

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 August 8, 2000 in Providence, RI. Two young gay men were severely beaten by two strangers. The assailants drove by the young men, shouting vulgarities and anti-gay slurs. After making two passes, the perpetrators got out of the car, shouted more anti-gay slurs, and proceeded to punch and kick the victims in the head and body. The attackers fled after witnesses called for help.

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 and changing current law, we can change hearts and minds as well.

A HOLD ON EXTENDING CHAPTER 12 BANKRUPTCY

Mr. GRASSLEY. Mr. President, I would like to inform my colleagues that I have requested to be notified of any unanimous consent agreement before the Senate proceeds to the consideration of H.R. 5472 or any other legislation extending chapter 12 bankruptcy. While I am a strong supporter of chapter 12—in fact I was the author of chapter 12—I believe that these changes should be enacted as part of the comprehensive bankruptcy reform conference report, which includes provisions making permanent chapter 12 and extending other important family farmer protections in bankruptcy. Chapter 12 will be in effect until the end of this year, and I expect that the comprehensive bankruptcy reform conference report will be passed by the House and Senate by then. Consequently, an extension is not necessary at this time. So I urge my colleagues in the House and Senate to pass the comprehensive bankruptcy reform conference report as soon as possible to extend these protections to our family farmers.

NOMINATION OF DR. MARK MCCLELLAN

Mr. FRIST. Mr. President, just a few moments ago, I joined my colleagues on the Health, Education, Labor, and Pensions Committee in unanimously approving the nomination of Mark McClellan to be Commissioner of the Food and Drug Administration. I rise now to strongly urge the Senate to immediately act on the nomination.

Dr. McClellan is not a stranger to the Senate. During his service on the Council of Economic Advisors, many of us have benefitted from his expertise, clear-headed analysis, and sound advice concerning health policy matters. Dr. McClellan has served the President well and I know that he will continue to serve the Nation well as the next

Commissioner of the Food and Drug Administration.

Mark McClellan is an excellent choice to lead the FDA. He is a talented academician and economist who has helped challenge conventional thinking about important health policy matters through groundbreaking research. He is a gifted health policy analyst who has worked to improve the Nation's health care system for all Americans. Perhaps most importantly, he is also a physician who has cared for patients and knows first hand that there are few greater callings than helping to heal one's fellow man.

Mark McClellan is uniquely qualified to lead this important agency at this critical time.

The challenges confronting the next Commissioner of the FDA are great, perhaps greater than at any other time in our Nation's recent history.

Of course, the FDA has an important, ongoing role to play in ensuring the safety and efficacy of drugs, biologics, food, cosmetics, blood products, and devices, goods and products accounting for nearly one-quarter of all consumer spending in the United States. But the FDA Commissioner must be more than simply the head of a large, regulatory Government agency. He must also provide strong leadership on a broad range of critical health policy issues that directly affect the lives and well-being of every American.

I would like to highlight some of the issues on which it is critical that the FDA Commissioner provide leadership at this time. The most significant issue we have faced over the past year is terrorism. On September 11 we endured the most horrendous attack on American soil since Pearl Harbor. This week, we mark the 1-year anniversary of the worst attack of biological terrorism in this country. We cannot know when, where, or in what form the next attack will happen, but we must be prepared. This includes speeding the review and approval of rapid assays, vaccines, and other necessary bioterrorism countermeasures. Numerous scientists and research facilities are working to meet the call of the President and Congress to protect our homeland from outside threats. The FDA must help fashion an environment in which these discussions are encouraged and translated to medical practice.

At the same time, we cannot ignore naturally emerging threats to the safety and sustainability of our blood, tissue and organ supply. Last week, it was reported that 40 people were exposed to hepatitis C from a single organ and tissue donor and salmonella was transmitted through blood transfusions. This is in addition to the growing body of knowledge we are amassing on West Nile virus. Considered together with the existing shortage of blood, tissue and organ donors, the need to speed the development of new screening and purification products is clearly illustrated.

Finally, I would like to highlight the importance of promoting a regulatory

environment that values innovations to improve patient care and consumer safety, while at the same time safeguarding the public health. But this must be done without contributing unnecessarily to overall rising health care costs or allowing basic medical treatments to be forgotten. We presently face just this situation with our Nation's vaccine supply. Currently, only four manufacturers produce vaccines and they face the multiple challenges of a growing litigation crisis and changes in the FDA's regulatory oversight. While most of the recent childhood vaccine shortages have been alleviated, our system remains vulnerable to future shortages if we fail to act.

Mark has my full support, the full support of the HELP Committee, and I believe the full support of the Senate. It is in not only in our best interest to see that his nomination is acted on quickly, but it is in the best interest of the entire Nation for the Senate to confirm him as the next Commissioner of the Food and Drug Administration. We cannot wait or allow the nomination to be delayed.

THE ACCOUNTABILITY OF TAX DOLLARS ACT OF 2002

Mr. FITZGERALD. Mr. President, I rise today to urge my colleagues to support S. 2644, the Accountability of Tax Dollars Act, which was approved today by unanimous vote by the Governmental Affairs Committee. Earlier this week, the House of Representatives approved by voice vote the companion measure, H.R. 468, sponsored by Congressman TOOMEY of Pennsylvania.

I thank Chairman, LIEBERMAN and Ranking Member THOMPSON for their support of this legislation, and Congressman TOOMEY for his leadership in the House on this significant issue.

This important legislation will increase the effectiveness of the Chief Financial Officers' Act by expanding to all executive agencies the requirement that Federal agencies conduct independent financial audits. This bill will also subject agencies audited records to review by Congress and the administration.

As my colleagues well know, fiscal mismanagement by Federal agencies costs taxpayers billions of dollars each year. The total amount of taxpayer losses is probably much greater than we know, however, because many agencies do not subject their budget reviews to the scrutiny of outside accountants. By requiring independent audits of all executive agencies, this bill will help make our Government more accountable to the taxpayers. The agencies covered by this bill have a combined annual budget of tens of billions of dollars—budgets that represent taxpayer dollars that should be accounted for more rigorously.

I was dismayed to learn that under current law, only the 24 largest departments and agencies—and a few others specified by Congress—are required to

submit their books to outside auditors. The Accountability of Tax Dollars Act of 2002 would require all executive agencies to prepare audited financial statements and subject those statements to an independent audit.

I was especially surprised to learn that current Federal law does not require the Securities and Exchange Commission—the entity with which publicly held companies are required to file their audited financial statements—to subject its own books to the scrutiny of outside auditors. Other Government agencies, including the Federal Trade Commission, the Consumer Product Safety Administration, the Federal Election Commission, the National Endowments for the Arts and Humanities, the National Labor Relations Board, and the Federal Communications Commission—agencies that spend billions of taxpayer dollars every year—have also been exempt from this legal requirement.

I, along with many of my colleagues, have been very critical of the alleged accounting abuses by some of this Nation's largest corporations that have recently been brought to light. Particularly in light of these recent revelations, it is incumbent on Congress to ensure that the Federal Government, at the very least, meets the same standards that we set for the private sector.

It is my hope that subjecting Federal agencies to congressional and executive oversight will provide an incentive for agencies to improve their financial performance or risk possible elimination. Independent audit opinions should contribute to increased Government efficiency by providing information that can be used to strengthen integral accountability, better monitor assets and liabilities, enhance cost controls, identify inefficiencies and weaknesses, and curb Government waste.

S. 2644, the Accountability of Tax Dollars Act of 2002, would extend the Chief Financial Officers' Act requirements currently imposed on the major agencies to all executive branch agencies.

The act gives the Office of Management and Budget the authority to waive the audit requirement for smaller agencies that have annual budgets of less than \$25 million. In order to allow agencies some additional time to meet this new standard of accountability, the bill allows the OMB Director discretion during the first 2 years of the act's implementation to waive the application of the new requirements to any agency.

This bill has bipartisan support as well as the support of the Government Accounting Office and the administration.

Again, I urge my colleagues to support this important good Government legislation.

NOMINATION OF MAURA HARTY

Mr. GRASSLEY. Mr. President, I rise today to place a hold on the nomina-

tion of Ms. Maura Harty to be Director of the Office of Consular Affairs within the Department of State. Ms. Harty was voted out of the Committee on Foreign Relations today by voice vote. My reason for placing a hold on this nomination is to hear from Ms. Harty regarding a number of controversial cases that were under her jurisdiction as an employee of the Office of Consular Affairs.

First, I am seeking to know more about cases of international child abductions, which have left many parents frustrated with our Government. Many parents do not believe that Ms. Harty, in her capacity as the Managing Director of the Office of Overseas Citizens Services, vigorously pursued the interest of American abducted children.

Second, I wish to convey my concerns about personal appearance waiver programs, such as Visa Express. I am seeking assurance from the nominee that visa issuing procedures will be improved, and future recommendations from the inspector general will be seriously considered by the Office of Consular Affairs.

Finally, I intend to question the nominee on allegations that she fired an employee for blowing the whistle on a Foreign Service national who committed visa fraud. I have been a long-time champion for protecting the rights of those who shed light on the problems in our Government, so I take these allegations very seriously and look forward to hearing from Ms. Harty regarding this matter.

DECOMMISSIONING OF THE U.S. COAST GUARD CUTTER "SEdge"

Mr. MURKOWSKI. Mr. President, I rise today to commemorate the distinguished history of the U.S. Coast Guard Cutter *Sedge* which will be decommissioned November 15, 2002, after serving 50 years in Alaskan waters, and to honor the many men and women who have served aboard her.

The *Sedge*, a 180-foot seagoing buoy tender with a complement of 7 officers and 54 enlisted personnel, was the 35th of the original 39 buoy tenders built for the U.S. Coast Guard. Commissioned on July 5, 1944, the *Sedge* began her long service with an assignment in Hawaii. Shortly after arriving in her new home port of Honolulu, she was called into service to support wartime operations. She served in the Pacific theater from 1944 to 1945, tending navigation aids in Guam, Okinawa, Anguar, Midway, Pearl Harbor, and Shanghai.

On February 26, 1947, the *Sedge* was decommissioned and mothballed. But the old girl's life was not over. She was recommissioned in Seattle, Washington on April 14, 1950, with orders making Boston, MA, her new homeport. However, on May 1, new orders sent the *Sedge* to Kodiak, AK, instead.

After 7 years of service in Kodiak, the *Sedge* was transferred to Cordova, AK on July 15, 1957, serving there for almost 16 years. In the Spring of 1973,

the *Sedge* shaped a course for the Coast Guard Yard in Curtis Bay, MD, for major renovation. She came out of the yard with a new lease on life—updated propulsion machinery, a new hydraulic buoy handling system, a bow thruster and improved quarters.

After about a year of work, the *Sedge* was recommissioned and departed for yet another new homeport: Homer, AK. She arrived in Homer on November 8, 1974.

The *Sedge's* primary duty is to maintain aids to navigation that make maritime travel possible and safe. For the last 28 years, she has maintained 73 shore aids and 19 buoys in and around Alaska's Cook Inlet, and she has done it well. But throughout her history she has also done her duty on other matters: national defense, search and rescue, maritime law enforcement, and environmental protection.

In the early 1950s, radar stations in the Arctic—the DEW Line—needed regular servicing and supplies. Convoys would meet in Nome, AK, for the voyage, and the *Sedge* was there. This included the year she was locked in the ice pack for 3 days, and the year she was called on to rescue an LST that was in severe danger in an Arctic storm.

In 1962, she rescued six people who had been adrift in a life raft for 5 days.

After the gigantic Alaska earthquake of 1964, the *Sedge* helped evacuate people from stricken towns and villages in Prince William Sound. She braved many difficulties including the unpredictable seas and tides after the earthquake, including one unheard of minus 30-foot tide that put her hard aground in Prince William Sound.

In 1989, she was back in the Prince William Sound for another disaster. She was the first Coast Guard cutter to respond to the *Exxon Valdez* oilspill. The *Sedge* helped skim 4,000 barrels of oil off the water soon after the incident. Afterwards, the crew of the *Sedge* constructed a lighted tower on Bligh Reef, the shoal on which the *Exxon Valdez* ran aground.

The history of the *Sedge* contains too many such stories of lives saved and lives touched to relate them all. Suffice it to say that the men and women who have served on board the *Sedge* have earned the many accolades and honors they have received, including the Coast Guard Meritorious Unit Commendation, the World War II Victory Medal, the Navy Occupation Service Medal, the Coast Guard Special Operations Service Ribbon, the Department of Transportation Outstanding Unit Award, the Coast Guard Unit Commendation, the Coast Guard "E" Ribbon, the Coast Guard Bicentennial Unit Commendation, the National Defense Service Medal, the Coast Guard Arctic Service Medal, and the Humanitarian Service Medal.

The *Sedge* will work her last aid to navigation on November 5, 2002, before her scheduled decommissioning on November 15, 2002. She will be replaced