subsection (b)(3) shall ensure that—

(1) appropriate key technology management programs at the Federal Bureau of Investigation are filled by personnel with experience in the commercial sector;

(2) access to the most sensitive information is audited in such a manner that suspicious activity is subject to near contemporaneous security review;

(3) critical information systems employ a published key for digital signatures with users and recipients of messages or records;

(4) security features are tested by the National Security Agency to meet national information systems security standards;

(5) all employees in the Federal Bureau of Investigation receive annual instruction in information systems security standards and training, and procedures relevant to their positions;

(6) a reserve is established for research and development to guide strategic information management and technology investment decisions;

(7) unnecessary administrative requirements for software purchases under $2,000,000 are eliminated;

(8) full consideration is given to contacting with an expert technology partner to provide technical support for the information technology procurement for the Federal Bureau of Investigation;

(9) procedures are instituted to procure products and services through contracts of other than a negotiated nature; and

(10) a systems integration and test center, with the participation of field personnel, tests information system upgrades or changes before their operational deployment to confirm that they meet proper requirements.

SEC. 603. GAO REPORT ON CRIME STATISTICS REPORTING.

(a) IN GENERAL.—Not later than 9 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report on the issue of how statistical information is used by Federal law enforcement agencies.

(b) CONTENTS.—The report submitted under subsection (a) shall—

(1) identify the current regulations, procedures, internal policies, or other conditions that allow the investigation or arrest of an individual who is not an employee or reported by more than 1 Federal or State agency charged with law enforcement responsibility;

(2) identify and examine the conditions that allow the investigation or arrest of an individual to be claimed or reported by the Office of Inspectors General and any other Federal agency charged with law enforcement responsibility;

(3) examine the statistics reported by Federal law enforcement agencies, and document those instances in which more than 1 agency, bureau, or office claimed or reported the same investigation or arrest during the years 1998 through 2001;

(4) examine the issue of Federal agencies simultaneously claiming arrest credit for an arrest in custody situations that have already occurred pursuant to a State or local agency arrest situation during the years 1998 through 2001;

(5) examine the issue of how such statistics are used for administrative and management purposes;

(6) forth a comprehensive definition of the terms “investigation” and “arrest” as those terms apply to Federal agencies charged with law enforcement responsibilities; and

(7) include recommendations, that when implemented, would eliminate unwarranted and duplicative reporting of investigations and arrest statistics by all Federal agencies charged with law enforcement responsibilities.

(c) FEDERAL AGENCY COMPLIANCE.—Federal law enforcement agencies shall comply with requests made by the General Accounting Office for information that is necessary to assist in preparing the report required by this section.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. ALLOWING DISCIPLINARY SUSPENSIONS AND FURTHERING THE SENIOR EXECUTIVE SERVICE FOR 14 DAYS OR LESS.

Section 598 of title 5, United States Code, is amended by striking “for more than 14 days”.

S. 1974—SECTION-BY-SECTION ANALYSIS

TITLE I

Title I of this bill provides for improved Department of Justice and Congressional oversight of the FBI by ensuring that the Department of Justice Office of the Inspector General, “OIG”, is authorized to investigate allegations of misconduct at the FBI and required by the Attorney General to designate certain positions as security positions. The OIG is also authorized to refer certain matters to the FBI Office of Professional Responsibility or to the internal affairs office of the appropriate component of the Department. The Attorney General is directed to promulgate regulations implementing this OIG authority.

For many years, the FBI was excluded from OIG jurisdiction and the FBI’s own internal Office of Professional Responsibility lacked the authority to investigate FBI personnel misconduct, unless the Attorney General made an exception. The FBI’s exclusive domain to investigate its own misconduct supported FBI initiatives as unique in the law and created the appearance of a conflict of interest. On July 11, 2001, Attorney General Ashcroft issued a new rule expanding the OIG’s jurisdiction over the FBI. This section is consistent with, and codifies, the Attorney General’s new rule.

Section 102. Review of the Department of Justice Career Development Program.

Title II

This title amends Title 5, United States Code, to enhance the whistle blower protection programs provided to FBI employees and protect them from retaliation.

Section 201. Providing whistle blower protection for FBI employees.

Section 2308 of title 5, United States Code, is amended to expand disclosures that trigger whistle blower protections by protecting disclosures, which the employee “reasonably believes” evidences misconduct to the OIG, the supervisor of the employee, or the Special Counsel (an office of the Merit Systems Protection Board—“MSPB”), provided by 5 U.S.C. §1214. The amendment would also ensure that the procedural protections of the Administrative Procedure Act, including but limited to 5 U.S.C. §701 and §704, would be followed in cases where a complaint of retaliation was made by an FBI employee. These procedural protections include, among other things, an impartial decision maker and decision based on the “record” of any proceedings without ex parte contacts and judicial review as provided. The amendment for the protection of classified material would also be available for such proceedings in appropriate situations. The amendment, in new subsection (d), provides an individual right of action as provided under Chapter 12 of Title 5 before the MSPB. The amendment, in new subsection (d), requires the Attorney General to prescribe regulations to ensure that the title is enforced at the FBI.

TITLE III

Title III requires the FBI to establish a career security program to enhance the internal security of the FBI and ensure that appropriate management tools and resources are devoted to that task. Security professional career development requirements would be modeled generally on the statutory Department of Defense Acquisition Career Program.

Section 301–305. Establishing and defining career security program.

Section 301 requires the Attorney General to establish policies and procedures for career management of FBI security personnel. Section 302 authorizes the Attorney General to delegate to the FBI Director the Attorney General’s duties with respect to the FBI security workforce. Section 303 directs the FBI Director to appoint an official to help supervise the career development of FBI personnel, who, under Section 304, would chair a security career program board to advise in managing the FBI’s career development. Section 305 directs the FBI Director to designate certain positions as security positions, with responsibility for personal and organizational security and information systems security, information assurance, physical security, technical surveillance countermeasures, operational, program and industrial security, and information security and classification management.

Sections 306–309. Career development and training.

Section 306 requires that career paths to senior positions would be published. FBI Special Agents would not have preference for a security position, and no positions would be reserved to Special Agents, unless the Attorney General makes a special determination. All FBI personnel would have the opportunity to acquire the education, training and experience necessary to qualify for FBI positions. The Attorney General would ensure that policies are designed to select the best qualified individuals, consistent with other applicable law. Consideration would also be given to the need for a balanced workforce.

Section 307 would direct that education, training, and experience requirements would be established for each position. Before assignment as manager or deputy manager of a
This title would require the Attorney General to establish a Counterintelligence Polygraph Program for personnel in exceptional positions that reflects the results of a pending National Academy of Sciences review of the Advanced Polygraph in a similar program. Section 308 directs the Director, in consultation with the Director of Defense Intelligence, to establish education and training programs for FBI security personnel that, to the maximum extent practical, are uniform with Intelligence and DoD programs. Section 309 sets forth the process for approval of these programs.

**TITLES VI**

**Section 601. FBI authority and mission**

This title provides two separate reports by the Attorney General to Congress on the legal authority for FBI programs and activities, including those that have express statutory authority and those that do not. The bill requires the Attorney General to submit a report to Congress on the legal authority for FBI programs and activities, identifying those that have express statutory authority and those that do not. The bill also requires the Attorney General to submit a report to Congress on the legal authority for any FBI program or activity for which it does not currently have such authority, and whether the FBI should have authority for any program or activity.

**Section 602. FBI information management**

The bill requires the Attorney General to submit a report on FBI information management and technology, including whether the authority is needed to waive normal procurement regulations. The report would provide the results of pending Justice Management Council studies and Inspector General reports and would include a plan for improving FBI information management and technology to ensure that appropriate FBI technology management positions are filled by personnel with commercial sector experience. The report would also address how to eliminate false positive results and ensure quality assurance and control in accordance with guidance from the DoD Polygraph Institute and the DCI. The bill would require the Attorney General to submit a report to Congress on the legal authority for any FBI program or activity for which it does not currently have such authority, and whether the FBI should have authority for any program or activity.

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This title would address the issue of the “double standard” in the FBI, to prevent lower level employees from being more harshly disciplined than senior FBI officials. This title would require the Attorney General to submit a report to Congress on the legal authority for FBI programs and activities, identifying those that have express statutory authority and those that do not. The bill would require the Attorney General to submit a report to Congress on the legal authority for any FBI program or activity for which it does not currently have such authority, and whether the FBI should have authority for any program or activity.

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**Section 702. Allowing disciplinary suspensions for members of the senior executive service for 14 days or less**

This section would lift the minimum of 14 days suspension that applies in the FBI’s disciplinary cases and thereby provide additional options for discipline for SES employees.

Mr. GRASSLEY. Madam President, I am pleased to introduce with Senator LEAHY a bill to reform the FBI. For almost a decade I have been engaged in FBI oversight and during that time I have seen numerous scandals and credible allegations. While the FBI is an important law enforcement agency working to address these problems, Congress also has a role to play in the overhaul of the FBI. The FBI reform bill is designed to address the accountability problems that have plagued the FBI for years. The bill expands the Department of Justice Inspector General’s jurisdiction, protects FBI whistleblowers, creates an FBI Security Career program and a Counterintelligence Polygraph program, enhances the FBI policies and procedures, and mandates various reports by the Attorney General and the Department of Justice Inspector General. I have advocated some of these measures, particularly those dealing with protecting whistleblowers and expanding the jurisdiction of the DOJ Inspector General’s Office to include the FBI. Let me provide some more detail about the most important provisions in the bill.

In the past the FBI’s own internal Office of Professional Responsibility was tasked with the sole authority to investigate the misconduct of FBI personnel. Clearly this constitutes a conflict of interest. In fact, no other area of the Department of Justice maintains this type of accountability system.

Last summer, Attorney General Ashcroft issued a bill which changed that situation by expanding the jurisdiction of the Department of Justice Office of Inspector General to encompass both the FBI and the DEA. Specifically, the order gave the DOJ Inspector General primary jurisdiction over allegations of misconduct against employees of the FBI and DEA. Previously, the Inspector General could not initiate an investigation within the FBI or the DEA, without receiving permission from the Deputy Attorney General. I commended Attorney General Ashcroft’s order because I had been saying for many years that the FBI should not be allowed to police
investigates over 300 different federal offenses, which are divided between violent crime, white collar crime, organized crime, drugs, national security, and civil rights. Contained within these areas are numerous instances of concurrent or overlapping jurisdiction with other Federal law enforcement agencies.

Despite having what many would describe as an already overburdened array of jurisdiction, the FBI has established a new field of jurisdictional encroachment. This "Pacman" philosophy of the Bureau’s past has only served to feed the culture of arrogance. I pointed this problem out to the DOJ and was pleased to hear of the Attorney General and the FBI Director’s intention to put a stop to that "Pacman" mentality and limit the FBI’s investigatory scope.

But, this will be a complex issue. Just as Congress has been complicit in the FBI’s expansion, we will need to be involved in the future. The Department of Justice’s Strategic Plan states that the FBI will focus on building and maintaining its utmost capacity to detect, deter, counter, and prevent terrorist activity. The plan also notes that advancing trust and confidence in the FBI is one of the FBI’s top priorities.

To assist in cutting back on the FBI will only occur when FBI employees feel free to blow the whistle on wrongdoing. Since the FBI was excluded from the Whistleblower Protection Act I have been concerned about the retaliation that is often perpetrated against whistleblowers at the FBI, such as Dr. Fred Ngeehasah, who speaks out about abuses and problems with the system.

So, the bill gives FBI whistleblowers the same rights and protections that other Federal employees currently possess. When FBI employees are retaliated against for blowing the whistle, they can avail themselves of all the protections afforded them by the Whistleblower Protection Act.

Since the FBI has made the fight against terrorism its top priority, many federal whistleblowers, since 1999. This is because of my strong belief that disclosures of wrongdoing by whistleblowers are an integral part of our system of checks and balances. Whistleblowers ensure that waste, fraud, and abuse are brought to light. FBI whistleblowers play a critical role in ensuring that public health and safety problems are exposed.

I truly believe that reform at the FBI will only occur when FBI employees feel free to blow the whistle on wrongdoing. Since the FBI was excluded from the Whistleblower Protection Act I have been concerned about the retaliation that is often perpetrated against whistleblowers at the FBI, such as Dr. Fred Ngeehasah, who speaks out about abuses and problems with the system.

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In conclusion, I urge my colleagues to support this bill to foster reform in the FBI. The Bureau is crucial in the war on terrorism. Let’s fix the problems we have helped to create, so that the FBI can again be he best at what it does.

By Mrs. FEINSTEIN (for herself, Mr. SMITH of Oregon, Mr. DASCHLE, Mr. JEFFORDS, Mrs. CLINTON, Mrs. HUTCHISON, Ms. MIKULSKI, Ms. SNOWE, Mr. BOXER, Ms. COLLINS, Ms. LANDRIEU, Mr. CHAFEE, Mrs. MURRAY, Mrs. LINCOLN, Ms. STABENOW, Ms. CANTWELL, Mrs. CARNahan, Mr. SCHUMER, Mr. TORRicELLI, Mr. NELson of NebrasKa, Mr. JOHNSOn, Mr. REED, Mr. BREAXE, Mr. CORZINE, Mr. LEAHY, Mr. REID, Mr. KERRY, Mr. NELson of Florida, Mr. GRAHAM, and Mr. DODD):

S. 1970 — to provide for a comprehensive Federal effort relating to treatments for, and the prevention of, cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Madam President, I rise today to introduce the National Cancer Act of 2002. This bill is co-sponsored by Senators GORDON SMITH, DASCHLE, JEFFORDS, CLINTON, HUTCHISON, MIKULSKI, SNOWE, BOXER, COLLINS, LANDRIEU, CHAFEE, MURRAY, LINCOLN, STABENOW, CANTWELL, CARNahan, SCHUMER, TORRicELLI, BEN NELson, JOHNSON, REED, BREAXE, CORZINE, LEAHY, REID, KERRY, and BILL NELson.

Today, cancer is the Nation’s second cause of death, trailing heart disease. Over the next 30 years, cancer will surpass heart disease and become the leading cause of death as the baby boomers age.

This bill represents a comprehensive national battle plan to reenergize the Nation’s war on cancer, a war begun when President Richard Nixon on January 22, 1971 proposed to Congress that we launch a war on cancer.

That commitment was a critical first step. But it is clear that we must take further steps to address the scourge of cancer in every respect.

The bill we are introducing today is the product of more than 3 years and hundreds of hours of work.

I am the vice-chair of the National Dialogue Group. In discussions with cancer experts from this group, it became clear to me that the National Cancer Act of 1971 was out of date.

We are now in the genomic era, on the cusp of discoveries and cures that we could only have dreamed about in 1971. The science of cancer has advanced dramatically with the revolution in molecular and cellular biology creating unprecedented opportunities for understanding how genetics, environmental risk factors, and lifestyle factors can complicate the explosion in knowledge about the human genome and molecular biology will enable scientists to better target cancer drugs.

I believe the opportunity for new drugs is so bright, we might well find a cure for cancer in my lifetime.

With these advances, I thought it was time to update the National Cancer Act of 1971 to reflect these advances in science.

I asked John Seffrin, CEO of the American Cancer Society, and Dr. Vincent DeVita, Director of the Yale Cancer Center, to form a special committee of cancer experts to provide recommendations on a battle plan to conquer cancer.

The committee produced an ambitious plan and what I tried to do was take the most important components, given the current budget situation, and develop a piece of legislation that could pass the Senate.

On November 7, 2001, President George Bush commended the work of the committee when he wrote, “The journey ahead will not be easy. But 30 years ago, no one would have imagined coming as far as we have. Working together, we will take the next steps necessary to defeat this deadly disease.” I invite him today to join us in taking these steps.

Finding a cure for cancer is a very personal goal. I lost both my father, Leon Goldman, and my husband, Bert Feinstein, to cancer. I saw its ravages firsthand, and I experienced the frustrations, the difficulties, and the loneliness that people suffer when a loved one has cancer. I determined that I would do all I could to reduce the number of people who go through this devastating experience.

And it is my great hope that this legislation will help do just that, and enable us to find a cure for cancer in my lifetime.

This may be in fact be the most important thing I do in the Senate.

There are several reasons we need a major attack on cancer. Much has changed since 1971. The way we prevent, diagnose, treat, conduct research, and understand cancer has changed dramatically.

Cancer is a disease of aging and as the American population ages, cancer incidence will grow by 29 percent by 2010 and cancer deaths by 25 percent. The number of Americans over age 65 will double in the next 30 years.

Since 1971, survival rates for some cancers have improved, while others have not. More and more people live with cancer. Compared to 1971, twice as many people, in 1997, are living with a history of cancer.

Since 1971, more cancer care has moved from inpatient to outpatient settings. Some families find themselves virtually becoming nurses to their loved ones in this new care.

Since 1971, more research is collaborative, between the public and private sectors, and more cancer research requires a multi-disciplinary approach.

Since 1971, the biotechnology industry has blossomed and provided a broad array of new treatment options, promising even more innovations in cancer care.

Since 1971, computer technology and communications have expanded and increased in complexity, making the accessing and transmitting of information more widespread, more readily available and transforming research methodologies.

While the science of cancer has seen revolutionary change, there are still many gaps in the system, especially from the patient’s perspective.

Just three months ago, the President’s Cancer Panel published a report titled, Voices of a Broken System: Real People, Real Problems, told us that cancer is an “equal opportunity” killer, but if you are poor, uneducated, or isolated you are doubly disadvantaged in America. They said, “Access to appropriate cancer care is the crucial fundamental step needed to relieve the desperate physical suffering, financial devastation, and loss of dignity so many people endure when cancer is diagnosed.”

Take cancer screening, for example. Cancer screening can reduce cancer mortality. While many screening tools have been developed, screening rates are still low, especially for colorectal cancer. Screening technologies have improved, but cancer screening rates vary by cancer site, by population group, and by health insurance coverage.

Another “hole” in the system: Fewer than 5 percent of adult cancer patients participate in cancer trials. Among the elderly, the population most likely to get cancer, only 3-4 percent participate. Drugs cannot be brought to patients without clinical trials.

The quality of cancer care is uneven and often based on the pure coincidence of where one lives. According to the President’s Cancer Panel, “People living in rural, frontier, geographically isolated and impoverished inner city areas suffer the most from the uneven distribution of cancer resources and providers.” Many studies show that many cancer patients do not receive optimal care.

Additionally, the cancer care workforce will face severe shortages, particularly in long-term care settings.

The pipeline of medical researchers is threatened with, the number of young physicians entering medical research declining.

Over 44 million Americans have no health care insurance. In 1997, 29 percent of adult cancer patients did not have health insurance. Among the elderly, the population most likely to get cancer, only 3-4 percent participate. Drugs cannot be brought to patients without clinical trials.

The National Cancer Act of 2002 takes a multi-pronged approach to winning the war against cancer. Here’s what the bill will do:

The advances in science that I spoke of earlier on the human genome and molecular biology have thus far produced medications that can target cancer cells and leave in tact healthy cells.

This legislation would enable the National Cancer Institute (NCI) to fund
up to 40 percent of grants over 5 years, up from the current level of 28 percent. Why is this important? The research is what will bring the cure.

NCI now funds 4,500 research project grants at nearly 600 institutions every year. This represents 28 percent of the 16,000 grant proposals NCI receives. NCI scientists think funding 40 percent will allow them to fund the most promising grants. At 28 percent, it does not happen.

Funding basic research is a full frontal assault on cancer, which will lead to more breakthroughs, more treatments, and ultimately, I believe, to a cure.

We now have drugs, like Gleevec for Chronic Myeloid Leukemia and Herceptin for breast cancer, that can target and destroy cancer cells while leaving healthy cells unharmed.

Patients, who were considered terminal, have taken Gleevec and were able to get out of their beds and leave the hospital within days of treatment. After one-year of clinical trials for Gleevec, 51 out of 54 patients were still doing well. With 4,500 Americans diagnosed with Chronic Myeloid Leukemia a year, the potential for this drug is tremendous.

And just this month, Gleevec was approved by the FDA to treat another cancer Gastrointestinal Stromal Tumors, suggesting that the potential for this drug may be even greater than we hope.

The bill authorizes funds for new and existing research centers to conduct translational, multidisciplinary research projects, and to establish networks linking translational research centers to community cancer providers, hospitals, clinics, doctors' practices, particularly in underserved areas.

The purpose of this provision is to greatly accelerate the movement of basic research to the patient, from the "bench to the bedside." Right now, there are many new drugs under development that are stuck, as though in a funnel, because we have not put the resources into having the people-based research to test those drugs. There are approximately 400 new drugs that are held up in the development process because resources are not available to fund clinical research to test those drugs.

For every one drug approved, 5,000 to 10,000 were initially considered. The entire process can take as long as 12 to 14 years. NCLAC said 10 to 15 companies could not bring one drug from discovery to patients.

Second, the bill will require insurers to pay the routine or non-research costs for people to participate in clinical trials, while the drug sponsor would continue to pay the research costs. California already requires this coverage by private insurers.

Third, the bill requires the National Cancer Institute to establish a program to recruit and doctors to participate in clinical trials. Dr. Robert Comis, President of the Coalition of National Cancer Cooperative Groups, has said that eight out of ten cancer patients do not consider participating in a clinical trial. They are unaware that they might have the option. He also has found that physician involvement is key.

We must work all we can to make both physicians and patients more aware of the importance of participating.

Currently, only 4 to 5 percent of adult cancer patients participate in clinical cancer trials. But Research America polls found that 61 percent of Americans would participate in a clinical trial.

We should heed the example of what is called the "pediatric model." Over 60 percent of children with cancer participate in clinical trials. Children in these medical care, with an overall physician manager or "quarterback." The five-year survival rates for children with cancer have increased significantly.

In the 1960s, childhood leukemia could not be cured. It was a death sentence. Today, 70 percent of children with acute lymphoblastic leukemia enter remission. This is but one example of the power and importance of clinical trials. An investigational treatment yesterday is standard treatment today.

Only by injecting new funding into cancer research will we enable cancer researchers to conduct the trials that are necessary to bring promising new drugs to market.

Scientists say we will stop defining cancer by body part, like breast cancer or prostate cancer. Because everyday we are understanding better the genetic basis of cancer and can focus drugs on molecular targets, we may, for example, 50 different kinds of breast cancer, defined by their genetic basis. As NCI's Dr. Rabson has said, "As we've come to understand the molecular signatures of cancer cells, we can classify tumors according to their genetic characteristics."

This means that we need to create incentives to encourage companies to make these targeted drugs because as we redefine cancer, we will have small populations of people that particular kind of breast cancer. Companies are often reluctant to make drugs for small patient populations.

This legislation would provide tax incentives to encourage pharmaceutical companies to produce "orphan drugs," or drugs targeted to small patient populations.

Beginning with Gleevec and continuing into the future, drugs will target a narrow genetic or cellular mutation.

While this holds great promise for patients, it also means that the number of treatments will proliferate, thereby segmenting cancer patients into smaller and smaller populations. In some cases, this will mean that the drugs targeted to pa-
The National Academy of Sciences in September 2000 called for increasing their compensation.

All too often having cancer is a lonely and frightening experience. Cancer patients have a team of doctors, from the primary care physician to the radiologist to the oncologist. Patients need one doctor to be in charge.

The Institute of Medicine told the Senate Cancer Coalition in our June 16, 1999 hearing that the care that cancer patients receive is too often just a matter of circumstance: "... for many Americans with cancer, there is a wide gulf between what could be construed as the ideal and the reality of Americans' experience with cancer care...

The ad hoc and fragmented cancer care system does not ensure access to care, lacks coordination, and is inefficient in its use of resources." The Institute of Medicine study on the uneven quality of health care says, "Health care today is characterized by more to know, more to manage, and more people involved in doing it than at any time in the nation's history."

The bill will require plans to pay doctors, preferably oncologists, to become the "quarterback physician" to be with the patient from diagnosis through treatment to prevent the patient from being forced to navigate the medical system alone.

I developed this concept after meeting Dr. Judy Schmidt, a solo-practicing oncologist from Montana. Dr. Schmidt cares for her patients from diagnosis to treatment, and she is really a model for doctors across the nation to emulate. This "quarterback physician" who would provide overall management of the patient's care among all the providers. Someone would be in charge. This provision could save money because good coordination can reduce hospitalization costs.

The bill also authorizes $8 million to the Agency for Health Care Research and Quality to convene cancer experts, providers, patients and other relevant experts to coordinate the development of practice guidelines for optimal cancer care, prevention, palliation, symptom management and end-of-life care.

People cannot get good health care if they have no way to pay for it, if insurance companies, public and private, do not cover the basics like screenings for cancer.

My bill will require public plans, like Medicare and Medicaid, and private insurance plans to cover five services important to good cancer care: (1) cancer screenings; (2) genetic testing and counseling for people at risk; (3) smoking cessation; and (4) nutrition counseling.

The coverage added by this bill is important to preventing cancer. Here's an example: On January 31, we read reports of a promising new screening test for colon cancer that can find extremely small traces of cancer in patients' stool, offering an entirely new approach to finding colon cancer, which kills 48,000 Americans annually and is often found too late to cure.

Mammograms, pelvic exams, reducing fat in the diet and stopping smoking—none of which could be enhanced by this bill—can stop cancer before it is too late. Because too many Americans have no way to pay for their health care when they are sick, one out of seven percent of cancer patients are uninsured, the bill also requires the Institute of Medicine of the National Academy of Sciences to conduct a study of the feasibility and cost of providing Medicare coverage to individuals diagnosed with cancer who are diagnosed with cancer and have no other way to pay for their health care.

Medicare already covers care for people of any age who have End Stage Renal Disease and Amyotrophic Lateral Sclerosis, study disparities and other important preventive measures are to place tobacco products under the regulatory control of the Food and Drug Administration (FDA). It is long past time to reduce the addictive nature of cigarettes and curtail the marketing of these products to young people—I believe that empowering the FDA to regulate tobacco will help do that.

The U.S. Surgeon General and the Centers for Disease Control and Prevention have unequivocally demonstrated that, for example, anti-smoking campaigns can reduce smoking, a major cause of cancer.

California is a good example: My state started an aggressive tobacco control program in 1989 and throughout the 1990s, tobacco use dropped at two to three times faster than the rest of the country.

Ninety percent of adult smokers before age 18 and every day, 3,000 young people become smokers. This bill will provide meaningful regulation by the Food and Drug Administration of the content and marketing of tobacco products, especially the addictive and carcinogenic components. Dr. C. Everett Koop, former U.S. Surgeon General, and Dr. David Kessler, former Commissioner of the Food and Drug Administration, wrote in their 1997 report, cited FDA and other studies and said: "Nicotine in cigarettes and smokeless tobacco has the same pharmacological effects as other drugs that FDA has traditionally regulated..." and the vast majority of people who use nicotine-containing cigarettes and other tobacco products use it to satisfy their craving for the pharmacological effects of nicotine; that is, to satisfy their drug-dependence or addiction."
They recommended: "FDA should continue to have authority to regulate all areas of nicotine, as well as other constituents and ingredients, and that authority should be made completely explicit."

I am pleased to note that even the Philip Morris Companies has acknowledged the need for FDA to regulate tobacco. On their website, they say:

We believe federal legislation that includes granting FDA authority to regulate tobacco products could effectively address many of the complex tobacco issues that concern the public, the public health community and us.

It is long past time to reduce the addictive nature of cigarettes and curtail the marketing of these products to young people. This bill gives FDA the power to regulate tobacco products’ content, design, sale, and marketing.

The bill requires the NCI and the National Institute for Environmental Health Sciences to develop and prioritize strategic plans to intensify research in the following areas: quality of life for cancer patients and survivors; symptom management for patients and survivors; palliative care and pain management; health disparities for racial and ethnic minorities; cancer prevention; early detection and diagnostic technologies and methods; and cancer survivorship.

Patient advocates and others have called on NCI and other institutes to develop a broad and responsive portfolio.

Experts say we need to learn more about cancer survivorship. People used to die quickly of cancer, but today, more and more are living with cancer, as many as nine million Americans. Kathleen Foley of Memorial Sloan-Kettering Cancer Center said, "While we work to cure the many types of cancer, nothing would have greater impact on the daily lives of cancer patients and their families than good symptom control and supportive therapy." Charles S. Cleeland, of the M.D. Anderson Cancer Center, said in the June 20, 2001 Washington Post, "We need a new research agenda that focuses on alleviation of disease-related distress." The National Cancer Policy Board of the Institute of Medicine last year recommended that NCI conduct more research on palliative care.

This is an example of an area that needs more emphasis. While NCI's work has brought huge advances in understanding, preventing and treating cancer, there is no question that we could do more.

For eight years I have co-chaired the Senate Cancer Coalition. We have held eight hearings on cancer. With each hearing, I become more and more convinced that we can conquer cancer in my lifetime.

Polls by Research America show that the public wants their tax dollars spent on medical research and that in fact people will pay more in taxes for more medical research.

When Beattle George Harrison died in December of cancer, a Maryland nursing school teacher, Jennifer DeBernard said, "There's a fortune and talent doesn't save you from something like cancer." Cancer impacts everyone. Everyone knows someone who has had cancer or will have cancer.

I am thoroughly convinced that if we just marshal the resources, we can conquer cancer in the 21st Century. Let's begin. The road ahead is long and treacherous. But if we all work together, I honestly believe we can do it.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Madam President, I am very pleased and honored to join Senator FEINSTEIN today to introduce this very important piece of legislation. We are gambling at waging a winning war, but there is one more that we need to wage and win and that is the war on cancer.

I joined Senator FEINSTEIN as an original cosponsor of this for three reasons: First of all, because she asked me to. Second, because she asked me. And third, because she understands more about this issue and so many more. Second, it was important to her and to me that the other cosponsor be a Republican because cancer is not a partisan issue. It attacks us all equally. It is unresponsive to the polls. This is one of those issues where truly we ought to be walking in lockstep together as Americans.

Finally, I know something of the pain that families experience through the contraction of cancer. As an honor and a tribute to my own mother, whom I recently lost to cancer, I cosponsor this legislation.

Oregon is a small State relatively—large geographically, but not in population—but cancer knows no boundaries as to States or as to countries. As we consider the statistics I can give, they apply to my State. In percentage terms, they would apply equally to every State. Truly, cancer is the second biggest killer in the State of Oregon, second only to heart disease. And at current rates, it will soon surpass that. This is a war we have to win.

There are 18,000 new cases of cancer diagnosed among Oregonians every year. Last year, the average, 19 Oregonians die from cancer every day. Breast cancer is the most common form of diagnosed cancer in my State. Nine women every day hear the dreaded words: You have breast cancer. And every day, one family in Oregon will lose a family member to breast cancer. Every 3 days, a child in Oregon is told that he or she has cancer. I could go on. The statistics become rather numbing. But they are not unique to my State. That makes it all the more tragic that this is such a large and growing problem.

There is something we can do about it. I am proud to say that Senator FEINSTEIN has mentioned Dr. Druker of the Oregon Health Sciences University. He has, through his study of the genome, the genemic field, developed a promising new oral treatment for patients with chronic myeloid leukemia, a rare and life-threatening form of cancer. We met a wonderful young man yesterday who has been apparently cured on the basis of this drug. Gleevec is a targeted therapy based on new knowledge in this important area of research. It is hoped that future advances in cancer treatment will be as successful in targeting abnormalities with curative or less toxic drugs for cancer patients. This legislation will help us on this path.

In the interest of time, I will not review the details of our bill that Senator FEINSTEIN has so very ably and eloquently laid out. This is a good bill. This is a bill that should pass. It is expensive in dollar terms, but how can we put a pricetag on the health of the American people, on an issue as painful as this one?

Again, cancer is not a partisan disease.

I am proud today to cosponsor the National Cancer Act of 2002. I do so as an American, but more I do so as a member of the human family.

I yield the floor.

Mrs. CLINTON. Madam President, I rise today on behalf of legislation I am introducing along with Senator FEINSTEIN and others to help patients and their families around the country who are struggling against cancer.

It has been three decades since we declared war on cancer, and passed the National Cancer Act of 1971. And while we have many new weapons in our arsenal, new surgical techniques, new drugs like Gleevec, and new diagnostic tests to catch cancer in its early stages, the burden of this disease on our population is still devastating. One out of every two Americans will hear these devastating words sometime in their lives: "you have cancer." It is the second leading cause of death in our country—surpassed only by heart disease, and it not only devastates the patient; it brings immeasurable pain into the lives of that person’s family and friends.

Consider the statistic that 1,500 Americans die of cancer each day. Introducing along with Senator FEINSTEIN and others to help patients and their families around the country who are struggling against cancer.

Sadly, cancer has become a part of life for all American families. Thanks to research, early detection and treatment, cancer is not automatically a death sentence. It can be beaten. And it is even better to keep it from occurring in the first place. Our hope for this and future generations is this simple dream—that in the long fight against
this disease, some day we will ultimately win—that keeps so many patients and families going.

This bill we’re introducing today can move us closer to making the dream a reality. It calls for: Recruiting talented medical professionals by offering to cover the student loan payments of 100 physicians a year who agree to become cancer researchers; supporting the work of NCI Cancer centers like Memorial Sloan Kettering and Roswell Park in New York; improving access to breast cancer care by attracting and training health professionals to provide cancer care, to encourage cancer quarterbacks that can coordinate a patient’s care, and improving access to important cancer services such as screenings, smoking cessation therapy, genetic testing, and counseling about whether to undertake genetic testing.

While this legislation goes a long way to strengthening the biomedical research community, it will also be continuing to work with the States, communities, and public health institutions to educate the public about cancer prevention, to address the risk factors, and promote early intervention.

In the midst of the phrase “public health” conjured up battles against infectious diseases like malaria or tuberculosis. Now with chronic diseases, such as heart disease and cancer, as the leading causes of death, we must think about “public health” in a new light, and fight carcinogens as well as pathogens.

For instance, this bill affirms FDA’s authority over tobacco, the carcinogen that causes one in four for 1 out of every 3 cancer deaths. Next week I will be chairing a hearing in the Subcommittee on Public Health to explore the need for better tracking of chronic disease and environmental exposure, so that we can identify and understand the connections between the environment and diseases like cancer.

I am a big believer in patient access to clinical trials. In the previous administration Medicare and Medicaid began paying the routine medical costs of participating in clinical trials, and I support extending that coverage to patients who have private insurance as well. The Senate-passed Patients’ Bill of rights and the legislation we’re introducing today takes steps toward allowing more cancer patients to participate in clinical trials that just might save their lives. I will continue fighting to strengthen this important cornerstone of patient care and scientific progress.

Our hope for this legislation and America’s war on cancer is simple: to move cancer from the medical books to the history books. And to live in a world where no one has to hear the words, “you have cancer,” ever, ever again.

By Mr. THURMOND:—

Mr. THURMOND. Madam President; I rise to introduce legislation that would improve the U.S. Marshals Service by making the U.S. Marshal at the district level a career position rather than a political one. This reform is long overdue and would create an improved management structure for the Marshal Service. This legislation would bring the Service in line with other Federal agencies that choose their top district and field officers by professional advancement and would create a Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco and Firearms, and the Drug Enforcement Administration. As a result of this change, we will ensure that highly qualified and experienced individuals become U.S. Marshals. I encourage my colleagues to support this important reform, which would greatly improve the efficiency and effectiveness of the U.S. Marshals Service.

The U.S. Marshals Service is the oldest Federal law enforcement agency in the country. While its most traditional role is assisting the Federal judges and witnesses and by transporting prisoners, it also plays a critical role in Federal law enforcement in other ways. For example, it is the primary Federal agency responsible for tracking dangerous escapees and fugitives from justice, and it conducts many special operations for the Attorney General.

The management of the Marshals Service has always been at the heart of Federal law enforcement agency. While there is a national Director of the Marshals Service located in Arlington, VA, each judicial district has a U.S. Marshal that is appointed by the President and confirmed by the Senate. Consequently, the district U.S. Marshals are in reality independent and accountable only to the President. Eduardo Gonzalez, past Director of the U.S. Marshals Service, testified before the Senate Judiciary Committee in 1998 that neither the Director nor the Attorney General can directly discipline a U.S. Marshal. Rather, the President must specifically authorize the disciplinary action. Additionally, a House report that accompanied a similar reform bill from the 106th Congress stated that the Director of the Marshals Service is powerless to demote, suspend, or transfer a U.S. Marshal.

The current system, therefore, undermines the leadership capacity of the Director of the Marshals Service due to the political independence of the U.S. Marshals.

Each district also has the position of Chief Deputy Marshal, which is occupied by a career professional. The Chief Deputy Marshal assists the politically-appointed U.S. Marshal, who may have little or no experience in law enforcement, and provides continuity and leadership in the district offices. The Chief Deputy Marshals are vital to the operation of the field offices, providing stability and structure to the offices. Due to the inexperience of many U.S. Marshals, the Chief Deputy Marshals have assumed critical roles in the operation of the field offices. In fact, the Marshals Service website states, “The backbone of the Marshals Service has always been the individual Deputy Marshal.” It is significant that the politically-appointed U.S. Marshal is not the “backbone” of the Service. Rather, the Deputy Marshal, who arrives at the position through career advancement, is the mainstay of the Marshals Service.

The Chief Deputies in turn have supervisory Deputy U.S. Marshals to assist them with day-to-day activities. Due to the heavy turnover in leadership at the district level, there must be significant support for new and inexperienced U.S. Marshals. Therefore, the district level offices are heavily staffed. This situation results in an agency that is top heavy in management.

In an excellent book about the U.S. Marshals Service called “The Lawmen” by Frederick Calhoun, the author asserts that the Marshals Service is harmed by the process of appointing district marshals. He writes, “The service remained too politicized. The presidential appointment of the U.S. marshals haunted the organization. It could never escape the politics of the day as long as its top district manager owed their appointments to political favors, not professional advancement.”

Mr. Calhoun recognized that because of the political appointment of the top field officers, careers can never walk a fine line between balancing their allegiances to the temporary U.S. Marshal and to headquarters. He goes on to say, “The deputies dealt daily with their political supervisors, who controlled their work assignments and annual personnel evaluations, while they looked to headquarters for careers and promotions.”

The current organization of the Marshals Service not only causes political favoritism but is also sound. Wayne Colburn, Director of the U.S. Marshals Service in the early 1970s, argued that the agency functioned as a “loosely organized group of ninety-four judicial districts” due to the weakness of the Director. Mr. Colburn recognized that the management structure was flawed because the agency in effect had ninety-four directors who owed little allegiance to the national director. While Mr. Colburn’s concerns were alleviated by the passage of the Marshals Service Act of 1988, which strengthened the policy-making powers of the Director, the Act did not go far enough. The Director has centralized authority, yet he is still extremely limited in his ability to make personnel and disciplinary decisions regarding the politically appointed U.S. Marshals. This situation is unacceptable in such an important Federal agency. We owe it to our Nation’s oldest law enforcement organization to improve its structure and to make its operations more efficient.

I would like to point out that the U.S. Marshals Service has already
placed some of its most crucial functions under the management of the national office, thereby avoiding some of the problems that I have discussed so far. For example, the Witness Security Program, which ensures the safety of witnesses subpoenaed for the government, is administered centrally by the Marshals Service. According to former Director Gonzalez's testimony before the Senate Judiciary Committee, the Witness Security Program's operation was changed because it was not functioning effectively at the district level. He said, "Witness Security Inspectors assigned to the districts found they were attempting to serve two masters, the headquarters' Witness Security Program and the U.S. Marshal." This example of internal restructuring by the Service demonstrates the need for Congress to enact fundamental reform.

This reform legislation also has the potential to save taxpayer money. Mr. Gonzalez testified before the Senate Judiciary Committee that if the political selection of U.S. Marshals were ended, the Service would eliminate many field office positions. There would no longer be a need to provide the kind of support that is currently necessary for political appointees, who often do not have the proper experience and expertise. A more streamlined management structure would save money and make operations more efficient. According to Mr. Gonzalez, the Marshals Service has estimated that such a change would save over $10 million in the first three years.

Legislation to change the appointment process for district Marshals passed the house in 1997 but did not pass the Senate. That bill, as this one, essentially makes the change effective at the start of the upcoming four-year term for the President. This bill would be effective in January 2005, so that U.S. Marshals appointed by President Bush could complete the current four-year term of the Bush Administration.

It is important to recognize that many district U.S. Marshals who have served over the years have been distinguished public servants and are fine people. However, others had no experience in law enforcement and were not qualified to serve in these important positions.

For the benefit of the Marshals Service, I urge colleagues to support this important reform measure. It is long overdue. Similar reforms have been supported by Presidential commissions under Presidents Howard Taft, Herbert Hoover, and Franklin Roosevelt. It is time that we professionalized one of our most important law enforcement agencies. We owe it to all those who have served honorably during the proud history of the U.S. Marshals Service, and we owe it to those who entrust their lives to the safetykeeping of the U.S. Marshals.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1977

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. APPOINTMENTS OF UNITED STATES MARSHALS.

(a) Short Title. — This Act may be cited as the "United States Marshals Service Reform Act of 2002.

(b) Appointments of Marshals.—

(1) In General. — Chapter 37 of title 28, United States Code, is amended:

(A) in section 561—

(i) by striking "The President shall appoint, by and with the advice and consent of the Senate," and inserting "The Attorney General shall appoint"

(ii) and (iii) of section 561 as subsections (d), (e), (f), (g), (h), (i) of section 561 as subsections (d), (e), (f), (g), and (h), respectively; and

(B) by striking section 562.

(c) Marshals in Office Before Effective Date.—Notwithstanding the amendments made by this Act, each marshal appointed under chapter 37 of title 28, United States Code, before the effective date of this Act shall, unless that marshal resigns or is removed by the President, continue to perform the duties of that office until the expiration of that marshal's term and the appointment of a successor.

(d) Effective Date.—This Act and the amendments made by this Act shall take effect on January 20, 2005, and shall apply to appointments made on and after that date.

STATEMENTS ON SUBMITTED RESOLUTIONS

S. RES. 213

Whereas the United States Department of State Country Reports on Human Rights for 2000 reports that the "indiscriminate use of force by Russian government troops in Chechnya has resulted in widespread civilian casualties and the displacement of hundreds of thousands of persons";

Whereas the United States Department of State Country Reports on Human Rights for 2000 reports that Russian forces continue to arbitrarily detain, torture, extrajudicially execute, extort, rape, and forcibly disappear people in Chechnya;

Whereas credible human rights groups within the Russian Federation and abroad report that Russian authorities have failed to launch thorough investigations into these abuses and have taken no significant steps toward ensuring that its high command has taken all necessary measures to prevent abuse;

Whereas there are credible reports of specific abuses by Russian soldiers in Chechnya, including in Alkhan-Kala, Staropromylovski and Aldi in 1999; Staropromylovski and Aldi in 2000; Alkhan-Kala, Assinovskaya, and Sernovodsk in 2001; and Tsett-Tsurt and Argun in 2002;

Whereas the Government of the Russian Federation has cracked down on independent media and threatened to revoke the license of RFE/RL. incorporated, further limiting their ability to ascertain the extent of the crisis in Chechnya;

Whereas Chechen rebel forces are believed responsible for the assassinations of Chechen civil servants who cooperate with the Government of the Russian Federation, and the Chechen government of Aslan Maskhadov has failed unaccountably to condemn these and other human rights abuses or to distance itself from persons in Chechnya allegedly associated with such forces; and

Whereas the Department of State officially recognizes the grievances of human rights abuses in Chechnya and the need to develop and implement a durable political solution: Now, therefore, be it 

Resolved. That it is the sense of the Senate that:

(1) the war on terrorism does not excuse, and is ultimately undermined by, abuses by Russian security forces against the civilian population in Chechnya;

(2) the Government of the Russian Federation and the elected leadership of the Chechen government, including President Aslan Maskhadov, should immediately seek a negotiated settlement to the conflict that recognizes the rights of all parties;

(3) the President of the Russian Federation should—

(A) act immediately to end and to investigate human rights violations by Russian soldiers in Chechnya, and to initiate, where appropriate, prosecutions against those accused;

(B) provide secure and unimpeded access into and around Chechnya by international monitors and humanitarian organizations to report on the situation, investigate alleged abuses, and distribute humanitarian aid;

(C) ensure that refugees and displaced persons in the North Caucasus are registered in accordance with Russian and international law and receive adequate protection.

I rise today once again to draw attention to the suffering of people in Chechnya and the need to develop a political solution.