

would include advancing clean coal technologies, for example.

I have introduced legislation to provide a 5-year extension of the wind energy production tax credit. This will help develop a non-fossil infrastructure to relieve burden on other fuel sources and help bring overall energy prices down. I understand that President Bush has announced his support for this type of incentive.

I also am considering legislation to pursue exploration not of the Arctic Refuge, but of Alaska's North Slope, where 35 trillion cubic feet of natural gas have already been identified as readily available. Such legislation would include provisions to develop the pipeline infrastructure to bring that natural gas to the lower 48 States. We must pursue exploration and development, but must do so in a safe and environmentally sustainable manner.

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

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

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. DEWINE. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate now be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

RULES OF THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MCCAIN. Mr. President, the Committee on Commerce, Science, and Transportation has adopted rules governing its procedures for the 107th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator HOLLINGS, I ask unanimous consent that a copy of the Committee rules be printed in the RECORD.

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

RULES OF THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

I. MEETINGS OF THE COMMITTEE

1. The regular meeting dates of the Committee shall be the first and third Tuesdays of each month. Additional meetings may be called by the Chairman as he may deem necessary or pursuant to the provisions of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the Committee, or any subcommittee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee, or any subcommittee, on the same subject for a period of no more than 14

calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee, or any subcommittee, when it is determined that the matter to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(C) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets of, or financial or commercial information pertaining specifically to, a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

3. Each witness who is to appear before the Committee or any subcommittee shall file with the Committee, at least 24 hours in advance of the hearing, a written statement of his testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

4. Field hearings of the full Committee, and any subcommittee thereof, shall be scheduled only when authorized by the Chairman and ranking minority member of the full Committee.

II. QUORUMS

1. Twelve members shall constitute a quorum for official action of the Committee when reporting a bill, resolution, or nomination. Proxies shall not be counted in making a quorum.

2. Eight members shall constitute a quorum for the transaction of all business as may be considered by the Committee, except for the reporting of a bill, resolution, or nomination. Proxies shall not be counted in making a quorum.

3. For the purpose of taking sworn testimony a quorum of the Committee and each subcommittee thereof, now or hereafter appointed, shall consist of one Senator.

III. PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, a majority of the members being present, a member who is unable to attend the meeting may submit his/her vote by proxy, in writing or by telephone, or through personal instructions.

IV. BROADCASTING OF HEARINGS

Public hearings of the full Committee, or any subcommittee thereof, shall be televised

or broadcast only when authorized by the Chairman and the ranking minority member of the full Committee.

V. SUBCOMMITTEES

1. Any member of the Committee may sit with any subcommittee during its hearings or any other meeting but shall not have the authority to vote on any matter before the subcommittee unless he/she is a Member of such subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the chairmanship, and seniority on the particular subcommittee shall not necessarily apply.

VI. CONSIDERATION OF BILLS AND RESOLUTIONS

It shall not be in order during a meeting of the Committee to move to proceed to the consideration of any bill or resolution unless the bill or resolution has been filed with the Clerk of the Committee not less than 48 hours in advance of the Committee meeting, in as many copies as the Chairman of the Committee prescribes. This rule may be waived with the concurrence of the Chairman and the Ranking Member.

RULES OF THE COMMITTEE ON FINANCE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that a copy of the Rules of Procedure, adopted by the Committee on Finance for the 107th Congress be printed in the RECORD.

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

COMMITTEE ON FINANCE

I. RULES OF PROCEDURE

Rule 1. Regular Meeting Days.—The regular meeting day of the committee shall be the second and fourth Tuesday of each month, except that if there be no business before the committee the regular meeting shall be omitted.

Rule 2. Committee Meetings.—(a) Except as provided by paragraph 3 of Rule XXVI of the Standing Rules of the Senate (relating to special meetings called by a majority of the committee) and sub-section (b) of this rule, committee meetings, for the conduct of business, for the purpose of holding hearings, or for any other purpose, shall be called by the chairman. Members will be notified of committee meetings at least 48 hours in advance, unless the chairman determines that an emergency situation requires a meeting on shorter notice. The notification will include a written agenda together with materials prepared by the staff relating to that agenda. After the agenda for a committee meeting is published and distributed, no nongermane items may be brought up during that meeting unless at least two-thirds of the members present agree to consider those items.

(b) In the absence of the chairman, meetings of the committee may be called by the ranking majority member of the committee who is present, provided authority to call meetings has been delegated to such member by the chairman.

Rule 3. Presiding Officer.—(a) The chairman shall preside at all meetings and hearings of the committee except that in his absence the ranking majority member who is present at the meeting shall preside.

(b) Notwithstanding the rule prescribed by subsection (a) any member of the committee may preside over the conduct of a hearing.

Rule 4. Quorums.—(a) Except as provided in subsection (b) one-third of the membership of the committee, including not less

than one member of the majority party and one member of the minority party, shall constitute a quorum for the conduct of business.

(b) Notwithstanding the rule prescribed by subsection (a), one member shall constitute a quorum for the purpose of conducting a hearing.

Rule 5. Reporting of measures of Recommendations.—No measure or recommendation shall be reported from the committee unless a majority of the committee is actually present and a majority of those present concur.

Rule 6. Proxy Voting; Polling.—(a) Except as provided by paragraph 7(a)(3) of Rule XXVI of the Standing Rules of the Senate (relating to limitation on use of proxy voting to report a measure or matter), members who are unable to be present may have their vote recorded by proxy.

(b) At the discretion of the committee, members who are unable to be present and whose vote has not been cast by proxy may be polled for the purpose of recording their vote on any rollcall taken by the committee.

Rule 7. Order of Motions.—When several motions are before the committee dealing with related or overlapping matters, the chairman may specify the order in which the motions shall be voted upon.

Rule 8. Bringing a Matter to a Vote.—If the chairman determines that a motion or amendment has been adequately debated, he may call for a vote on such motion or amendment, and the vote shall then be taken, unless the committee votes to continue debate on such motion or amendment, as the case may be. The vote on a motion to continue debate on any motion or amendment shall be taken without debate.

Rule 9. Public Announcement of Committee Votes.—Pursuant to paragraph 7(b) of Rule XXVI of the Standing Rules of the Senate (relating to public announcement of votes), the results of rollcall votes taken by the committee on any measure (or amendment thereto) or matter shall be announced publicly not later than the day on which such measure or matter is ordered reported from the committee.

Rule 10. Subpoenas.—Subpoenas for attendance of witnesses and the production of memoranda, documents, and records shall be issued by the chairman, or by any other member of the committee designated by him.

Rule 11. Nominations.—In considering a nomination, the Committee may conduct an investigation or review of the nominee's experience, qualifications, and suitability, to serve in the position to which he or she has been nominated. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the Committee may request. The Committee may specify which items in such statement are to be received on a confidential basis. Witnesses called to testify on the nomination may be required to testify under oath.

Rule 12. Open Committee Hearings.—To the extent required by paragraph 5 of Rule XXVI of the Standing Rules of the Senate (relating to limitations on open hearings), each hearing conducted by the committee shall be open to the public.

Rule 13. Announcement of Hearings.—The committee shall undertake consistent with the provisions of paragraph 4(a) of Rule XXVI of the Standing Rules of the Senate (relating to public notice of committee hearings) to issue public announcements of hearings it intends to hold at least one week prior to the commencement of such hearings.

Rule 14. Witnesses at Hearings.—(a) Each witness who is scheduled to testify at any hearing must submit his written testimony

to the staff director not later than noon of the business day immediately before the last business day preceding the day on which he is scheduled to appear. Such written testimony shall be accompanied by a brief summary of the principal points covered in the written testimony. Having submitted his written testimony, the witness shall be allowed not more than ten minutes for oral presentation of his statement.

(b) Witness may not read their entire written testimony, but must confine their oral presentation to a summarization of their arguments.

(c) Witnesses shall observe proper standards of dignity, decorum and propriety while presenting their views to the committee. Any witness who violates this rule shall be dismissed, and his testimony (both oral and written) shall not appear in the record of the hearing.

(d) In scheduling witnesses for hearings, the staff shall attempt to schedule witnesses so as to attain a balance of views early in the hearings. Every member of the committee may designate witnesses who will appear before the committee to testify. To the extent that a witness designated by a member cannot be scheduled to testify during the time set aside for the hearing, a special time will be set aside for the witness to testify if the member designating that witness is available at that time to chair the hearing.

Rule 15. Audiences.—Persons admitted into the audience for open hearings of the committee shall conduct themselves with the dignity, decorum, courtesy and propriety traditionally observed by the Senate. Demonstrations of approval or disapproval of any statement or act by any member or witness are not allowed. Persons creating confusion or distractions or otherwise disrupting the orderly proceeding of the hearing shall be expelled from the hearing.

Rule 16. Broadcasting of Hearings.—(a) Broadcasting of open hearings by television or radio coverage shall be allowed upon approval by the chairman of a request filed with the staff director not later than noon of the day before the day on which such coverage is desired.

(b) If such approval is granted, broadcasting coverage of the hearing shall be conducted unobtrusively and in accordance with the standards of dignity, propriety, courtesy and decorum traditionally observed by the Senate.

(c) Equipment necessary for coverage by television and radio media shall not be installed in, or removed from, the hearing room while the committee is in session.

(d) Additional lighting may be installed in the hearing room by the media in order to raise the ambient lighting level to the lowest level necessary to provide adequate television coverage of the hearing at the then current state of the art of television coverage.

(e) The additional lighting authorized by subsection (d) of this rule shall not be directed into the eyes of any members of the committee or of any witness, and at the request of any such member or witness, offending lighting shall be extinguished.

(f) No witness shall be required to be photographed at any hearing or to give testimony while the broadcasting (or coverage) of that hearing is being conducted. At the request of any such witness who does not wish to be subjected to radio or television coverage, all equipment used for coverage shall be turned off.

Rule 17. Subcommittees.—(a) The chairman, subject to the approval of the committee, shall appoint legislative subcommittees. All legislation shall be kept on the full committee calendar unless a majority of the members present and voting agree to refer

specific legislation to an appropriate subcommittee.

(b) The chairman may limit the period during which House-passed legislation referred to a subcommittee under paragraph (a) will remain in that subcommittee. At the end of that period, the legislation will be restored to the full committee calendar. The period referred to in the preceding sentences should be 6 weeks, but may be extended in the event that adjournment or a long recess is imminent.

(c) All decisions of the chairman are subject to approval or modification by a majority vote of the committee.

(d) The full committee may at any time by majority vote of those members present discharge a subcommittee from further consideration of a specific piece of legislation.

(e) Because the Senate is constitutionally prohibited from passing revenue legislation originating in the Senate, subcommittees may mark up legislation originating in the Senate and referred to them under Rule 16(a) to develop specific proposals for full committee consideration but may not report such legislation to the full committee. The preceding sentence does not apply to nonrevenue legislation originating in the Senate.

(f) The chairman and ranking minority members shall serve as nonvoting ex officio members of the subcommittees on which they do not serve as voting members.

(g) Any member of the committee may attend hearings held by any subcommittee and question witnesses testifying before that subcommittee.

(h) Subcommittee meeting times shall be coordinated by the staff director to insure that—

(1) no subcommittee meeting will be held when the committee is in executive session, except by unanimous consent;

(2) no more than one subcommittee will meet when the full committee is holding hearings; and

(3) not more than two subcommittees will meet at the same time.

Notwithstanding paragraphs (2) and (3), a subcommittee may meet when the full committee is holding hearings and two subcommittees may meet at the same time only upon the approval of the chairman and the ranking minority member of the committee and subcommittees involved.

(i) All nominations shall be considered by the full committee.

(j) The chairman will attempt to schedule reasonably frequent meetings of the full committee to permit consideration of legislation reported favorably to the committee by the subcommittees.

Rule 18. Transcripts of Committee Meetings.—An accurate record shall be kept of all markups of the committee, whether they be open or closed to the public. This record, marked as "uncorrected," shall be available for inspection by Members of the Senate, or members of the committee together with their staffs, at any time. This record shall not be published or made public in any way except:

(a) By majority vote of the committee after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements made.

(b) Any member may release his own remarks made in any markup of the committee provided that every member or witness whose remarks are contained in the released portion is given a reasonable opportunity before release to correct their remarks.

Notwithstanding the above, in the case of the record of an executive session of the committee that is closed to the public pursuant to Rule XXVI of the Standing Rules of

the Senate, the record shall not be published or made public in any way except by majority vote of the committee after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements made.

Rule 19. Amendment of Rules.—The foregoing rules may be added to, modified, amended or suspended at any time.

THE ADMINISTRATION'S REFUSAL TO ADJUST 2000 CENSUS DATA

Mr. AKAKA. Mr. President, I rise today to express my disappointment over the decision announced this week by Commerce Secretary Donald Evans to release raw census data without adjustment for the undercount of an estimated three million Americans.

By law, the Census Bureau is required to provide census figures to the States for the purpose of redistricting by April 1, 2001; a deadline that is nearly four weeks away. Only last week, I joined with 47 of my Senate colleagues in a letter to Secretary Evans urging him to delay a decision to release the 2000 census figures until after the Commerce Department's self-imposed March 5, 2001, deadline to allow the appropriate Senate Committees an opportunity to hold hearings. My intent in signing the letter was not to delay the statutory deadline, but rather to request that there be Congressional input.

I was interested that the President, in his first budget proposal, said, "our Nation has a long and honorable commitment to assisting individuals, families, and communities who have not fully shared in America's prosperity." I believe this is true, which is why failing to count all Americans has serious consequences for State, local, and Federal Government.

There are approximately 1,327 Federal domestic assistance programs that use population data in some way. The breadth of the programs affected that touch families and businesses throughout the nation clearly spells out the need to ensure that all Americans are counted. Federal and State funds for schools, employment services, housing assistance, road construction, day care facilities, hospitals, emergency services, programs for seniors, and much more are distributed based on census figures. The use of raw census data, without adjustment for the differential undercount, will result in the unfair distribution of Federal funds.

A March 1, 2001 memorandum to Secretary Evans from the acting director of the Census Bureau recommended using unadjusted census data for redistricting purposes. According to the memo, "The primary reason for arriving at this conclusion is the apparent inconsistency in population growth over the decade as estimated by the Accuracy and Coverage Evaluation, ACE, and demographic analysis. These differences cannot be resolved in the time available for the Committee's work." In other words, the Executive

Steering Committee for ACE Policy ran out of time and could not determine whether the uncorrected data is more accurate than corrected data.

As a member of the Committee on Governmental Affairs, I provide legislative support and oversight over the decennial census and the Census Bureau. Moreover, as a Senator from Hawaii, I knew that the percentage of people undercounted in my state during the 1990 Census, 1.9 percent, was higher than the national average. The largest component of my state's undercount by race was projected to be Asians and Pacific Islanders. I was so concerned that Hawaii would once again have a higher than average undercount that, last March, I held a forum in Hawaii on issues facing Native Hawaiians and other Pacific Islanders related to the 2000 Census. I urged Native Hawaiians and other Pacific Islanders to participate in the 2000 Census in order to ensure accurate data and statistics especially since this information directly impacts our lives for the next ten years.

I call upon the Secretary to make available to the public the detailed information that the Census Bureau has compiled to date, including overcounts and undercounts. Again, I am disappointed with the Administration's decision in this matter.

ADDITIONAL STATEMENTS

TRIBUTE TO LAURIE LAWSON

• Mr. HOLLINGS. Mr. President, Laurie Lawson comes from a long line of farmers in Darlington, SC, and he drew upon that experience as our State's executive director of the Farm Service Agency. After 8 years at the helm, he has stepped down. Farmers knew that Mr. Lawson would respond to their needs with knowledge and compassion and work effectively to open lines of communication between the farming community and Federal agencies. Whatever the matter at hand—whether it was drought relief or the tobacco settlement—Laurie Lawson played an important role on behalf of South Carolina farmers. I know he is looking forward to spending more time with his grandchildren and keeping up with his beloved Clemson Tigers. However, my staff and I will greatly miss his expertise on agricultural issues and feel honored to have worked with such a dedicated public servant.●

A TRIBUTE TO HAROLD HOWRIGAN

• Mr. LEAHY. Mr. President, I am very fortunate to be one of only one hundred individuals chosen to represent my fellow Americans here in the Senate. As a result of this work, I have the opportunity to meet many, many people. Occasionally I have come to know people who are so giving of themselves, so devoted to their life's work, that they truly serve as an inspiration. I would

like to take a few moments to recognize one such individual, Harold Howrigan of Fairfield, VT.

Harold has been a dairy farmer in Vermont his entire life and has been a Director of the St. Albans Cooperative Creamery for over 20 years, as well as the long-time President of the co-op. He has been actively involved with dairy promotion on State, national, and international levels, and has worked with practically every dairy farm organization that I know, including Dairy Management Inc., the National Dairy Producers Federation, the U.S. Dairy Export Council, the National Dairy Board, the Vermont Farm Bureau, and the Northeast Interstate Dairy Compact Commission.

Harold and his wife, Anne—a former school teacher, who is still a very active tutor, mentor and volunteer in the cause of education have also devoted themselves to educating future generations about agriculture, starting with their five children—Harold, Lawrence, Michael, Bridget and Ellen—and their 12 grandchildren. They are very special friends of my wife Marcelle, my children and me.

Most recently, Harold has been honored as the recipient of what some call the "Nobel Prize" of the dairy industry, the Richard E. Lyng award from the National Dairy Promotion and Research Board. This award recognizes an individual for their "distinguished service to dairy promotion and research." I can't think of another individual more deserving of this honor than Harold Howrigan.

In a recent interview Harold said "family farmers are the best, hardest working people in the world . . . it's a business and a way of living that is second to none in this country." I couldn't agree more and I thank Harold for the tremendous work he has done for the dairy industry in Vermont and across America, as well as the expert and unselfish counsel on agriculture he has provided to me and my staff over many years.

I ask that an article about Harold be printed in the RECORD.

The article follows:

[From the St. Albans (VT) Messenger, Feb. 26, 2001]

TO HAROLD HOWRIGAN: CONGRATULATIONS

(By Emerson Lynn)

Occasionally, something happens that is so right that when you learn about it, you pound the table and say, yes, that's what should have happened.

That's our response to the news that Harold Howrigan was the recipient of the Richard E. Lyng Award for "distinguished service to dairy promotion and research." The award, which is only given out periodically, is the industry's equivalent to the Nobel Prize.

There is not a person in the industry, anywhere, who deserves the award more. That there may not be a kinder, more professional person alive is an aside, what made the award so appropriate is the incredible level of dedication he has made toward his profession, or, as he would say, his way of life.

His name and the St. Albans Cooperative Creamery are synonymous. He's its president