

employees have dramatically changed the circumstances of collective bargaining. There is someone else who must be at their table, and that is the American traveling public because their interests are at stake. A strike or lockout will affect their interests in a very dramatic way.

I wanted to make this point for a couple reasons. One, I think these proposed mergers fly directly in the face of public interest and ought not to be allowed. That is No. 1. We ought to stop this. We don't need to go to three airlines. That is, in my judgment, moving in the wrong direction. That is not in the public interest. We need more competition, not more concentration.

No. 2, and my final point, is when you have the kind of disputes that now exist before the National Mediation Board and the threatened disruptions of airline service, it will be devastating to the public and to this country's economy if you have entire regions with no air service at all. We went through a strike with the dominant carrier in our region about 2 and a half years ago and it was devastating. We can't let that happen again. There are four carriers with cases in front of the mediation board, one of which was just released. I say to those carriers and to the labor unions, because you have remade yourself in a different circumstance, with dominance in hubs all across this country, you have a different responsibility than you used to have in collective bargaining. You have a responsibility to the American public that didn't previously exist. This is not business as usual. There is another interest that must be seated at your table, and that is the public interest.

Understand that those of us in Congress, those who are strong supporters of businesses and strong supporters of unions, understand it is most important that we are supporters of the public interest, the people we represent, and supporters of the larger national interests in this country.

With what happened to the airline industry, the massive concentration and the critical dominance in regional hubs, these labor disputes are very troubling to me and to many others. They must not—I repeat—result in the shutdown of critically needed airline service to parts of this country that can ill afford to have that happen.

I say to the airlines and to the unions: Sit at that table and bargain. I am a big supporter of collective bargaining. Bargain and reach an agreement. Understand that the empty chair next to your discussion is a chair that represents the public interest, and that chair is not filled by someone who is sitting there as part of that discussion, but they are in that room overlooking those negotiations. Resolve these issues and keep that service from the company and its employees provided to the American people.

I hope my colleagues will join me in expressing loudly that having this country go to three major airline car-

riers is a step backward, not forward. It is a step toward concentration, not competition. It plugs the arteries of the free market system in a very unhealthy way for this country.

I will speak at a future time about concentration, and not just in the airline industry. I am concerned about what is happening in a range of industries in this country where there is concentration and antitrust behavior that ought to be troubling to the American people and this Congress.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURNS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to proceed for 12 minutes.

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

The Senator from Maine is recognized.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 326 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Nevada.

CAPITOL VISITORS CENTER

Mr. REID. Mr. President, I can remember traveling home a day in July two and a half years ago when I learned on the radio that two Capitol policemen, Detective John Gibson and Officer Jacob Chestnut, had been murdered in the Capitol.

When there is a loss of life, it affects us all; but, these men were in the line of fire and prevented other people from being killed.

I also had a particular affinity toward Detective John Gibson because of the assistance he provided at a function when my wife took ill. He, in a very heroic fashion, exercised good judgment in helping with the medical problems my wife was experiencing. A short time after he gallantly helped my wife, he was murdered.

Furthermore, the deaths of Detective Gibson and Officer Chestnut were painful for me because I was a Capitol policeman. I put myself through law school working in the Capitol as a police officer.

The reason I mention these events is that I was stunned Monday to read that the visitors center that we as Members of the Senate and the House rushed forward to do something about following the murders of these two men was now grinding to, if not a halt, a slowdown. I rise today to express my serious concern and extreme disappointment with recent reports that construction of the much needed Cap-

itol visitors center may fall further behind schedule. In fact, the way things have been going, we must ask ourselves if the project will ever be completed.

On the front page of Monday's edition of Roll Call, the Hill newspaper, the headline read: "Visitors Center Funds 'Lagging,' Officials Say \$65 Million Short of Goal With Clock Ticking."

After all that has transpired, after all the statements we have heard on this floor and the floor of the House, I am ashamed we have found ourselves in this predicament. Any further delay in construction of the much needed Capitol visitors center must be prevented. We must take action as quickly as possible.

Every night I leave my office in the Capitol to go home, I exit through the memorial door. It is called the memorial door because there are two plaques on the wall commemorating Officer Chestnut and Detective Gibson. I see their faces each night as I walk out the door.

In response to these murders, many Members renewed our call for the construction of the visitors center which has been talked about for years. I can remember talking about this project when I was the chairman of the Legislative Branch Appropriations Committee. When I was chairman, we cleared the cars off the east front of the Capitol. There are very few automobiles out there now, but we did it, for security and the fact that it was an eyesore. Unfortunately, it's still an eyesore—that blacktop on the East side of the Capitol of the United States. The only superpower left in the world and we have an ugly blacktop out here. More important than the visual aspect, however, are the safety concerns. The reason Chestnut and Gibson were killed, in my opinion, is that they had no protection. A madman with a gun rushed through the door and shot Chestnut. Gibson valiantly came forward to protect a Member and others from being shot, and he was killed. A visitors center would enhance safety for these fine men and women who guard us. Men and women who guard the the thousands of Americans who come to this building every day.

In addition to that, we always see people lined up out there on the east side of the Capitol waiting to get into the building. We see them during the spring and summer months. We see them during the fall months when school is out. Even during the winter months, they line up for blocks. People from all over America—from Nevada, Montana, Maine—come to Washington to visit the Capitol. They are forced—I say "forced" because there is no place else to go—to stand outside in the elements, whether it is raining, snowing, or 100 degrees, without the benefit of restrooms, a place to get something to eat, or a place to get something to drink. The Capitol visitors center would allow the Capitol Police to better protect themselves and all of us

who come to this Capitol complex to work or to visit, and would also provide an indoor facility for visitors to stand in line, as well as a gift shop, a cafeteria, and a place for them to go to the bathroom.

We have authorized \$100 million for the construction of this Capitol visitors center. It will cost, however, \$265 million. After six different congressional committees exercised their jurisdiction, it was decided that we would sell \$65 million worth of commemorative coins from the U.S. Mint, with the additional \$100 million raised in the private sector. I have never thought the money should be raised in the private sector. If there were ever something that should be paid for by the government, it should be a visitors center to this Capitol.

I commend all of the donors who gave their time and money to raise the \$35 million that has been raised to date. While I commend these people, however, I believe their noble efforts should never have been necessary in raising this money. The U.S. Capitol Building is the people's house. It is the seat of our government and the enduring symbol of this democracy, the greatest country in the history of the world. The Capitol is the seat of government for the greatest country in the history of the world.

As Senators and Representatives, we have been blessed with the incredible fortune of calling the Capitol the place where we work. I am disappointed that we, as caretakers of this people's house, have abrogated our responsibility by begging the private sector for funds to help build what I believe should remain a public institution. We have an obligation to fully fund the construction of the visitors center. We should do it right away—during this Congress.

I have conveyed this message to Senators BENNETT and DURBIN, the chairman and ranking member of the Subcommittee on Legislative Branch Appropriations, as well as to the full committee chairman, Senator STEVENS, and the ranking member, Senator BYRD.

I ask unanimous consent that the letter I have written to these Senators be printed in the RECORD following my remarks. I also ask unanimous consent that the article in Monday's edition of the Roll Call newspaper to which I referred be printed in the RECORD.

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

(See Exhibits 1 and 2.)

Mr. REID. I intend to continue my efforts to ensure that we provide the necessary funds as quickly as possible to prevent construction delays in the Capitol visitors center. It is important that we do this. It is important to this country. It is important to this institution. It is important to the people we serve.

EXHIBIT 1

U.S. SENATE,

Washington, DC, February 14, 2001.

HON. ROBERT BENNETT,
Chairman, Subcommittee on Legislative Branch
Appropriations, U.S. Capitol, Washington,
DC.

HON. RICHARD DURBIN,
Ranking Member, Subcommittee on Legislative
Branch Appropriations, U.S. Capitol, Wash-
ington, DC.

DEAR MR. CHAIRMAN AND SENATOR DURBIN:
I would like to express my serious concern and disappointment with recent reports that construction of the much needed Capitol Visitors Center may fall even further behind schedule. This would be an unfortunate development that we must prevent as quickly as possible.

In July 1998, following the murders of Officer Jacob Chestnut and Detective John Gibson, many Members of the House of Representatives and the Senate, including me, publicly recognized the sacrifices made by these two fine men. Many of us also renewed our call for the construction of a Capitol Visitors Center. The proposed Visitors Center would improve security and provide an indoor facility for visitors to stand in line, and would also include a gift shop, rest rooms and a cafeteria.

To date, Congress has authorized and appropriated \$100 million for the construction of the Capitol Visitors Center. At a cost of approximately \$265 million, however, that amount fell far short of the funds needed. As you know, following a series of delays caused by six different congressional committees exercising their jurisdiction over the project, it was decided that \$65 million would be raised by the U.S. Mint through the sale of commemorative coins, with the additional \$100 million raised by the Fund for the Capitol Visitors Center through private donations.

While I commend those donors and all who have generously contributed their time and money to raise private funds for the construction of the Capitol Visitors Center, I believe that their noble efforts should never have been necessary. The United States Capitol Building is the People's House. It is the seat of our government and the enduring symbol of our democracy. As Senators and Representatives, we have been blessed with the incredible fortune of calling the Capitol our place of employment. I am extremely disappointed that we, as caretakers of the People's House, have abrogated our responsibilities by begging the private sector for funds to help build what I believe is, and should remain, a public institution.

We have an obligation to fully fund the construction of the Capitol Visitors Center. As a Member of the Senate Appropriations Committee, I intend to continue my efforts to ensure that we provide the necessary funds, as quickly as possible, to prevent construction from falling even further behind schedule.

My best wishes to you,

Sincerely,

HARRY REID,
U.S. Senator.

EXHIBIT 2

[From Roll Call, Feb. 12, 2001]

VISITORS CENTER FUNDS "LAGGING,"

OFFICIALS SAY

\$65 MILLION SHORT OF GOAL WITH CLOCK
TICKING

(By Lauren W. Whittington)

Amid concern that private fundraising efforts for the Capitol visitors center are "lagging," some top officials associated with the project have begun looking into other funding options in order to keep it from falling behind schedule.

The Fund for the Capitol Visitors Center, a non-profit organization established by the Pew Charitable Trusts, has raised \$35 million in private gifts thus far. That leaves it \$65 million short of the \$100 million it needs to raise by the end of the year.

"I think we've been aware now for a while that the fundraising [aspect] is lagging, and we have been thinking about different options," said an aide to one member of the Capitol Preservation Commission, the entity charged with overseeing the visitors center.

While the aide declined to discuss timeliness and what those specific options might be, the staffer said that using more taxpayers funds—a controversial idea—to supplement the project is "certainly an option" that is being discussed.

After two Capitol Police officers were shot and killed in the Capitol in July 1998, Congress appropriated \$100 million in taxpayer funds for the visitors center with the idea that the funds would be matched by private donations.

Construction on the visitors center is set to begin in January 2002, and under federal law all funds used for the project must be collected before the first shovel goes into the ground.

Senior Congressional officials involved in the project are privately expressing concern that the money may not come soon enough.

"The Capitol is in desperate need of this visitors center, so we want it to stay on track, and we need to have the money by December 2001 for construction to begin on time," one CPC staffer said on the condition of anonymity. "I think that everybody's dedicated to figuring out a way to keep it moving forward."

After kicking off its campaign in April 2000 with an initial \$35 million in pledged donations, including \$10 million from the Bill and Melinda Gates Foundation, the fund has not publicly announced any further donations or fundraising totals.

"I think this really has been a much more difficult task than they thought it would be," said the aide to a CPC member. "I do think they were very optimistic about what they could raise and it wasn't really reality."

The first major addition to the Capitol since 1859, the visitors center is slated to cost \$265 million and be completed by January 2005—just in time for the next presidential inauguration.

The price tag could increase by as much as \$10 million if CPC members approve construction of a proposed tunnel that would connect the center with the Library of Congress.

Thus far, fundraising concerns have not affected the project's estimated start date, but that could change if funds are not collected by year's end.

"If we had to wait for the fundraising, potentially, yeah, it would need to be moved back, but I don't think that's in anybody's head right now," the CPC member's aide said. "I think it's too soon to be talking about that."

Former Rep. Vic Fazio (D-Calif.), who sits on the fund's board of directors, said the organization has donations "in the pipeline," even though they are unable to publicly announce them.

"How much people will decide to give, if they decide to give, is something that's still being discussed," said Fazio, who championed the project when he was in the House. "Nobody could have predicted, and we still couldn't tell you for sure how much money could be raised for such a purpose."

Maria Titelman, president of the fund, said the organization is raising money, although she too was unable to release any estimates or talk publicly about possible donations.

"I think that we're very excited about where we're going," Titelman said. "We're raising money as quickly as we can on an accelerated schedule. We'll get to our \$100 million as soon as possible."

The bulk of the remaining \$65 million will be raised through the sale of commemorative coins. Funds raised from the sale of two bicentennial coins in the late 1980s have now reached \$30 million, and the CPC expects to make another \$5 million to \$10 million from the sale of two coins set to be released by the U.S. Mint this spring.

For their part, Members and key staffers on both sides of the aisle remain committed to the project.

"The entire leadership and CPC remain very committed to this and very enthusiastic about it," said Ted Van Der Meid, an aide to Speaker Dennis Hastert (R-Ill.).

Van Der Meid also noted that last week's shooting incident at the White House "reaffirms one of the main purposes for the visitors center."

To assist with their efforts, the fund has hired outside fundraising consultants Wyatt Stewart & Associates and The Bonner Group. Also advising the fund is Steven Briganti, president and CEO of the foundation that funded the restoration and preservation of the Statue of Liberty and Ellis Island.

The fund's board of directors will hold its next meeting March 8, at which time it may have a better idea of monetary commitments from corporations.

"It's premature to make any statement about what we will be able to accomplish because there are a number of things being considered right now by a number of foundations," Fazio said. "Whether or not we can get to the original goal, I think, remains to be seen. It's not going to be an easy task to do that."

If the fund is not able to reach its initial goal, Fazio said, it will rely on more public money.

"I have not objected to the effort to raise private funds, and I've been part of that effort, but I certainly would hope that if we are only so successful at that, that we would then fall back on additional appropriations to make it happen," Fazio said. "The most important thing is it not be something that is delayed or underdone."

Former Sen. Dale Bumpers (D-Ark.), also a member of the board, said he has always favored Congress appropriating the funds needed to build the center.

"So far as this mixing of private and public money, I never have much liked that," Bumpers said in an interview last week. "I thought if it was a good idea, we ought to fund it with public funds."

Sen. Strom Thurmond (R-S.C.), co-chairman of the CPC, said in a prepared statement, "At this time I feel that it would be premature to make any final decisions regarding the appropriation of additional funds for the Capitol visitors center. However, I recognize that because of the importance of this project, it is essential that we keep all of our options open."

Sen. Bob Bennett (R-Utah), chairman of the Appropriations subcommittee on the legislative branch and a member of the CPC, said he would consider appropriating more money for the project if it was needed.

"I haven't given any thought to what happens if [the current fundraising framework] won't work," Bennett said. "But if it becomes clear that it won't work, then I would take a look at an additional appropriation."

However, Rep. John Mica (R-Fla.), a CPC member and one of the most vocal supporters of the visitors center to date, said he is against appropriating more taxpayer money.

"I don't think we need any more public money and particularly at this stage," Mica

said. "At some point if we have to beef up the private fundraising efforts or help assist them in any way, there's plenty of muscle power that can raise that money, particularly Members who unabashedly raised hundreds of millions for campaign efforts."

Outside of revisiting the public funding debate, the CPC can also explore other private fundraising options because its agreement with the fund is not exclusive. The CPC could begin to accept private donations directly or it could set up another organization to raise private money for the project.

One thing that has been a roadblock for the fund's efforts thus far is the issue of public recognition.

From the outset, most Members of Congress have been adamantly opposed to the idea of naming portions of the visitors center after corporate sponsors, and the leadership and the fund have differed on the ways in which corporations can receive public recognition for the donations.

"This is too important a part of our history," Bumpers said. "We're not going to name this the MCI visitors center or any of those things."

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXPRESSING SYMPATHY FOR LOST LOVED ONES IN HAWAII

Mr. AKAKA. Mr. President, I express my sincerest sympathies to the families of those who have lost loved ones in two unrelated incidents the U.S. military in Hawaii during the past week.

On Friday afternoon, the U.S.S. *Greeneville* collided with the *Ehime Maru*, a Japanese fishing vessel. I join President Bush in expressing my regret to the people of Japan for this tragedy. My heart goes out to the families of the nine people who are still missing following this incident.

On Monday evening, two UH-60 Blackhawk helicopters crashed during a training exercise at the Kahuku Military Training Area, resulting in six deaths. My thoughts and prayers are with the families and units who are mourning the loss of their loved ones. I also wish a speedy recovery to those soldiers who are recovering from injuries sustained in this accident.

I am certain that the investigations into these incidents will be thorough and comprehensive. But my purpose today is not to question why these incidents occurred, but to express the genuine sadness and concern that I share with the people of Hawaii and the rest of the nation over these two unfortunate episodes.

The PRESIDING OFFICER (Mr. EDWARDS). The Senator from Hawaii is recognized.

(The remarks of Mr. AKAKA pertaining to the introduction of S. 329 are located in today's RECORD under

"Statements on Introduced Bills and Joint Resolutions.")

Mr. AKAKA. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, what is the parliamentary situation?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ORDER OF PROCEDURE

Mr. LEAHY. Mr. President, the distinguished chairman of the Senate Judiciary Committee, Mr. HATCH, is going to be coming over on a matter of ours. He is not here yet. I ask unanimous consent that I be able to proceed on a different subject as in morning business.

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

LESSONS TO BE LEARNED FROM THE WRONGFUL CONVICTION OF EARL WASHINGTON

Mr. LEAHY. Mr. President, I want to discuss the case of Earl Washington. Mr. Washington was released from custody Monday after more than 17 years in prison. In fact, of the 17 years in prison, 10 years of that were on death row. Virginia Governor James Gilmore pardoned Earl Washington on October 2, 2000, after some new DNA tests confirmed what earlier DNA tests had already shown—he was the wrong guy. They had the wrong person in prison on death row.

I mention this case as probably the most recent that we have seen in the press, but we have seen a shocking number of cases in the past 2 years in which inmates have been exonerated after long stays in prison, including more than 90 cases involving people who had been sentenced to death. Let me repeat that: more than 90 cases where people had been sentenced to death and they then found they had the wrong person.

Since Earl Washington was pardoned 4 months ago, six more condemned prisoners in four different States have had their convictions vacated through exonerating evidence: William Nieves, sentenced to death in Pennsylvania in 1994; Michael Graham and Albert Burrell, sentenced to death in Louisiana in 1987; Peter Limone and Joseph Salvati, sentenced to death in Massachusetts in 1968; and Frank Lee Smith, sentenced to death in Florida in 1986.