

channels, and flood control structures, and other water development projects dramatically alter the nation's landscapes. Michael Grunwald's Sunday, September 10, 2000 story made this point very clear that the debate over whether the Corps:

... should grow or shrink, and how much it should shift its focus from construction projects to restoration project. ... may not be the sexiest of Beltway brawls, but it will have a dramatic effect on America. Corps levees and floodwalls protect millions of homes, farms and businesses. Its coastal ports and barge channels carry 2 billion tons of freight annually. Its dams generate one-fourth of America's hydroelectric power. Its water recreation sites attract more visitors than the National Park Service's. Its land holdings would cover Vermont and New Hampshire. But the Corps may have its greatest impact on nature ... So the future direction of the Corps will help determine the future health of America's environment.

Furthermore, this major government program costs federal taxpayers billions of dollars each year, and unfortunately, there have been times when economically unjustified activities have made it through to construction. While there are heartening signs of reform in the Corps Civil Works program, Congress should be working to create an independent process to help affirm when the Corps gets it right and help to provide a means for identifying problems before taxpayer funded construction investments are made. Today we begin that work in earnest.

Mr. President, I feel that requiring independent review of large and controversial Corps projects is a practical first step down the road to a reformed Corps of Engineers. Independent review would catch mistakes by Corps planners, deter any potential bad behavior by Corps officials to justify questionable projects, and would provide planners desperately needed support against the never ending pressure of project boosters. Those boosters, Mr. President, include Congressional interests, which is why I believe that this body needs to champion reform—to end the perception that Corps projects are all pork and no substance. As Mike Grunwald's article on Monday, September 11, 2000 states:

Water projects are a traditional coin of the realm on Capitol Hill, offering members of Congress jobs, contracts and other benefits for their constituents and campaign contributors—as well as ribbon cutting opportunities for themselves. In fact, the Corps budget consists almost entirely of projects requested by individual lawmakers, then approved by the Corps; the agency has almost no discretionary funds of its own.

I wish it were the case, Mr. President, that I could argue that additional oversight were not needed, but unfortunately, I see that there is need for additional scrutiny. In the Upper Mississippi there is troubling evidence of abuse. There is troubling evidence from whistleblowers that senior Corps officials, under pressure from barge interests, ordered their subordinates to exaggerate demand for barges in order to justify new Mississippi River locks. This is a matter which is still under investigation, and I hope that no evi-

dence of wrongdoing will ultimately be found. Adequate assessment of the environmental impacts of barges is also very important. I am also concerned that the Corps' assessment of the environmental impacts of additional barges does not adequately assess the impacts of barge movements on fish, backwaters and aquatic plants. We should not gamble with the environmental health of the river. If we allow more barges on the Mississippi, we must be sure the environmental impacts of those barges are fully mitigated.

I am raising this issue principally because I believe that Congress should act to restore trust in the Corps if we are going to complete an unbiased assessment of navigation needs. The first step in restoring that trust is restoring the credibility of the Corps' decision-making process. We must remove the cloud hanging over the Corps. There is a basic conflict of interest here, and Mike Grunwald's story on Wednesday, September 11, 2000, again in the Washington Post, makes this clear:

The same agency that evaluates the proposed water projects gets to work on the ones it deems worthwhile. If the analysis concludes that the economic costs of a project outweigh its benefits, or that the ecological damage of a project is too extreme, then the Corps loses a potential job.

Unfortunately, Mr. President, Congress now finds itself having to reset the scales to make economic benefits and environmental restoration co-equal goals of project planning. Our rivers serve many masters—barge owners as well as bass fisherman—and the Corps' planning process should reflect the diverse demands we place on them. I want to make sure that future Corps projects no longer fail to produce predicted benefits, stop costing more than the Corps estimated, and do not have unanticipated environmental impacts. In the future, we must monitor the result of projects so that we can learn from our mistakes and, when possible, correct them. We should impose a system of peer review as soon as possible and consider other comprehensive reforms. In a first step toward full evaluation of projects, I have committed myself to making Corps reform a priority in the next year and in the 107th Congress. The agreement we have reached today ensures that this Senate will also make it a priority.

#### MORNING BUSINESS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent there be a period for the transaction of routine morning business, with Senators permitted to speak up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered. \*\*\*\*\*-Name: -Payroll No. -Folios: -Date: -Subformat:

#### THE AMERICAN RED CROSS NATIONAL BLOOD APPEAL

Mr. THURMOND. Mr. President, we are currently facing one of the worst blood shortages in history, and I im-

plore the citizens of this fine nation to volunteer to be a blood donor. Across the country hospitals are having to postpone life saving operations because of the lack of blood. Just the other day, the Medical University of South Carolina in Charleston had to postpone a liver transplant because it lacked the necessary blood supply to perform the surgery. This is simply not acceptable.

On September 19, 2000, Dr. Bernadine Healy, president and CEO of the American Red Cross, made the following statement stressing the critical need for blood donations. I feel that it is essential that we heed Dr. Healy's advice, and I ask unanimous consent that her statement be printed in the RECORD.

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

STATEMENT BY DR. BERNADINE HEALY, SEPTEMBER 19, 2000, AMERICAN RED CROSS BLOOD SUPPLY PRESS CONFERENCE

At this moment, the nation's blood supply is in critically short supply. We could not practice modern medicine without blood. Right now, the medical care of patients is being altered, postponed or canceled because the blood they need is not available. This silent savior in many medical emergencies is in short supply.

Blood is a critical link in the chain of health care nationwide. Together, the American Red Cross and the hundreds of independent blood centers maintain the strength of that link providing blood to patients in need. But that link is weak, and the chain of caring is being stretched to its limit.

Our role as blood bankers is an important one and we take our responsibilities very seriously. Every donor provides a generous gift of life and we recognize that gift as part of a precious national resource. We are now facing a time when the demand for this resource has grown such that it is outpacing our ability to provide adequate supplies.

In August 1999, the Red Cross collected about 16,700 units of blood per day. In August 2000, we collected nearly 17,300 units of blood daily—an increase of 3 percent. However, while collections have increased, so too has distribution. In August 1999, we distributed more than 14,700 units of blood each day. In August 2000, we distributed nearly 17,000 units each day, a 14 percent increase for that one month.

The American Red Cross believes we need a three-day inventory available—about 80,000 units—which enables us to provide an uninterrupted supply of blood to patients in need. However, for the entire summer, the Red Cross has operated on little more than a two-day supply.

Last Friday, our national inventory plummeted to 36,000 units of blood, and we consider 50,000 units to be a critical inventory level. Thirty-four of our thirty-six blood regions nationwide are in urgent need of blood donations. Many of our regions are being forced to ask local hospitals to postpone elective surgeries, especially if the patient in question has type O blood because the demand is greatest for this type.

An increase in the population, aging, growing numbers of medical procedures and more complex surgeries that were not possible years ago have contributed to this increase in demand. Patient undergoing chemotherapy and infants in neonatal care need blood. So do accident victims and those undergoing transplants. Blood is always, everywhere in need.

The American Red Cross is implementing increased donor recruitment initiatives to help offset these trends including:

1. Scheduling more blood drives, as well as expanding the hours of existing blood drives;
2. Pilot-testing an Internet-based system to enable people to schedule blood donation appointment online;
3. Utilizing aggressive telemarketing and direct-mail campaigns to encourage previous blood donors to come back and schedule an appointment;
4. Paying for advertising and working with the news media in markets nationwide to get this critical message to potential donors;
5. Establishing a pilot "urban blood donor center" in Chicago to make it easier for people working in downtown areas to donate blood during the business day.

We are excited about these new efforts and hope that they will allow us to reach more prospective donors than ever before. However, the fact remains that we need help now to address the current blood shortage. I want to encourage everyone, from students returning to school, to people who haven't donated blood in a while to call 1-800-GIVE-LIFE today to schedule an appointment. We need you now. Don't forget, 1-800-GIVE-LIFE.

#### THE HAGUE CONVENTION ON PROTECTION OF CHILDREN

Mr. HELMS. Mr. President, countless Americans will welcome the news that the Senate last night ratified the Treaty of the Hague Convention on Protection of Children and cooperation in Respect of Intercountry Adoption. This Treaty was approved by our Foreign Relations Committee in April.

In addition, the Senate also approved unanimous final passage of the Intercountry Adoption Implementation Act—which was likewise unanimously approved by the House of Representatives this past Monday.

I offered the Intercountry Adoption Implementation act a year ago—along with Senator LANDRIEU, because this legislation will provide, for the first time, a rational structure for intercountry adoption.

Mr. President, this significant legislation is intended to build some accountability into agencies that provide intercountry adoption services in the United States while strengthening the hand of the Secretary of State in ensuring that U.S. adoption agencies engage in an ethical manner to find homes for children.

In addition, Mr. President, both the Senate and the House agreed that sole responsibility for implementing the requirements of the Hague Convention, rests with the U.S. Secretary of State. Although, some advocated early on, a role for various government agencies, I believe that spreading responsibility among various agencies would have undermined the effective implementation of the Hague Convention.

Mr. President, passage of this significant legislation would not have been possible without the assistance from several talented people in both the Senate and House.

In particular, of course, I extend my sincere appreciation to Senator LAN-

DRIEU (and her staff). Senator LANDRIEU and I have worked together on issues of adoption since her arrival in the Senate in 1997.

Senator BIDEN, ranking minority member of the Foreign Relations Committee, has been exceedingly helpful (as has his staff) in finalizing the Intercountry Adoption Implementation Act.

It's always a privilege to work with our colleagues in the House—and especially regarding passage of this Act. The Honorable BILL GILMAN, the distinguished chairman of the House International Relations Committee; Congressman SAM GEJDENSON, ranking minority member on the House International Relations; Congressmen DAVE CAMP and WILLIAM DELAHUNT; and, last but by no means least, my good friend, Congressman RICHARD BURR—who offered the original Senate companion bill in the House.

From my own Senate family, the former legislative counsel for the Foreign Relations Committee (now counsel for Senate Intelligence), Patricia McNerney; and Michele DeKonty, the very special lady who, in every sense, my right-hand lady.

Mr. President, this legislation now goes to President Clinton. I am hopeful that ratification and implementation of the Hague Convention will encourage more intercountry adoptions, while protecting all who are involved in the process.

#### DELAYS IN SENATE CONFIRMATION OF JUDICIAL NOMINEES

Mr. LEAHY. Mr. President, I regret to report to the Senate that the last confirmation hearing for federal judges held by the Judiciary Committee was in July. Throughout August and now into the third week in September, there have been no additional hearings held or even noticed. By contrast, in 1992, the last year of the Bush Administration, a Democratic majority in the Senate held three confirmation hearings in August and September and continued to work to confirm judges up to and including the last day of the session.

I also regret that the Judiciary Committee's inaction on judicial nominations has led to Senators object to Senate committees continuing to meet on other matters when the Senate is in session. The matter is most acute with regard to the numerous vacancies on our Courts of Appeals and the qualified women and men who have been stalled before this Committee.

This Judiciary Committee has reported only 3 nominees to the Courts of Appeals all year. We have held hearings without even including a nominee to the Courts of Appeals and denied a Committee vote to two outstanding nominees who succeeded in getting hearings. I certainly understand the frustration of those Senators who know that Roger Gregory, Helene White, Bonnie Campbell and others should be considered by this Com-

mittee and voted on by the Senate without additional delay.

Currently there remain more judicial vacancies than there were when Congress adjourned in 1995. We have not even kept up with attrition over that last 5 years. Earlier this week, Senator HATCH joined with me and a dozen other Senators to introduce the Federal Judgeship Act of 2000. That legislation incorporates recommendations of the Judicial Conference of the United States to authorize 70 judgeships in addition to the 64 current vacancies within the federal judiciary. If those additional judgeships were taken into account, the so-called "vacancy rate" would be over 13 percent with over 130 vacancies.

We can make quick progress when we want to do so. The last group of nominees considered by the Judiciary Committee included three who were nominated on a Friday, had their hearing the next week and were approved and reported to the Senate within 6 days.

By contrast, we still have pending without a hearing qualified nominees like Judge Helene White of Michigan. She has been held hostage for over 45 months without a hearing. She is the record holder for a judicial nominee who has had to wait the longest for a hearing and her wait continues without explanation to this day.

We still have pending before the Committee, the nomination of Bonnie Campbell to the Eighth Circuit. Ms. Campbell had her hearing last May, but the Committee refuses to consider her nomination, vote her up or vote her down. Instead, there is the equivalent of an anonymous and unexplained secret hold. Bonnie Campbell is a distinguished lawyer, public servant and law enforcement officer. She was the Attorney General for the State of Iowa and the Director of the Violence Against Women Office at the United States Department of Justice. And she enjoys the full support of both of her home State Senators, Senator HARKIN and Senator GRASSLEY. I commend Senator HARKIN for his remarks on Ms. Campbell's nomination earlier today. I understand his frustration and believe that this Senate's failure to act on this highly qualified nominee is without justification.

We still have pending without a hearing the nomination of Roger Gregory of Virginia and Judge James Wynn of North Carolina to the Fourth Circuit. Were either of these highly-qualified jurists confirmed by the Senate, we would be finally acting to allow a qualified African American to sit on that Court for the first time. We still have pending before the Committee the nomination of Enrique Moreno to the Fifth Circuit. He is the latest in a succession of outstanding Hispanic nominees by President Clinton to that Court, but he too is not being considered by the Committee or the Senate.

Let me return briefly to the nomination of Roger Gregory. The Chairman of the Judiciary Committee indicated