

defenses to the capability they need to be to fully assure the security interests of the United States. It doesn't have anything to do with the ABM Treaty, in my view, but that is being used as an excuse to hold back these programs. The chairman's mark cuts \$350 million from a program previously known as national missile defense, though in reality the number is far higher, as the administration has sought to remove the artificial barriers between the labels "national" and "theater" missile defense.

The President is talking about missile defenses. We need to have an aggressive, robust testing program so that we can fully understand how these technologies can be harnessed to fully defend our country's interests and protect the security of our Nation.

The chairman's mark even cuts funds that would be used for cooperative missile defense modeling and simulation with Russia. We are hearing a lot about trying to interact more in a positive way with Russia. Here is an example of a program that would give us an opportunity to do that more successfully, and that is proposed for cutbacks in the Armed Services Committee.

There are various legislative restrictions, one of which will provide the Defense Department's missile activities can proceed only in accordance with the ABM Treaty.

That is redundant, isn't it? Or it suggests that the President is planning to undertake something that is inconsistent with the treaty. He has said he is not going to do that. He recognizes the treaty is an agreement that is legally binding. The President has said that.

He is hoping to replace the treaty after negotiations with the Russians with a new strategic framework, but everybody is pronouncing that around here as dead on arrival. Give the President a chance at least to discuss it fully with the Russians rather than rushing over and getting some Russian official to make some derogatory statement about the process and then quoting it as if it is national policy in Russia.

We should give the negotiators a chance. That is what I am suggesting. So writing a bill here that presumes the President is going to violate the ABM Treaty is not getting us off to a good start, particularly if this sends a signal to the Russians: You do not have to worry about negotiating with the President of the United States in good faith because the Senate is going to take over, the Senate is going to make it impossible for the President to negotiate an agreement.

We should not undermine the President's capacity to negotiate a better agreement that will serve our national security interests in a more effective way and replace an outdated, outmoded treaty, a cold war relic, when we could, if we are successful under the President's leadership, negotiate a better agreement that more fully protects our

country's national security interests. This kind of provision is needless piling on, making it more and more difficult for our President. I hope the Armed Services Committee will look very carefully at these provisions.

There are a lot of other concerns that I have. I know there may be others who want to discuss issues on other subjects of great national concern, but they are talking about now in one other line of articles that I have seen—and this was discussed in our Defense appropriations hearing yesterday by some Senators—the fact there was a quote in the paper from an administration official saying: We were not bothered by China's buildup, the modernization of their nuclear weapons capability and whether they were going to do that or not would not have any effect on our decisions with respect to missile defense programs.

Secretary Rumsfeld made it very clear at the hearing, responding to one Senator's question, that neither he nor Secretary Powell nor Dr. Condoleezza Rice had made any statement of that kind, and they knew of no one in the Department of Defense or the Department of State or at the White House who had said anything like that.

There is no quote attributed to any particular individual, but yet not only the press have taken that and made stories out of it and repeated them, but now Senators are repeating them as if it was a fact. The fact is, China has been modernizing its military for years. They did not just start a new generation of nuclear weapons or intercontinental ballistic missile technologies and systems after we began improving our missile defense capabilities. China is going to make the decisions they make based on their own considerations of what is in their interests.

I am hopeful, of course, as everyone in this administration and in this Congress, we will be able to have a stable and friendly relationship based on mutual respect with China. Efforts are being made in discussions by the Secretary of State and many others with Chinese leaders in order to develop an understanding, trying to resolve problems as they develop, and we know what they are.

The incident with the surveillance plane in the area presented its own special set of problems, but we worked our way through that with calm and thoughtful leadership and decision-making by the President and his Cabinet officials.

The whole point of this is, we can be a party to inciting the passions of those who worry about the capacity of our country's leadership to function to protect our security interests, and we can do more harm than good by the things we say and the way we discuss these issues and the way we handle bills that come through this Senate.

We should take very seriously the provisions that are in the chairman's print of this authorization bill before

the Armed Services Committee, and all Senators ought to notice what is beginning as an official part of our legislative responsibility: an effort that is clear to undermine the President's leadership capacity in developing missile defense systems that will protect our soldiers and sailors and the security interests of our country.

Those who say he is going to abandon the ABM Treaty need to look at what the President said. He is trying to replace it with a new framework, a new agreement. I have suggested to some that we ought to consider having a peace treaty as a replacement to the ABM Treaty. We are not at war with Russia any longer. They do not profess to be at war with us. The cold war is over. When wars end, peace treaties are signed. Let's sign a peace treaty with Russia. That would supplant the ABM Treaty.

The ABM Treaty locks into law the doctrine of mutual assured destruction. We do not want to destroy Russia. They should not want to destroy us. So why perpetuate that doctrine with that treaty? Let's work to develop a new framework that more clearly defines the real relationship we have with Russia now.

That is what the President wants to do. Why can't the Senate join with the President, applaud that initiative, support that effort, pass legislation to fund the efforts to strengthen our military forces so we can do the job of protecting the security of this country?

I am not going to suggest these are political games that are being played because I know there are serious differences of opinion on this and other issues that come before the Senate.

I am not questioning anybody's motives. I am just saying I hope Senators will take a careful look at the facts. As we proceed through this process of authorization and appropriation for our defense needs, let's try to work in harmony and unity as much as possible so we will not create any misunderstandings in Russia, in China, or among potential adversaries out there, the so-called rogue states, that continue to acquire technology, that continue to acquire systems, missiles, other means of developing intercontinental ballistic missile capability.

It is a dangerous place out there, and we need to be sure we are doing what we can do and ought to do to protect our security interests in this environment.

Mr. President, I yield the floor.

#### DISPOSAL OF RADIOACTIVE WASTE

Mr. DOMENICI. Mr. President, I rise to share some news with my Senate colleagues. And even though my subject involves radioactive waste, I'm most pleased to report that this is all good news.

As a Nation, we haven't made great progress on disposal of radioactive wastes, Yucca Mountain was supposed

to open in 1998—now it might open in 2010 if it progresses at the most optimistic rate.

But in New Mexico, the Waste Isolation Pilot Plant in the city of Carlsbad opened for disposal operations in March of 1999. WIPP is the nation's first repository for the permanent disposal of defense-generated radioactive waste left from the research and production of nuclear weapons.

WIPP represents the single most dramatic advance this Nation has made in disposal of radioactive waste. In fact, WIPP is a showcase facility for the entire world for demonstrating that mankind can safely remove complex wastes from any impact on our environment.

WIPP accepts a particular kind of waste, transuranic or TRU waste, that is contaminated with certain elements, especially plutonium. This type of waste must be handled with great care to ensure safety of the public and workers. WIPP represents a cornerstone of DOE's national cleanup effort dealing with the nation's nuclear weapons complex. Today, I want to announce that WIPP has filled their first underground room to full capacity.

This is no small achievement. That room now holds over 10,000 drums of TRU waste. The waste arrived in 352 shipments from five DOE sites—Los Alamos, Rocky Flats, Idaho, Hanford, and Savannah River. That required lots of transportation, in fact about one-third of a million miles. And even with so many miles, equivalent to 13 trips around the earth, there were no accidents or even serious incidents. For those who doubt that radioactive cargoes can be shipped safely, WIPP is proof that a well-engineered transportation system can be operated to the highest standards.

The team at WIPP isn't stopping to celebrate this milestone. As I speak, they're busily accepting more waste. Earlier this week, the shipment number was up to 373 and more than 11,000 drums had moved into the facility.

In closing, I personally commend the Department of Energy, especially the Carlsbad Field Office, for their careful attention to safe operations. The community of Carlsbad deserves tremendous praise for their consistent support of WIPP and its critical national mission. And both the Environmental Protection Agency and the New Mexico Environment Department deserve compliments for their roles in oversight of this facility.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred July 31, 1991 in

Coronado, CA. A gay man was choked and beaten by three men. Three Marines, David William Bell and Jeffrey Martin Davis, both 20, and Steven Louis Fair, 26, were charged with attempted murder, assault, robbery and a hate crime.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

#### GENERAL HENRY H. SHELTON 14TH CHAIRMAN OF JOINT CHIEFS AND A GREAT NORTH CAROLINIAN

Mr. HELMS. Mr. President, North Carolina, down through history has been blessed with countless remarkable sons and daughters, and in my judgment, one of the truly great has been General Hugh H. Shelton, the 14th Chairman of the Joint Chiefs of Staff, who was confirmed by the Senate on October 1, 1997, and reconfirmed by the Senate for a second 2-year term in 1999.

In this capacity, this great son of Eastern North Carolina served as the principal military advisor to the President of the United States, the Secretary of Defense, and the National Security Council.

Prior to becoming Chairman, General Shelton served as Commander in Chief of the U.S. Special Operations Command.

The General was born in Tarboro, NC, in January 1942. He earned a bachelor of science degree from North Carolina State University and a master of science from Auburn University. His military education includes attendance at the Air Command and Staff College in Montgomery, AL, and at the National War College at Fort McNair, Washington, DC.

He was commissioned a second lieutenant in the infantry in 1963 through the Reserve Officer Training Corps, and spent the next 24 years in a variety of command and staff positions in the continental United States, Hawaii, and Vietnam. He served two tours in Vietnam—the first with the 5th Special Forces Group, the second with the 173rd Airborne Brigade. He also commanded the 3rd Battalion, 60th Infantry in the 9th Infantry Division at Fort Lewis, WA; he served as the 9th Infantry Division's assistant chief of staff for operation.

He then returned to North Carolina where he commanded the 1st Brigade of the 82nd Airborne Division at Fort Bragg; and then served as the Chief of Staff of the 10th Mountain Division at Fort Drum, NY.

Following his selection as brigadier general in 1987, General Shelton served 2 years in the Operations Directorate of the Joint Staff. In 1989, he began a 2-year assignment as Assistant Division Commander for Operations of the 101st

Airborne Division (Air Assault), a tour that included the Division's 7-month deployment to Saudi Arabia for Operations Desert Shield and Desert Storm.

Upon returning from the Gulf War, General Shelton was promoted to major general and again assigned to Fort Bragg where this time he commanded the 82nd Airborne Division. In 1993, he was again promoted—to lieutenant general—and assumed command of the XVIII Airborne Corps.

In 1994, while serving as corps commander, General Shelton commanded the Joint Task Force that conducted Operation Uphold Democracy in Haiti. In March 1996, he was promoted to general and became Commander in Chief of the U.S. Special Operations Command.

In his 4 years as Chairman of the Joint Chiefs of Staff, General Shelton worked tirelessly to improve the quality of life for military members and their families. He championed numerous initiatives including the largest across-the-board pay raise for the military in 18 years—helping to narrow the civilian-military "pay gaps."

His push for pay table reform targeted greater increases for mid-grade noncommissioned officers, and his retirement reform package reinstated benefits for those entering service after 1986, and, thanks to his dedication and support, an enhanced housing allowance was implemented gradually to eliminate out of pocket expenses for service members living off post.

Chairman Shelton was a strong advocate of the effort to reform medical health care, to make medical care more responsive—to include military retirees over 65. He made great strides to improve the readiness of the U.S. military by articulating a regiment for increased defense spending. As a result, the Department of Defense realized a \$112 billion increase in defense spending over the 5-year defense plan to arrest declining readiness rates. He additionally implemented new processes to carefully manage high demand/low density resources in support of the National Security Strategy.

Chairman Shelton and his staff published Joint Vision 2020 to establish goals and the metrics for the future joint force; he established the U.S. Joint Forces Command as the proponent for Joint Experimentation and Joint Force readiness. He established Joint Task Force-Civil Support to increase the military's ability to respond to crises in the U.S. homeland and established Joint Task Force-Computer Network Operations to enhance protection of U.S. information networks.

The General directed numerous initiatives designed to improve the interoperability of the four Services including a Joint Airfighting Logistics Initiative, development of a Global Information Grid, revision of all Joint Professional Military Education programs and an enhancement on the joint warfighting focus of the Joint Requirements Oversight Council.