

States, with train and truck traffic going through every one of those States. This is very serious.

Mr. President, how much time remains?

The PRESIDENT pro tempore. Seven minutes remain.

Mr. REID. I yield the floor.

The PRESIDENT pro tempore. The junior Senator from Nevada.

Mr. ENSIGN. Mr. President, I want to point out a couple other items in this report. First, when the inspector general was giving us the briefing, one of the things that was pointed out to us was that Winston & Strawn had actually recognized in some of their internal documents a potential conflict of interest.

Some of their senior people said that we need to put up some firewalls within our firm to make sure if we have lawyers over here working one way, that they are in no way in concert with some of the lawyers working with DOE, say, versus the Nuclear Energy Institute.

Those firewalls were never put in place. Let me repeat, those firewalls which could have potentially stopped the conflict of interest were never put in place. Instead, 14 lawyers worked on both sides. If this is not a conflict of interest, if this does not spark people's outrage, not only at this law firm—by the way, upfront this law firm was asked: Do you have any clients who would present a conflict of interest?

When we let Government contracts, especially for law firms such as this, they are always asked that same question. From what I understand—and if the senior Senator, being a lawyer, will address this—there are people within law firms, there are ethical panels that review whether there are going to be problems representing one side or the other side to make sure that ethical violations do not occur simply because it is such a serious matter within the legal profession.

Will the senior Senator from Nevada address how that is set up within law firms, the whole ethics committee, to make sure they do not have these conflicts of interest?

Mr. REID. I will be happy to respond to the question of the junior Senator from Nevada.

One of the things we discussed yesterday evening with the Office of the Inspector General when they were going over the report they released this morning is that law firms have built-in mechanisms to prevent conflicts of interest. These large law firms can develop conflicts of interest, so every case they take is submitted to a committee. Even the relatively small law firms in Nevada that have 40, 50, 60 lawyers have an apparatus within them where every new file they take is looked over for conflicts.

I am astounded that Winston & Strawn did not have such a program. If they did not have such a program, that is malpractice. If they did have a program and avoided it, that is an ethical

violation. That is why I have said several times today, I think they need to find themselves a lawyer because what they have done is either criminal or unethical.

Mr. ENSIGN. Mr. President, I want to point out one other item that is in this document to show what a conflict of interest we have. Winston & Strawn not only represented the Nuclear Energy Institute, but they also were representing a company that manufactured the nuclear waste containers. There is no company that would benefit more from having Yucca Mountain built than the company that builds these nuclear waste containers.

If they are representing people who are going to benefit financially from this project going forward—obviously, the Nuclear Energy Institute does as well—clearly the people who make the casks to store the waste are going to benefit hugely financially.

Those same lawyers representing this firm over here and also trying to give the Department of Energy unbiased information is so outrageous it is hard to even conceive.

I hope all our colleagues will take a fresh look at this issue because the Senate is going to be dealing with some very serious issues when it comes to Yucca Mountain over the next 12 months.

I hope, regardless of how people have voted in the past, that my colleagues will take a fresh look and say: Maybe we need a timeout on this issue.

About \$7 billion has already been spent on Yucca Mountain. We appropriated another couple hundred million dollars this year. We are talking a lot of money that is potentially being wasted, being put down a rat hole. All of your colleagues need to take a fresh look at this because the GAO has said it is going to cost over \$50 billion more to finish this project. That is serious money, and we need to take a fresh look.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. ENSIGN. I yield the floor to the senior Senator.

Mr. REID. Mr. President, my final statement is, if this law firm, Winston & Strawn, had firewalls set up to see if there was a conflict of interest, these firewalls burned down. They burned to the ground. This law firm, in my opinion, has burned to the ground. They should refund the money to the Department of Energy, and I think the State Bar Association of Illinois should look at proceedings against this law firm.

What they have done gives not only lawyers a bad name but gives the entire process dealing with Yucca Mountain a bad name. With Winston & Strawn's malfeasance, malpractice, and unethical actions, I think they should refund the money, I repeat, and find themselves a good lawyer for the other activities in which they have been engaged.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

#### VETERANS BENEFITS ACT OF 2001

Mr. REID. Mr. President, I ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of H.R. 2540, and the Senate proceed to its immediate consideration.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2540) to amend title 38, United States Code, to make various improvements to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I understand that Senators ROCKEFELLER and SPECTER have a substitute amendment at the desk. I ask unanimous consent that the amendment be agreed to, the bill, as amended, be read a third time and passed, the amendment to the title be agreed to, the motion to reconsider be laid upon the table, any statements relating to the bill be printed in the RECORD, all with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, the several requests are granted. It is so ordered.

The amendment (No. 2149) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the "Veterans' Compensation Rate Amendments of 2001".

(b) REFERENCES TO TITLE 38, UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

#### SEC. 2. DISABILITY COMPENSATION.

(a) INCREASE IN RATES.—Section 1114 is amended—

(1) by striking "\$98" in subsection (a) and inserting "\$103";

(2) by striking "\$188" in subsection (b) and inserting "\$199";

(3) by striking "\$288" in subsection (c) and inserting "\$306";

(4) by striking "\$413" in subsection (d) and inserting "\$439";

(5) by striking "\$589" in subsection (e) and inserting "\$625";

(6) by striking "\$743" in subsection (f) and inserting "\$790";

(7) by striking "\$937" in subsection (g) and inserting "\$995";

(8) by striking "\$1,087" in subsection (h) and inserting "\$1,155";

(9) by striking "\$1,224" in subsection (i) and inserting "\$1,299";

(10) by striking "\$2,036" in subsection (j) and inserting "\$2,163";

(11) in subsection (k)—

(A) by striking "\$76" both places it appears and inserting "\$80"; and

(B) by striking "\$2,533" and "\$3,553" and inserting "\$2,691" and "\$3,775", respectively;

(12) by striking "\$2,533" in subsection (l) and inserting "\$2,691";

(13) by striking "\$2,794" in subsection (m) and inserting "\$2,969";

(14) by striking "\$3,179" in subsection (n) and inserting "\$3,378";

(15) by striking "\$3,553" each place it appears in subsections (o) and (p) and inserting "\$3,775";

(16) by striking "\$1,525" and "\$2,271" in subsection (r) and inserting "\$1,621" and "\$2,413", respectively; and

(17) by striking "\$2,280" in subsection (s) and inserting "\$2,422".

(b) SPECIAL RULE.—The Secretary of Veterans Affairs may authorize administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

### SEC. 3. ADDITIONAL COMPENSATION FOR DEPENDENTS.

Section 1115(1) is amended—

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

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

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

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

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

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

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

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

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

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

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

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

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

"Pay grade	Monthly rate	Pay grade	Monthly rate
E-1 .....	\$935	W-4 .....	\$1,119
E-2 .....	935	O-1 .....	988
E-3 .....	935	O-2 .....	1,021
E-4 .....	935	O-3 .....	1,092
E-5 .....	935	O-4 .....	1,155
E-6 .....	935	O-5 .....	1,272
E-7 .....	967	O-6 .....	1,433
E-8 .....	1,021	O-7 .....	1,549
E-9 .....	11,066	O-8 .....	1,699
W-1 .....	988	O-9 .....	1,818
W-2 .....	1,028	O-10 .....	21,994
W-3 .....	1,058		

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### SEC. 7. EFFECTIVE DATE.

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

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

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

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

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

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

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

#### SUMMARY OF S. 1088

This bill contains the annual Cost-of-Living Adjustment (COLA) to veterans dis-

ability compensation. The manager's amendment strikes the text of the House bill and inserts the actual amount of the increased rates. The percentage of the increase will be the same percentage—2.6 percent—as Social Security recipients will receive. There are no other provisions contained in the bill as amended.

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

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

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

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

The assistant legislative clerk read as follows:

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

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

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

The Senator from Wisconsin.

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

This conference report includes \$75.8 billion in total spending for fiscal year 2002. These funds will be used to support programs and services of the