

So while I would not want to use the word “hostage” in the wrong way, we are subject to not have the same leverage that other large employers have. So in the role as chair of this committee, I take on extra responsibility to try to communicate, in as constructive a way as possible, the views of the Federal Government as an employer. Particularly in the areas of public safety and transportation, our employees who work in the District, who are employed by the Federal Government, have a legitimate standing in those debates.

So let me say, in closing, that I look forward to working with many of my colleagues. Senator BYRD, himself, the distinguished Senator from West Virginia, served for 7 years in the capacity as chair of this committee. I cannot say at this date that I will serve as chair for 7 years—for as long as Senator BYRD served—but I can promise you, it will be no less than 4 years. If I can make it 7, I may try, because it is a lot of responsibility and it is a lot of work.

But I come to this chair at a time of great promise for this city, and with a great leadership team to work with, the Mayor and the city council, and who are poised for reform, some men and women who have literally given blood, sweat, and tears to lift this District to a place that holds great promise for not only the residents who live here, including every single child who lives here today, but for families everywhere.

So I am looking forward to that with great anticipation and great enthusiasm and will, again, focus on these important issues.

I thank the Presiding Officer. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### SUPPLEMENTAL APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

Mr. BYRD. Mr. President, today we are considering the conference report on H.R. 2216, the Supplemental Appropriations Act for fiscal year 2001.

My colleague, Senator STEVENS, is momentarily off the floor. He has some constituents. He understands that we are beginning our discussions and has indicated his willingness for me to proceed. But he will come to the floor shortly and have some things to say also about the conference report.

On June 1, 2001, President Bush asked Congress to consider a supplemental request for \$6.5 billion primarily for the Department of Defense. The conference report the Senate will adopt later today totals \$6.5 billion—not one dime above the President's request.

The conference report contains no emergency designations. The President has said he will not support such emergency designations, so the conferees have not included any emergency designations in this bill. Unrequested items in the bill are offset.

The conference report is the product of the hard work and cooperation of all of the conferees, especially Senator STEVENS, ranking member of the Appropriations Committee in the Senate, and Chairman BILL YOUNG, the House Appropriations Committee chairman, and the ranking member of the Appropriations Committee in the House of Representatives, DAVID OBEY.

I cannot say enough about the cooperation of my friend and colleague, the former chairman of the Appropriations Committee in the Senate and now the ranking member, TED STEVENS. The word really isn't “cooperation.” It is better than that. It is “leadership”—leadership on the part of Senator TED STEVENS. TED STEVENS has been exemplary in his cooperation and support as we have crafted this conference report, as we have crafted this agreement in a bipartisan and collegial way.

The distinguished ranking member is on the floor now. As I indicated earlier, “cooperation” is not really the word. There is a better word than that. The word is “leadership.” I compliment the distinguished Senator from Alaska, Mr. STEVENS, on his leadership in crafting this agreement.

It was not an easy task to craft an agreement that had no emergency designation, that offset all unrequested items, an agreement which conformed to Senate rule XXVIII and was not one dime over the President's request. I thank all of the conferees for their cooperation.

The conference report includes a number of offsets to pay for unrequested items, and Members should know—and perhaps be reminded—that with passage of the bill, we are at the statutory cap for budget authority in fiscal year 2001.

H.R. 2216 funds the President's defense request for a net increase of \$5.5 billion, including \$1.6 billion for defense health care, \$515 million for military pay and benefits, \$3.25 billion for increased military readiness, including the high costs of natural gas and other utilities, for increased military flying hours, and for other purposes. The conference report also includes \$278 million for defense-related programs of the Department of Energy.

While the conferees have approved the President's request for the Department of Defense, I stress the importance of accountability for these and future funds. Financial accountability remains one of the weakest links in the Defense Department's budget process. This is no criticism of the Secretary of Defense. He is a new man on the job. He has been there before, but he inherited this. It is an accumulation over years and years.

Recently, the General Accounting Office reported that, of \$1.1 billion ear-

marked for military spare parts in the fiscal year 1999 supplemental, only about \$88 million could be tracked to the purchase of spare parts. The remaining \$1 billion—or 92 percent of the appropriation—was transferred to operations and maintenance accounts, where the tracking process broke down. We must do better in making sure these dollars that are requested for spare parts go where they are intended.

The conference report includes report language requiring the Secretary of Defense to follow the money and to provide Congress with a complete accounting of all supplemental funds that are appropriated for spare parts. I am gratified that the administration recognizes this problem and included \$100 million for strengthening the DOD financial management systems in their recent budget amendment for fiscal year 2002.

The conference report provides \$300 million for the Low Income Energy Assistance Program, an increase of \$150 million above the President's request, to help our citizens cope with high energy costs. The conference agreement also includes \$161 million for grants to local education agencies under the Education for the Disadvantaged Program in response to the most recent poverty and expenditure data. Also provided is \$100 million as an initial U.S. contribution to a global trust fund to combat AIDS, malaria, and tuberculosis.

A special request was made to me by our leader on this side of the aisle, Mr. DASCHLE. In conformity with his request, I worked to have \$100 million included for that purpose, and it is here in this conference report. In addition, \$92 million requested by the President for the Coast Guard is included, as is \$115.8 million requested for the Treasury Department for the cost of processing and mailing out the tax rebate checks.

The conference report includes \$3 million for the Department of Agriculture for inspection and enforcement activities to protect and promote humane treatment of animals.

The American people are becoming increasingly sensitive to the treatment of animals. In the past few weeks, in the local papers here in Washington—the Washington Post and the Washington Times—I have read reports of animals being processed while still alive—processed for food products while still alive. They were not adequately stunned; they could still feel pain. So we are trying to do something about that on appropriations. The American people are becoming sensitive to it. Reports of cruelty to animals through improper livestock production and slaughter practices have hit a nerve with the American people. So this provision attempts to address their growing concern. Additional inspectors are being provided by moneys

that were added in our committee—the \$3 million added for additional inspectors to enforce the laws that are already on the books. We expect those laws to be enforced.

The bill includes authority to make payments during fiscal year 2001 from the radiation exposure trust fund to provide compensation to the victims of radiation exposure for individuals who were involved in the mining of uranium ore and those who were downwind from nuclear weapons tests during the cold war. These victims have waited for too long for this, and I compliment the Senator from New Mexico, Mr. DOMENICI, and Senator TED STEVENS for their insistence upon a proper response by the Congress, by the Government, to the needs of these people who have been promised assistance.

The conference agreement includes critical disaster assistance through the Corps of Engineers and the Departments of Agriculture, Interior, Transportation, and Defense in response to recent flooding, ice storms, earthquakes, and other natural disasters across the Nation. These are the kinds of items, certainly, that are eligible to be called emergencies. These are acts of God—not the acts of man but the acts of God—and they ought to be designated emergencies. That is what they are. They are unforeseen and they are very costly—many times in human lives. There has to be help, and there is a certain area of assistance when these disasters come that can only be supplied by the Federal Government. They cost all of the people. So there are times when there must be items in appropriations bills that are properly designated as emergencies. But even so, we don't have any emergencies in this bill; no items are designated emergency. There was \$473 million in the House bill designated as emergencies but not in this conference agreement. We helped the House to find offsets for these items.

I am particularly pleased that this supplemental bill does include disaster assistance in response to recent floods in West Virginia. During the weekend of July 7 and 8, communities in eight southern West Virginia counties were ravaged by torrential floodwaters. Entire towns were buried in mud. For many families, this latest flood came just weeks after cleanup efforts were completed from heavy rains in May that prompted a Federal disaster declaration. In this latest round of devastating flooding, more than 3,000 homes were damaged or destroyed, and the severe impact on the infrastructure in the southern part of my State—from roads, bridges, water and sewer, to power sources—has brought a normal way of life to a screeching halt.

The U.S. Department of Agriculture funding of \$8 million is provided in the supplemental to remove debris and obstruction from waterways and to protect property. Additionally, \$8 million is provided in the supplemental for the Corps of Engineers to assist in the re-

covey effort. FEMA estimates that its costs of cleanup and recovery in West Virginia will be at least \$180 million. FEMA funding is available through existing appropriations, and the committee has included \$2 billion for FEMA in the fiscal year 2002 VA-HUD appropriations bill. We did that yesterday in our Senate Appropriations Committee.

I am very appreciative and grateful for the cooperation my colleagues have demonstrated with regard to the funding that has been added, which will accelerate the pace of recovery in West Virginia. West Virginia is not the only State that has been hurt in this regard. But true to the nature and character of the people of West Virginia, West Virginians immediately began to reclaim their communities. I have seen this happen time after time after time over the long years in which I have served in the Senate—the mud, the muck, the misery that accompanies these sudden storms. West Virginia is prone to these things because we have these steep mountains that run up suddenly from the deep hollows, which lend themselves to these sudden storms and floods.

This aid will help to repair the state's injured infrastructure and clear the debris that has clogged our waterways.

The conference agreement does not include additional funding for FEMA disaster relief or Forest Service firefighting programs. On July 17, 2001, OMB Director Mitch Daniels sent the Appropriations Committee a letter which indicates that the Administration believes that these programs have adequate funding through the end of this fiscal year. We will closely monitor this situation and if there is need for additional resources, we will address those needs in the fiscal year 2002 appropriations bills, which as I say we already began yesterday. We began addressing many of these needs that exist in several States by including \$2 billion for FEMA.

In its June 19, 2001 Statement of Administration Policy on House action on the supplemental, the Administration states that, "emergency supplemental appropriations should be limited to extremely rare events." So I say again and again and again, this conference agreement contains no emergency designations. I do believe that it is appropriate for Congress and the President to use the emergency authority from time to time in response to natural disasters and other truly unforeseen events. How rare such events may be, is up to a power greater than the Congress or the White House. There is such a power.

Mr. President, during debate on the recent tax-cut bill, I argued that the tax cuts contained in that bill could return the Federal budget to the deficit ditch. I stressed that the tax cuts were based on highly suspect 10-year surplus estimates and that if those estimates proved illusory, the tax-cut bill would

result in spending the Medicare surplus.

While we are confronted with this problem, we on the Appropriations Committee are very sensitive to it. We are very sensitive to it. We are trying to be responsible. We are trying to be responsive to the needs of the country, and I think the action by the conferees, and particularly by this Senate and more especially by our committee, has indicated that we know how to be responsive and we know how to be responsible.

I thank my colleagues. Again, I thank the benign hand of destiny for allowing me to work with a Senator of the stature of TED STEVENS. This is not the first time I have said things like this, and it ought not be the last time, either.

I have been on the committee 43 years. This is my 43rd year. No Senator in history has ever served on the Appropriations Committee 43 years, other than I. I have seen chairmen come and I have seen them go and, in the main, they have all been good chairmen.

When we are in a time such as this when we have to scrimp and save and hold on to every penny, as it were, and I find myself chairman of the committee, I would be an ungrateful wretch if I did not thank my colleague, Senator STEVENS, and the other members of the committee on both sides of the aisle for my good fortune.

I thank them for my good fortune in having them on board that committee at a time when responsibility of being chairman devolves upon me.

Again, I say this bill has not one thin dime—not one thin dime, not one Indian head copper penny—above the President's request; not one penny, not one thin Indian head copper penny above the President's request. Do you hear me down there at the other end of the avenue? We are not one thin dime above the White House request.

I think that is something to ponder upon. This bill is within the statutory spending limits. It is a responsible bill. I urge Members to support it.

We had planned to have this matter before the Senate on Monday, but the administration has indicated its need for action on this bill today. Senator STEVENS has responded. He is here at his post of duty. We are working with the leaders on both sides of the aisle who also have implored us to move on this, and we are doing that.

Mr. President, I shall shortly turn to my colleague Senator STEVENS, but first, we are moving just a little bit ahead of calling up the conference report. Let me do that now.

I ask unanimous consent that the Senate now proceed to the conference report to accompany H.R. 2216, the supplemental appropriations bill; that once Senator STEVENS has concluded his remarks, the conference report be adopted; that the motion to reconsider be laid upon the table; and that any statements be printed in the RECORD.

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

The clerk will report the conference report.

The senior assistant bill clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 2216, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The report was printed in the House proceedings of the RECORD of July 19, 2001.)

Mr. BYRD. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I certainly commend our chairman, Senator BYRD, for taking the action he has taken and the leadership of the Senate, Senator DASCHLE in particular. We did have an urgent plea from the military that we act today on this bill rather than wait for Monday. We have responded to that request. It is a supplemental. It is primarily concerned with Defense appropriations, and it is vitally needed. We hope these supplements will not be long needed, as Senator BYRD has indicated.

If we plan our bills properly and they are executed properly by the executive branch of our Government, we would not have requests for supplements unless because of an act of God or because of an unforeseen event we were called upon to provide additional monies for the current fiscal year. This is money for this current fiscal year.

Because of the practices of the past, moneys have been diverted from the operation and maintenance account. We tried to account for those. It has not really been possible to account for them as much as we would like. Senator BYRD has indicated we want greater specificity of how the money is spent, particularly from the supplemental, so we can determine whether they are needed in the future.

This one, I am confident, is needed. If Members of the Senate will remember the long delays in the last part of last year and the basic problem of utilizing some of the moneys from the O&M account, as I indicated for peacekeeping and other matters, we have gotten into the habit by the time we reach the fourth quarter of the fiscal year of the Department of Defense needing more money.

We hope we are addressing that situation in the bill for 2002 so that will not happen. I join Senator BYRD in saying we do not look forward to holding the Senate up on Friday afternoons dealing with a supplemental unless it truly is for an emergency or for an unforeseen situation. This is not that bill. This is a supplemental because enough money was not provided for the Department of Defense for the current fiscal year. These moneys are necessary.

I do believe this conference report meets the needs as defined by the President in the submission he made in a request for supplemental. It was an urgent defense supplemental but not an emergency bill that we received. As Senator BYRD said, there is no emergency money in this bill. No account required emergency spending. It provides additional resources for critical readiness and for quality of life and medical programs.

At the end of the last Congress, we passed two bills, one dealing with health care and another dealing with pay affecting the Department of Defense. In order to fund those, they had to take money out of the first three quarters of this calendar year and use it for the programs, meaning the other programs, particularly the readiness programs which are involved in the steaming hours, the flying hours, the use of tanks in the field, the maneuvers. These cost money. This bill is to fund those. That is why it was urgent we finish this bill today.

However, there are other priorities, some of which Senator BYRD has mentioned. He mentioned the radiation compensation. I point out also there is money for the new problems that have come up with regard to the Salt Lake City Olympics, for the defense nuclear programs. I commend Senator BYRD particularly for calling to the attention of the committee the President's request for additional money to respond to the international AIDS crisis. There is money here. That is a legitimate supplemental request. It may even come under the heading of being an emergency one of these days. It is a near world emergency. At least we have jumped the gun and made moneys available now, which the President actually requested for 2002, and the President has indicated an appreciation of that action, and I am sure he will be pleased to sign this bill.

We have started off under a new management. A slight revolution went on here and we changed positions, but this bill demonstrates we can work together in a bipartisan fashion. I think the supplemental conference we had with our friends in the House, the chairman of the House committee, Congressman BILL YOUNG, and the ranking member, Congressman OBEY, had probably the best—there is no other word for it than ambience, the best feeling I have had in a long time. We all realized we had a lot to do in a short time to do it. We are behind the curve as far as our bills are concerned. This bill came through conference between the House and Senate in record time.

It does represent a lot of things. As Senator BYRD mentioned, there are some things for his State, there are a couple things that affect my State. I will point that out.

Over the Fourth of July recess, I went home and examined the area and talked to the Forest Service about that area of our State where a controlled

fire got out of control, a fire on Forest Service lands that actually had gone into the beetle kill area. We have an enormous amount of our forests in Alaska that have already been killed by beetles. This fire left the Federal lands and swooped into an area that already had been planned for scheduled harvest of timber from State lands. We had provided for that. It is not emergency money, but it is money to assist the Forest Service to deal with the Kenai Spruce Bark Beetle Task Force, allowing them to respond to the wildfires that are taking place now in Alaska due to this problem, the enormous fire in the kill area where the beetles have killed so many of our trees.

It also has a provision to allow funds that we previously appropriated for the State of Alaska to construct a seed laboratory in Palmer, our agricultural area. The law had to be changed so that those funds could be used. The money was made available, but there was a defect in the previous law. It makes permanent a provision that Congress has included in previous bills recognizing those tribes in our State of Alaska that are entitled to tribal priority allocations, and also makes some corrections regarding legislation previously funded, when there were banned inadvertently 11 of our crab vessels from participating in our fishing operations.

When we handled these, we were able to make technical changes in the law, enabling previously appropriated funds to be used as we intended them to be used. There are several of those technical corrections in this bill that affect my State. Again, I express my appreciation to Senator BYRD and other members of the committee for being willing to address those and to allow making these small changes that are necessary so these funds already appropriated for this year can be used this year. That is why the provisions are in this bill.

Mr. President, the Supplemental Appropriations conference report contains two provisions that are very important to the North Pacific fishing industry. The first provision makes changes to the American Fisheries Act to ensure that U.S. lenders may continue to offer financing to fishermen and fishing companies after October 1, 2001. The second provision makes changes to a fishing vessel capacity reduction program to ensure that all vessels which meet the standards set by the North Pacific Fishery Management Council may participate in the Bering Sea crab fisheries.

The American Fisheries Act, AFA, helped “Americanize” the domestic fisheries by requiring that U.S. fishing vessels be 75 percent owned and controlled by U.S. citizens at all tiers of ownership and in the aggregate. The AFA also limits the class of lenders that may hold a preferred mortgage on a fishing vessel to “fisheries citizens” who meet the 75 percent standard,

state- or federally-chartered financial institutions which meet the controlling interest (51 percent) requirement in section 2(b) of the Shipping Act of 1916, or lenders using a mortgage trustee which qualifies as a fisheries citizen. These standards apply to the more than 36,000 U.S. fishing vessels in our domestic fleets. The Maritime Administration's implementing regulations give special scrutiny to vessels 100 feet in length or greater.

Since these regulations were promulgated, Congress has been told that most large lenders cannot prove that they are U.S. citizens under Marad's rules. Proof can only be made through an examination of shareholder records, which is a practical impossibility for widely-held companies. Shares in these lending institutions are traded thousands of times a day, and are often held by mutual funds on behalf of the real equity owners. The same proof problems have discouraged financial institutions from acting as mortgage trustees.

Section 2202(a) moves the provisions defining a mortgage trustee from Chapter 121 of title 46, which deals with vessel documentation, to chapter 313, which deals with vessel mortgages. This will prevent the loss of a fishery endorsement by a vessel if that vessel's mortgage trustee falls out of compliance with the statute.

Section 2202(b) expands the class of lenders eligible to hold a preferred mortgage to include state- or federally-chartered financial institutions insured by the Federal Deposit Insurance Corporation, farm credit lenders, specific banks created under state law, and eligible commercial lenders. This provision more accurately reflects the types of lenders currently making loans to the fishing industry.

Section 2202(c) expands the class of eligible mortgage trustees to include any entity eligible to hold a preferred mortgage directly, provided that it also meets other requirements. Marad will specifically analyze the trust arrangements of beneficiaries which are not commercial lenders, or are not eligible to hold preferred mortgages directly.

Section 2202(d) delays the effective date of these changes until 2003 to give Marad time to develop new regulations. I strongly encourage Marad to promulgate draft regulations by March 1, 2002, and final regulations not less than 180 days later, so that Congress may review the new rules before they take effect. Additionally, Congress's significant concern over foreign control of fishing vessels that led to the AFA has not lessened since it was enacted in 1998. In promulgating new rules that take into account the specific legislative changes made by this provision, Marad should also take every step necessary to ensure that foreign capital is neither impermissibly invested in nor controlling our fisheries.

Finally, Section 2202(e) addresses commerce treaties between the United

States and certain foreign countries. After consultation with the State Department, Marad recently determined that these treaties exempt foreign ownership of U.S. fishing vessels from the AFA's 75 percent U.S. ownership standards. Section 213(g) of the AFA as enacted would exempt additional foreign investments made between now and October 1, 2001. This provision closes that window, and freezes the foreign ownership at today's levels.

The other provision in the Supplemental Appropriations Act, section 2201, corrects an interpretation of law that inadvertently disqualified several vessels from the crab fisheries. This provision restores the eligibility of those permit holders which used the fishing history from multiple vessels to meet the qualifying periods agreed to by the North Pacific Council.

My last comment is that we have expressed a desire from our majority leader that we try to move nine bills before the August recess. That is 2 weeks away. I am committed to try and work with Senator BYRD and other Members to achieve that goal. I think it is important to do it, if possible.

The fact this is a fair and balanced agreement and one that has come out of our committees on a bipartisan basis is a harbinger of good things ahead. I hope we can work on the other bills the way we have on this one and demonstrate our commitment to catch up on the appropriations process and deliver on the request of the majority leader: that we report out and get to conference prior to the time we leave for the August recess the nine bills that have been outlined by the chairman.

Again, I am grateful and humbled by the comments of my friend from West Virginia, having been my mentor for so many years. To have him make the comments he did concerning me is a humbling matter. It is more than a privilege to serve with Senator BYRD. It is really a great honor. To be able to stand here now as the ranking Republican is something I wasn't sure would ever occur to me, just as I am not sure I would become chairman, but I fervently hope some day I might become chairman again.

(Ms. STABENOW assumed the chair.)

Mr. BYRD. Will the Senator yield?

Mr. STEVENS. Yes.

Mr. BYRD. Upon his completing his statement, the Senate will have acted on this conference report.

Let me refer to some things I inadvertently overlooked. One is the splendid staff work that was demonstrated in bringing this conference report to the floor and bringing the meeting of the minds of conferees in both Houses, the meeting of the minds together. It was the most remarkable display of statecraft that I have seen in my service on committees in the Senate, the way our staffs worked.

The Senate appropriations staff on both sides is a class act, a class act.

I thank Terry Sauvain and Chuck Kieffer and Steve Cortese. These are re-

markable men in the way they worked together and the way they worked in the House. I want to extend the same expressions of thanks and admiration to the House staff, Jim Dyer and Scott Lily. It is remarkable. This is a real class act to watch. I also want to thank our ranking members, Mr. STEVENS and others on that side of the aisle, THAD COCHRAN and the other Members on the Republican side of the aisle in committee. These are fine people to work with, never a hint of partisanship. None.

In closing, I also inadvertently omitted the name of Senator BINGAMAN when I spoke about the authority to make payments during fiscal year 2001 from the reparation exposure trust fund.

I mentioned the leadership of Senator STEVENS and Senator DOMENICI in this area. I inadvertently overlooked the name of Senator BINGAMAN. He was an original Senate sponsor of this effort. He is not on the committee, but he certainly attends to his duties and responsibilities toward the people of New Mexico. In this instance they can be proud of him, likewise.

Madam President, I thank the Chair. My, "how sweet it is," as Jackie Gleason used to say, how sweet it is to serve with men and women like we have on our Appropriations Committee.

I yield the floor.

Mr. STEVENS. Madam President, I thank Senator BYRD for his comments in honor of Terry Sauvain who is now staff director of the full committee. This is his first bill in that capacity. This demonstrates his basic approach, and we are blessed by his presence and knowledge, that he also has decided to proceed, as Senator BYRD and I have, on a bipartisan basis. He has been very gracious to all Members on our side. I thank Senator BYRD for commenting about Steve Cortese, a brilliant former staff director, now staff director for the minority. He really is a key man in the Senate as far as I am concerned; and Andy Givens here, working with me along with Lisa Sutherland; and I am pleased Senator BYRD mentioned Senator THAD COCHRAN, who is here, who was a member of our conference and has really contributed greatly to the outcome of this bill.

It is my understanding when I yield the floor the bill will pass; is that correct, Madam President?

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. Will the Senator yield. Forgive me for asking him to yield one more time. In speaking of our ranking member, I must not overlook the splendid work of the paradigm of patriotism that is constantly and consistently and always and never-endingly shown by DANNY INOUYE, the ranking member of our committee on this side of the aisle, and how fortunate we are to have, in this particular bill which deals mostly with defense, how fortunate we are to have the guidance and the leadership of

the chairman, TED STEVENS, and the ranking member, DANNY INOUE of the Defense Appropriations Committee subcommittee.

Mr. STEVENS. Will the Senator yield?

Mr. BYRD. Yes.

Mr. STEVENS. Turn that over. We have just changed seats.

Mr. BYRD. Yes. OK.

Mr. STEVENS. Chairman INOUE and Ranking Member STEVENS.

Mr. BYRD. The Senator is correct. But those two, TED STEVENS and DANNY INOUE, are just like TED STEVENS and ROBERT BYRD. It really doesn't make a difference. If it weren't for the fact that I am expected, if I leave the Chair momentarily, to call on a Democrat, I would just be as sure and as confident and secure if I turned it over to TED STEVENS. It would not make a bit of difference to me personally. I would say: TED, I have to go out for a moment to see some constituents. Would you take over?

We are fortunate, though, in having TED STEVENS and DANNY as the two key members on national defense, active at the helm in our development and managing of this supplemental. I thank the Senator.

Mr. STEVENS. I was going to mention Senator INOUE because he mentioned to me earlier we ought to do something to try to see if we can get this bill finished today. So we have met Senator INOUE's request.

I yield the floor.

The PRESIDING OFFICER. Is there further debate on the conference report?

If not, under the previous order, the conference report is agreed to. The motion to reconsider is laid upon the table.

Mr. COCHRAN. Madam President, 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. BYRD. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

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

The Senator from West Virginia.

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COMPLIMENTING SENATOR STABENOW AND HER FRESHMEN COLLEAGUES

Mr. BYRD. Madam President, I would not want this beautiful July afternoon to pass without my paying compliments to the Senator who is presiding over the Senate at this point. She presides with a dignity and bearing and manner and presence that are so rare as a day in June.

Just look at that smile. I have never seen a more beautiful smile than that the Presiding Officer today constantly wears.

Walt Whitman said:

A man is a great thing upon the earth and throughout eternity, but every jot of the

greatness of man is unfolded out of woman. . . .

How fortunate we are to have had a degree of presiding professionalism as we see in the new Members of this Senate as they are called upon to preside every day. It is a chore. They have to take their valuable time away from their office and desk where they may be reading letters from constituents, signing letters to constituents, dictating letters to constituents, or working in a hundred other ways every day in the service of the Nation, the service of the people of their State. Yet they give their time to come here and preside.

This group of Presiding Officers in this new class of Senators is the best overall group I have seen in my 43 years of service in the foremost upper body in the world today. This is a good example.

The Presiding Officer, DEBBIE STABENOW from Michigan, is not reading a magazine. She is not sitting up there reading the newspapers. She is not sitting up there signing mail. There used to be a telephone up there. When I became majority leader, I yanked that telephone out so people who are presiding cannot sit there and talk on the telephone. I urge all new Members when they sit up there and preside to pay attention to the Senate. Please don't be signing your mail up there. Please don't be reading a magazine. Please don't be reading newspapers. Be alert to what is being done on the Senate floor.

It is a suggestion that goes over very well at first, but then so many times I have noticed they lapse into the same old habit of reading and signing their mail. It just kind of makes my spirit fall. But I do not see these new Senators doing that. They do not bring their mail up there. They sit there, very alert. And when they ask for order, they get it.

I will have more to say about this on Monday, I promise you. But I just couldn't let this occasion pass or this fleeting moment go by without complimenting the Senator from Michigan, DEBBIE STABENOW, who sets a fine example as a Senator and as a Presiding Officer.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

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COMMENDATION OF THE PRESIDING OFFICERS

Mr. DASCHLE. Madam President, I know the distinguished chairman of the Appropriations Committee just complimented the Presiding Officer, and I, too, want to add my commenda-

tion. She is an outstanding Presiding Officer, and she is willing to spend the time and make the commitment to preside over the Senate. As the chairman has indicated, we have a number of extraordinary Senators who are spending the time and making that kind of commitment. I applaud all of them and I appreciate the way in which they are presiding. I commend especially the distinguished Senator from Michigan.

I am disappointed that beginning next week we will not have bipartisan Presiding Officers. I appreciate the importance of the job of the Presiding Officer, especially late in the day on a Friday.

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ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002

MODIFICATION TO AMENDMENT NO. 2311

Mr. DASCHLE. Madam President, I ask unanimous consent that the amendment found on page 56 of the managers' amendment numbered 1024 to H.R. 2311, the energy and water appropriations bill, be modified with the technical correction to the instruction line which I now send to the desk.

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

The modification is as follows:

On page 11, after line 16, insert the following:

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DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

AMENDMENT NO. 1029, AS MODIFIED

Mr. DASCHLE. Madam President, I ask unanimous consent that the previously agreed to amendment numbered 1029 be modified with the language at the desk in order to vitiate action on the last division of the amendment.

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

The amendment (No. 1029), as modified, was agreed to, as follows:

On page 20, line 16, strike the numeral and all that follows through the word "Code" on page 18 and insert in lieu thereof the following: "\$3,348,128 shall be set aside for the program authorized under section 1101(a)(11) of the Transportation Equity Act for the 21st Century, as amended and section 162 of title 23, United States Code;"

On page 33, line 12, strike the word "together" and all that follows through the semi-colon on line 14.

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LEGISLATIVE APPROPRIATIONS ACT, 2002

OFFICE OF TECHNOLOGY ASSESSMENT

Mr. BINGAMAN. Mr. President, my amendment intends to restore a lost capability to assess the effects of science and technology on our Congressional policymaking process.

Mr. DURBIN. Is the Senator proposing to restart the former Office of Technology Assessment?