

Mr. MURKOWSKI. The article it supports the opening of ANWR and suggests if there wasn't a reason before September 11, there is certainly an even better reason afterward. It mentioned Senator KERRY, who is opposed to this legislation. It indicates in general terms it should be supported because it is in the national interests of the country.

Lest there be any mistaken innuendoes, saying we don't need, really, to open up the ANWR area because there are other areas, that we can look to our friends in Canada—let's just reflect on what Prime Minister Jean Chretien said on November 6. He took a swing at the United States in an interesting way, over soft wood policies. He told the House of Commons:

If the Americans want free trade in oil and natural gas, they should also have free trade in lumber.

He further says:

If they were not to have oil and gas from Canada, then they will need wood to heat their homes.

This is the Prime Minister saying, in effect, don't just rely on an unlimited supply of resources from Canada, there has to be two-way trade.

I will close by outlining the significance of the economic stimulus associated with this single issue. The Department of Labor Massachusetts Survey indicates jobs, direct, 250,000; the Wharton Econometrics Institute at the University of Pennsylvania lists the total employment, indirect, at 735,000 jobs associated with the development of ANWR; jobs in 50 States, 80,000 in California, 48,000 in New York.

We do not make valves. We do not make pipe or welding rod. These things are all going to be made in the United States. Labor is going to come up. We are looking at 200,000 jobs at a minimum, direct.

Federal benefits of opening up ANWR will add up to \$3.2 billion. That is another estimate, in lease sales to the Federal Treasury, and if the oil is produced we are talking about billions more in royalties. It is estimated that ANWR oil has a potential value upwards of \$300 billion. That is from the Energy Information Administration. That is \$300 billion we do not have to spend overseas. That is \$300 billion that will travel through the economy, being taxed here in America. As I indicated, the Jones Act mandates the oil move in U.S.-flag vessels.

Nineteen new supertankers will be needed at a cost of about \$200 million. What will that do for American shipbuilding? Construction alone will generate 5,000 new jobs in American shipbuilding during the next 10 to 15 years.

Finally, each day we write a \$12 million check to the Iraqi Government for their oil. That is more than \$4.4 billion a year. I think it is time to put that money in our backyard instead of in the backyard and into pocket indirectly of Bin Laden.

I thank the Chair for his attention.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

DISASTER VICTIMS RELIEF FUNDS

Mrs. CLINTON. Mr. President, one of the greatest comforts to me personally in the terrible aftermath of September 11 has been the immediate and overwhelming generosity of the American people in providing relief to the thousands who have been directly and indirectly affected. Our first priority must be to ensure that the victims and the families of the victims of the September 11 attack receive the financial relief they have been promised.

There is a tremendous amount of work going on in New York to ensure that families get their assistance. Many families have expressed their gratitude to me, to my staff, to FEMA, to the city, and the centralized support that was established at Pier 94. The fund that the mayor created to aid families, the Twin Towers Fund, has announced that it will get aid to families prior to Thanksgiving.

I am particularly grateful to the attorney general, Eliot Spitzer, who has led in trying to eliminate the bureaucratic redtape that can delay or prevent families from receiving the help they need in a timely manner. Working with the attorney general as he tries to create centralized databases of charitable organizations and families in need of services, I have joined him in calling for all charities to establish a uniform application that will help achieve the goal of simplifying the process of applying for necessary assistance.

I am sure many in this Chamber have seen the reports or perhaps seen on television some of the victims' family members who have been overwhelmed trying to work their way through the myriad of services available and who have to spend hours going from one place to the next until they could get some kind of answer, who say that not only have they be victimized but they have been made to feel like beggars. That is just unacceptable.

Like so many New Yorkers, we are concerned about those families who may not have the time to go stand in line and fill out endless application forms, who may not have the experience to permit them to navigate this maze, who do not have the stamina, and who, frankly, are still suffering.

I have met and talked with a number of people who lost loved ones, particularly widows who are having a very difficult time being able to do what is required to take care of their children and go about their daily business. They need help going through this charitable and governmental process.

Recently, the senior Senator from Massachusetts, Mr. KENNEDY, called to my attention the work he is doing in Massachusetts.

The PRESIDING OFFICER. The Senator is advised that we are under an order to vote at this time.

Mrs. CLINTON. Then we should vote, Mr. President.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2002—Continued

The PRESIDING OFFICER. Under the previous order, the hour of 1:55 p.m. having arrived, the question is, Shall the bill, H.R. 2883, as amended, pass? The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 332 Leg.]

YEAS—100

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

The bill (H.R. 2883), as amended, was passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 2883) entitled "An Act to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 2002".

(b) *TABLE OF CONTENTS*.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified schedule of authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

- Sec. 301. Increase in employee compensation and benefits authorized by law.
- Sec. 302. Restriction on conduct of intelligence activities.
- Sec. 303. Judicial review under Foreign Narcotics Kingpin Designation Act.
- Sec. 304. Modification of positions requiring consultation with Director of Central Intelligence in appointments.
- Sec. 305. Modification of reporting requirements for significant anticipated intelligence activities and significant intelligence failures.
- Sec. 306. Modification of authorities for protection of intelligence community employees who report urgent concerns to Congress.
- Sec. 307. Review of protections against the unauthorized disclosure of classified information.
- Sec. 308. Modification of authorities relating to official immunity in interdiction of aircraft engaged in illicit drug trafficking.
- Sec. 309. One-year suspension of reorganization of Diplomatic Telecommunications Service Program Office.
- Sec. 310. Presidential approval and submission to Congress of National Counterintelligence Strategy and National Threat Identification and Prioritization Assessments.
- Sec. 311. Preparation and submittal of reports, reviews, studies, and plans relating to Department of Defense intelligence activities.
- Sec. 312. Alien Terrorist Removal proceedings.
- Sec. 313. Technical modifications.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

- Sec. 401. One-year extension of Central Intelligence Agency Voluntary Separation Pay Act.
- Sec. 402. Modifications of central services program.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2002 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Central Intelligence Agency.
- (2) The Department of Defense.
- (3) The Defense Intelligence Agency.
- (4) The National Security Agency.
- (5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
- (6) The Department of State.
- (7) The Department of the Treasury.
- (8) The Department of Energy.
- (9) The Federal Bureau of Investigation.
- (10) The National Reconnaissance Office.
- (11) The National Imagery and Mapping Agency.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2002, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill H.R. 2883 of the One Hundred Seventh Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees

on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2002 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 2 percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall notify promptly the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever the Director exercises the authority granted by this section.

SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Community Management Account of the Director of Central Intelligence for fiscal year 2002 the sum of \$238,496,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the advanced research and development committee shall remain available until September 30, 2003.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Community Management Account of the Director of Central Intelligence are authorized 343 full-time personnel as of September 30, 2002. Personnel serving in such elements may be permanent employees of the Community Management Account or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Community Management Account by subsection (a), there are also authorized to be appropriated for the Community Management Account for fiscal year 2002 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts shall remain available until September 30, 2003.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Community Management Account as of September 30, 2002, there are hereby authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2002 any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

(e) NATIONAL DRUG INTELLIGENCE CENTER.—

(1) IN GENERAL.—Of the amount authorized to be appropriated in subsection (a), \$27,000,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, testing, and evaluation purposes shall remain available until September 30, 2003, and funds provided for pro-

curement purposes shall remain available until September 30, 2004.

(2) TRANSFER OF FUNDS.—The Director of Central Intelligence shall transfer to the Attorney General funds available for the National Drug Intelligence Center under paragraph (1). The Attorney General shall utilize funds so transferred for the activities of the National Drug Intelligence Center.

(3) LIMITATION.—Amounts available for the National Drug Intelligence Center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 (50 U.S.C. 403-3(d)(1)).

(4) AUTHORITY.—Notwithstanding any other provision of law, the Attorney General shall retain full authority over the operations of the National Drug Intelligence Center.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2002 the sum of \$212,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. JUDICIAL REVIEW UNDER FOREIGN NARCOTICS KINGPIN DESIGNATION ACT.

Section 805 of the Foreign Narcotics Kingpin Designation Act (title VIII of Public Law 106-120; 113 Stat. 1629; 21 U.S.C. 1904) is amended by striking subsection (f).

SEC. 304. MODIFICATION OF POSITIONS REQUIRING CONSULTATION WITH DIRECTOR OF CENTRAL INTELLIGENCE IN APPOINTMENTS.

Section 106(b)(2) of the National Security Act of 1947 (50 U.S.C. 403-6(b)(2)) is amended by striking subparagraph (C) and inserting the following new subparagraphs:

“(C) The Director of the Office of Intelligence of the Department of Energy.

“(D) The Director of the Office of Counterintelligence of the Department of Energy”.

SEC. 305. MODIFICATION OF REPORTING REQUIREMENTS FOR SIGNIFICANT ANTICIPATED INTELLIGENCE ACTIVITIES AND SIGNIFICANT INTELLIGENCE FAILURES.

Section 502 of the National Security Act of 1947 (50 U.S.C. 413a) is amended—

(1) by inserting “(a) IN GENERAL.—” before “To the extent”; and

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

“(b) FORM AND CONTENTS OF CERTAIN REPORTS.—Any report relating to a significant anticipated intelligence activity or a significant intelligence failure that is submitted to the intelligence committees for purposes of subsection (a)(1) shall be in writing, and shall contain the following:

“(1) A concise statement of any facts pertinent to such report.

“(2) An explanation of the significance of the intelligence activity or intelligence failure covered by such report.

“(c) STANDARDS AND PROCEDURES FOR CERTAIN REPORTS.—The Director of Central Intelligence, in consultation with the heads of the

departments, agencies, and entities referred to in subsection (a), shall establish standards and procedures applicable to reports covered by subsection (b)."

SEC. 306. MODIFICATION OF AUTHORITIES FOR PROTECTION OF INTELLIGENCE COMMUNITY EMPLOYEES WHO REPORT URGENT CONCERNS TO CONGRESS.

(a) AUTHORITY OF INSPECTOR GENERAL OF CENTRAL INTELLIGENCE AGENCY.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a(d)(5)) is amended—

(1) in subparagraph (B), by striking the second sentence and inserting the following new sentence: "Upon making the determination, the Inspector General shall transmit to the Director notice of the determination, together with the complaint or information."; and

(2) in subparagraph (D)(i), by striking "does not transmit," and all that follows through "subparagraph (B)," and inserting "does not find credible under subparagraph (B) a complaint or information submitted under subparagraph (A), or does not transmit the complaint or information to the Director in accurate form under subparagraph (B)."

(b) AUTHORITIES OF INSPECTORS GENERAL OF THE INTELLIGENCE COMMUNITY.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (b), by striking the second sentence and inserting the following new sentence: "Upon making the determination, the Inspector General shall transmit to the head of the establishment notice of the determination, together with the complaint or information."; and

(2) in subsection (d)(1), by striking "does not transmit," and all that follows through "subsection (b)," and inserting "does not find credible under subsection (b) a complaint or information submitted to the Inspector General under subsection (a), or does not transmit the complaint or information to the head of the establishment in accurate form under subsection (b)."

SEC. 307. REVIEW OF PROTECTIONS AGAINST THE UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION.

(a) REQUIREMENT.—The Attorney General shall, in consultation with the Secretary of Defense, Secretary of State, Secretary of Energy, Director of Central Intelligence, and heads of such other departments, agencies, and entities of the United States Government as the Attorney General considers appropriate, carry out a comprehensive review of current protections against the unauthorized disclosure of classified information, including—

(1) any mechanisms available under civil or criminal law, or under regulation, to detect the unauthorized disclosure of such information; and

(2) any sanctions available under civil or criminal law, or under regulation, to deter and punish the unauthorized disclosure of such information.

(b) PARTICULAR CONSIDERATIONS.—In carrying out the review required by subsection (a), the Attorney General shall consider, in particular—

(1) whether the administrative regulations and practices of the intelligence community are adequate, in light of the particular requirements of the intelligence community, to protect against the unauthorized disclosure of classified information; and

(2) whether recent developments in technology, and anticipated developments in technology, necessitate particular modifications of current protections against the unauthorized disclosure of classified information in order to further protect against the unauthorized disclosure of such information.

(c) REPORT.—(1) Not later than May 1, 2002, the Attorney General shall submit to Congress a report on the review carried out under subsection (a). The report shall include the following:

(A) A comprehensive description of the review, including the findings of the Attorney General as a result of the review.

(B) An assessment of the efficacy and adequacy of current laws and regulations against the unauthorized disclosure of classified information, including whether or not modifications of such laws or regulations, or additional laws or regulations, are advisable in order to further protect against the unauthorized disclosure of such information.

(C) Any recommendations for legislative or administrative action that the Attorney General considers appropriate, including a proposed draft for any such action, and a comprehensive analysis of the Constitutional and legal ramifications of any such action.

(2) The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 308. MODIFICATION OF AUTHORITIES RELATING TO OFFICIAL IMMUNITY IN INTERDICTION OF AIRCRAFT ENGAGED IN ILLICIT DRUG TRAFFICKING.

(a) CERTIFICATION REQUIRED FOR IMMUNITY.—Subsection (a)(2) of section 1012 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2837; 22 U.S.C. 2291-4) is amended by striking "before the interdiction occurs, has determined" and inserting "has, during the 12-month period ending on the date of the interdiction, certified to Congress".

(b) ANNUAL REPORTS.—That section is further amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

"(c) ANNUAL REPORTS.—(1) Not later than February 1 each year, the President shall submit to Congress a report on the assistance provided under subsection (b) during the preceding calendar year. Each report shall include for the calendar year covered by such report the following:

"(A) A list specifying each country for which a certification referred to in subsection (a)(2) was in effect for purposes of that subsection during any portion of such calendar year, including the nature of the illicit drug trafficking threat to each such country.

"(B) A detailed explanation of the procedures referred to in subsection (a)(2)(B) in effect for each country listed under subparagraph (A), including any training and other mechanisms in place to ensure adherence to such procedures.

"(C) A complete description of any assistance provided under subsection (b).

"(D) A summary description of the aircraft interception activity for which the United States Government provided any form of assistance under subsection (b).

"(2) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex."

SEC. 309. ONE-YEAR SUSPENSION OF REORGANIZATION OF DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE.

Notwithstanding any provision of subtitle B of title III of the Intelligence Authorization Act for Fiscal Year 2001 (Public Law 106-567; 114 Stat. 2843; 22 U.S.C. 7301 et seq.), relating to the reorganization of the Diplomatic Telecommunications Service Program Office, no provision of that subtitle shall be effective during the period beginning on the date of the enactment of this Act and ending on October 1, 2002.

SEC. 310. PRESIDENTIAL APPROVAL AND SUBMISSION TO CONGRESS OF NATIONAL COUNTERINTELLIGENCE STRATEGY AND NATIONAL THREAT IDENTIFICATION AND PRIORITIZATION ASSESSMENTS.

The National Counterintelligence Strategy, and each National Threat Identification and Prioritization Assessment, produced under Pres-

idential Decision Directive 75, dated December 28, 2000, entitled "U.S. Counterintelligence Effectiveness—Counterintelligence for the 21st Century", including any modification of the Strategy or any such Assessment, shall be approved by the President, and shall be submitted to the appropriate committees of Congress.

SEC. 311. PREPARATION AND SUBMITTAL OF REPORTS, REVIEWS, STUDIES, AND PLANS RELATING TO DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES.

(a) CONSULTATION IN PREPARATION.—The Director of Central Intelligence shall ensure that any report, review, study, or plan required to be prepared or conducted by a provision of this Act, including a provision of the classified Schedule of Authorizations or a classified annex to this Act, that involves the intelligence or intelligence-related activities of the Department of Defense shall be prepared or conducted in consultation with the Secretary of Defense or an appropriate official of the Department designated by the Secretary for that purpose.

(b) SUBMITTAL.—Any report, review, study, or plan referred to in subsection (a) shall be submitted, in addition to any other committee of Congress specified for submittal in the provision concerned, to the following committees of Congress:

(1) The Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate.

(2) The Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 312. ALIEN TERRORIST REMOVAL PROCEEDINGS.

Section 504 of the Immigration and Nationality Act (8 U.S.C. 1534) is amended by adding the following subsection after subsection (k)—

"(l) No later than 3 months from the date of enactment of this Act, the Attorney General shall submit a report to Congress concerning the effect and efficacy of Alien Terrorist Removal proceedings, including the reasons why proceedings pursuant to this section have not been used by the Attorney General in the past, and the effect on the use of these proceedings after the enactment of the U.S.A. Patriot Act of 2001."

SEC. 313. TECHNICAL MODIFICATIONS.

The Director of Central Intelligence shall provide, prior to conference, any technical modifications to existing legal authorities needed to facilitate Intelligence Community counterterrorism efforts.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. ONE-YEAR EXTENSION OF CENTRAL INTELLIGENCE AGENCY VOLUNTARY SEPARATION PAY ACT.

Section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403-4 note) is amended—

(1) in subsection (f), by striking "September 30, 2002" and inserting "September 30, 2003"; and

(2) in subsection (i), by striking "or 2002" and inserting "2002, or 2003".

SEC. 402. MODIFICATIONS OF CENTRAL SERVICES PROGRAM.

(a) ANNUAL AUDITS.—Subsection (g)(1) of section 21 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403u) is amended—

(1) by striking "December 31" and inserting "January 31"; and

(2) by striking "conduct" and inserting "complete".

(b) PERMANENT AUTHORITY.—Subsection (h) of that section is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(3) in paragraph (1), as so redesignated, by striking "paragraph (3)" and inserting "paragraph (2)"; and

(4) in paragraph (2), as so redesignated, by striking "paragraph (2)" and inserting "paragraph (1)".

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

The motion to lay on the table was agreed to.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent, as in executive session, that on Tuesday, November 13, at 2:15 p.m. the Senate proceed to executive session to consider Calendar No. 511, that the Senate vote immediately on confirmation of the nomination, that the President be immediately notified of the Senate's actions, and the Senate return to legislative session.

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

Mr. REID. Mr. President, I ask unanimous consent that request be modified—that the chairman and ranking member of the Judiciary Committee be given 15 minutes equally divided, and the vote occur at 2:30 rather than at 2:15.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Reserving the right to object, and I will not object, I have a question for the majority whip. I was told that it might be the intention to take up the Internet tax issue; is that correct or incorrect?

Mr. REID. That decision has not been made as yet.

Mr. MCCAIN. I have no objection.

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

The Senator from Nevada.

EXECUTIVE SESSION

NOMINATION OF TERRY L. WOOTEN TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the nomination of Terry Wooten to be U.S. District Judge, that the Senate vote immediately on his confirmation, that the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

Mr. THURMOND. Mr. President, I rise to express my strong support for the nomination of Terry Wooten to be a judge on the District Court for the District of South Carolina. I was pleased to recommend him to President Bush for this esteemed position.

Just hours ago, Judge Wooten was favorably reported to the floor by the Judiciary Committee in an 19-0 vote. The Committee's unanimous vote and the Senate's speed in considering him

today is a testament to his qualifications, character, and ability.

Judge Wooten has spent almost all of his professional life in public service. He has served ably and diligently as a U.S. Magistrate Judge since 1999. Prior to that, he worked as a federal prosecutor for seven years. In the U.S. Attorney's office, he served as the lead Task Force attorney for major drug and violent crime prosecutions.

Moreover, he was the Republican chief counsel on the Judiciary Committee while I was Ranking Member, and did an exceptional job in that capacity.

It is unfortunate that some allegations were raised during the committee's consideration of his nomination. However, once the investigation of this matter was complete, it was clear that there was no merit to them whatsoever.

During the Judiciary executive business meeting earlier today, Chairman LEAHY and Senator BIDEN, who was chairman of the committee at the time Judge Wooten was a staff member, both spoke favorably of his nomination. I appreciated their remarks. I was also very pleased that all members of the committee supported his candidacy.

Judge Wooten is a man of honesty and integrity, and this process has simply reaffirmed that fact. I am confident that he will make an excellent addition to the District Court.

Mr. HOLLINGS. Mr. President, I rise today to congratulate my fellow South Carolinian, Terry Wooten, who will be confirmed today to the U.S. District Court for South Carolina.

Terry Wooten graduated Phi Beta Kappa from the University of South Carolina in 1976 where he continued on to law school. Following law school, he worked in a private two-man firm that focused on criminal defense and personal injury cases. Two years later, he served as Assistant Solicitor for Richland County where he handled hundreds of cases including murders, criminal sexual conduct, robberies, drug offenses, burglaries, and many other local offenses for 4 years. As a result of his notable service as a local prosecutor, Senator THURMOND invited him to move to Washington and work as the chief counsel of the U.S. Senate Judiciary Committee minority staff for 5 years. He then served with distinction as Assistant U.S. Attorney for South Carolina for 7 years. In this challenging position, he was assigned to the major drug and violent crime section. Judge Wooten excelled in this role and also served as the chief liaison between the relevant Federal agencies and the U.S. Attorney's office on drug and violent crime cases in the state. He is well known and respected by all local law enforcement agencies for his hard work with violent crime and drug offenders. In 1999, this humble, yet very capable man was chosen to be a magistrate judge where he did a marvelous job.

Terry Wooten comes to the U.S. District Court for the District of South

Carolina judgeship with extensive experience as a State prosecutor in Richland County, as the Assistant U.S. Attorney, and as a Magistrate Judge. He was chosen for the position of Magistrate Judge by the judges of the Federal District Court for the District of South Carolina. I can think of no better testament to his character and qualifications and am pleased he will be joining their ranks. He will serve our judicial system well.

Mr. LEAHY. Mr. President, I congratulate the nominee and his family on his nomination and on what is soon to be his confirmation by the Senate and appointment by the President to the United States District Court for South Carolina. I thank all members of the Judiciary Committee for their attention to this nomination and thank the majority leader for his help in scheduling this vote.

Since July 2001, when the Senate was allowed to reorganize and the committee membership was set, we have maintained a strong effort to consider judicial and executive nominees. With the confirmation of Judge Wooten, we reach additional milestones. Judge Wooten is the 17th judicial nominee we have confirmed since July. That is more total judges this year than were confirmed in 1989, the first year of the first Bush administration, and as many as were confirmed in all of the 1996 session. Of course, in 1996, the Senate majority at that time did not proceed on a single nominee to a Court of Appeals and limited itself to confirming only 17 judges to the District Courts. We have this year already confirmed four nominees to the Courts of Appeals.

Thus, despite all the upheavals we have experienced this year with the shifts in chairmanship and, more importantly, the need to focus our attention on responsible action in the fight against international terrorism, we have matched or beaten the number of confirmations of judges during the first year of first Bush administration and the last year of the first Clinton term.

As a judge on the United States District Court, Judge Wooten will have a vital role to play in protecting and preserving our civil liberties in the days ahead. Our system of checks and balances requires that the judicial branch review the acts of the political branches.

Judge Wooten served as the Republican Chief Counsel of the Judiciary Committee when he worked for Senator THURMOND. Senator THURMOND has been an advocate for this nominee from the beginning. Earlier today the Judiciary Committee considered the Wooten nomination and voted without objection to report it to the Senate. Our bipartisanship in these matters was amply demonstrated by our moving as soon as possible in the wake of a serious allegation of wrongdoing to consider and report a former Republican staff member for the respected senior Republican in the Senate.

I held an expeditious hearing for Judge Wooten on August 27, during the