

Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

**SEC. . SAFE HARBOR PROVISIONS**

Notwithstanding sections 104(b), 203(c), 212(d), and 222(d), the safe harbor provisions contained in such sections shall only provide immunity from actions brought under this Act.

**SA 2976.** Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

**SEC. . CLARIFICATION OF PROVISIONS RELATING TO COMPLIANCE WITH EXISTING FEDERAL LAW.**

(a) **STATE PLANS.**—The assurances provided by a State under section 202(a)(3) that the State will comply with existing Federal laws, including the laws described in such section, need only be provided insofar as such laws relate to the provisions of this Act.

(b) **REQUEST FOR CERTIFICATION.**—The specific and detailed demonstration provided by a State or locality under section 212(c)(1)(A) that the State or locality will comply with the laws described in such section need only be provided insofar as such laws relate to the provisions of this Act.

**SA 2977.** Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uni-

form and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

**SEC. . STUDY AND REPORT ON FIRST TIME VOTERS WHO REGISTER BY MAIL.**

(a) **STUDY.**—

(1) **IN GENERAL.**—The Election Administration Commission established under section 301 (in this section referred to as the “Commission”) shall conduct a study of the impact of section 103(b) on voters who register by mail.

(2) **SPECIFIC ISSUES STUDIED.**—The study conducted under paragraph (1) shall include—

(A) an examination of the impact of section 103(b) on first time mail registrant voters who vote in person, including the impact of such section on voter registration;

(B) an examination of the impact of such section on the accuracy of voter rolls, including preventing ineligible names from being placed on voter rolls and ensuring that all eligible names are placed on voter rolls; and

(C) an analysis of the impact of such section on existing State practices, such as the use of signature verification or attestation procedures to verify the identity of voters in elections for Federal office, and an analysis of other changes that may be made to improve the voter registration process, such as verification or additional information on the registration card.

(b) **REPORT.**—Not later than 18 months after the date described in section 103(b)(2)(A), the Commission shall submit a report to the President and Congress on the study conducted under subsection (a)(1) together with such recommendations for administrative and legislative action as the Commission determines is appropriate.

**SA 2978.** Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, add the following:

**SEC. . REVISION OF RELATIONSHIP TO OTHER LAWS.**

Notwithstanding section 402, the rights and remedies established by such section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by such section nor any other provision of this Act shall supersede, restrict, or limit the application, nor authorize or require conduct that is prohibited by, any of the laws described in such section.

**EXECUTIVE SESSION**

**EXECUTIVE CALENDAR**

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to executive session to consider Calendar Nos. 702 and 703; that the nominations be confirmed, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, any statements in relation thereto be printed in the RECORD, and the Senate return to legislative session.

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

The nominations were considered and confirmed, as follows:

**DEPARTMENT OF JUSTICE**

William Smith Taylor, of Alabama, to be United States Marshal for the Southern District of Alabama for the term of four years.

**DEPARTMENT OF ENERGY**

Raymond L. Orbach, of California, to be Director of the Office of Science, Department of Energy.

**LEGISLATIVE SESSION**

The PRESIDING OFFICER (Mr. MILLER). Under the previous order, the Senate will return to legislative session.

**ORDERS FOR TUESDAY, MARCH 5, 2002**

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m., Tuesday, March 5; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of S. 517, the energy bill; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. for the weekly party conferences.

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

**ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW**

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order following the statement of the Senator from Oklahoma.

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

The Senator from Oklahoma.

**PEACE IN THE MIDDLE EAST**

Mr. INHOFE. Mr. President, I was interested the other day when I heard that the de facto ruler, Saudi Arabian Crown Prince Abdullah, made a statement which was received by many in this country as if it were a statement of fact, as if it were something new, a

concept for peace in the Middle East that no one had ever heard of before. I was kind of shocked that it was so well received by many people who had been down this road before.

I suggest to you that what Crown Prince Abdullah talked about a few days ago was not new at all. He talked about the fact that under the Abdullah plan, Arabs would normalize relations with Israel in exchange for the Jewish state surrendering the territory it received after the 1976 Six-Day War as if that were something new. He went on to talk about other land that had been acquired and had been taken by Israel.

I remember so well on December 4 when we covered all of this and the fact that there isn't anything new about the prospect of giving up land that is rightfully Israel's land in order to have peace.

When it gets right down to it, the land doesn't make that much difference because Yasser Arafat and others don't recognize Israel's right to any of the land. They do not recognize Israel's right to exist.

I will discuss seven reasons, which I mentioned once before, why Israel is entitled to the land they have and that it should not be a part of the peace process.

If this is something that Israel wants to do, it is their business to do it. But anyone who has tried to put the pressure on Israel to do this is wrong.

We are going to be hit by skeptics who are going to say we will be attacked because of our support for Israel, and if we get out of the Middle East—that is us—all the problems will go away. That is just not true. If we withdraw, all of these problems will again come to our door.

I have some observations to make about that. But I would like to reemphasize once again the seven reasons that Israel has the right to their land.

The first reason is that Israel has the right to the land because of all of the archeological evidence. That is reason, No. 1. All the archeological evidence supports it.

Every time there is a dig in Israel, it does nothing but support the fact that Israelis have had a presence there for 3,000 years. They have been there for a long time. The coins, the cities, the pottery, the culture—there are other people, groups that are there, but there is no mistaking the fact that Israelis have been present in that land for 3,000 years.

It predates any claims that other peoples in the regions may have. The ancient Philistines are extinct. Many other ancient peoples are extinct. They do not have the unbroken line to this date that the Israelis have.

Even the Egyptians of today are not racial Egyptians of 2,000, 3,000 years ago. They are primarily an Arab people. The land is called Egypt, but they are not the same racial and ethnic stock as the old Egyptians of the ancient world. The first Israelis are in fact descended from the original

Israelites. The first proof, then, is the archeology.

The second proof of Israel's right to the land is the historic right. History supports it totally and completely. We know there has been an Israel up until the time of the Roman Empire. The Romans conquered the land. Israel had no homeland, although Jews were allowed to live there. They were driven from the land in two dispersions: One was in 70 A.D. and the other was in 135 A.D. But there was always a Jewish presence in the land.

The Turks, who took over about 700 years ago and ruled the land up until about World War I, had control. Then the land was conquered by the British. The Turks entered World War I on the side of Germany. The British knew they had to do something to punish Turkey, and also to break up that empire that was going to be a part of the whole effort of Germany in World War I. So the British sent troops against the Turks in the Holy Land.

One of the generals who was leading the British armies was a man named Allenby. Allenby was a Bible-believing Christian. He carried a Bible with him everywhere he went and he knew the significance of Jerusalem.

The night before the attack against Jerusalem to drive out the Turks, Allenby prayed that God would allow him to capture the city without doing damage to the holy places.

That day, Allenby sent World War I biplanes over the city of Jerusalem to do a reconnaissance mission. You have to understand that the Turks had at that time never seen an airplane. So there they were, flying around. They looked in the sky and saw these fascinating inventions and did not know what they were, and they were terrified by them. Then they were told they were going to be opposed by a man named Allenby the next day, which means, in their language, "man sent from God" or "prophet from God." They dared not fight against a prophet from God, so the next morning, when Allenby went to take Jerusalem, he went in and captured it without firing a single shot.

The British Government was grateful to Jewish people around the world, particularly to one Jewish chemist who helped them manufacture niter. Niter is an ingredient that was used in nitroglycerin which was sent over from the New World. But they did not have a way of getting it to England. The German U-boats were shooting on the boats, so most of the niter they were trying to import to make nitroglycerin was at the bottom of the ocean. But a man named Weitzman, a Jewish chemist, discovered a way to make it from materials that existed in England. As a result, they were able to continue that supply.

The British at that time said they were going to give the Jewish people a homeland. That is all a part of history. It is all written down in history. They were gratified that the Jewish people,

the bankers, came through and helped finance the war.

The homeland that Britain said it would set aside consisted of all of what is now Israel and all of what was then the nation of Jordan—the whole thing. That was what Britain promised to give the Jews in 1917.

In the beginning, there was some Arab support for this action. There was not a huge Arab population in the land at that time, and there is a reason for that. The land was not able to sustain a large population of people. It just did not have the development it needed to handle those people, and the land was not really wanted by anybody. Nobody really wanted this land. It was considered to be worthless land.

I want the Presiding Officer to hear what Mark Twain said. And, of course, you may have read "Huckleberry Finn" and "Tom Sawyer." Mark Twain—Samuel Clemens—took a tour of Palestine in 1867. This is how he described that land. We are talking about Israel now. He said:

A desolate country whose soil is rich enough but is given over wholly to weeds. A silent, mournful expanse. We never saw a human being on the whole route. There was hardly a tree or a shrub anywhere. Even the olive and the cactus, those fast friends of a worthless soil, had almost deserted the country.

Where was this great Palestinian nation? It did not exist. It was not there. Palestinians were not there. Palestine was a region named by the Romans, but at that time it was under the control of Turkey, and there was no large mass of people there because the land would not support them.

This is the report that the Palestinian Royal Commission, created by the British, made. It quotes an account of the conditions on the coastal plain along the Mediterranean Sea in 1913. This is the Palestinian Royal Commission. They said:

The road leading from Gaza to the north was only a summer track, suitable for transport by camels or carts. No orange groves, orchards or vineyards were to be seen until one reached the Yavne village. Houses were mud. Schools did not exist. The western part toward the sea was almost a desert. The villages in this area were few and thinly populated. Many villages were deserted by their inhabitants.

That was 1913.

The French author Voltaire described Palestine as "a hopeless, dreary place."

In short, under the Turks the land suffered from neglect and low population. That is a historic fact. The nation became populated by both Jews and Arabs because the land came to prosper when Jews came back and began to reclaim it. Historically, they began to reclaim it. If there had never been any archaeological evidence to support the rights of the Israelis to the territory, it is also important to recognize that other nations in the area have no longstanding claim to the country either.

Did you know that Saudi Arabia was not created until 1913, Lebanon until

1920? Iraq did not exist as a nation until 1932, Syria until 1941; the borders of Jordan were established in 1946 and Kuwait in 1961. Any of these nations that would say Israel is only a recent arrival would have to deny their own rights as recent arrivals as well. They did not exist as countries. They were all under the control of the Turks.

Historically, Israel gained its independence in 1948.

The third reason that land belongs to Israel is the practical value of the Israelis being there. Israel today is a modern marvel of agriculture. Israel is able to bring more food out of a desert environment than any other country in the world. The Arab nations ought to make Israel their friend and import technology from Israel that would allow all the Middle East, not just Israel, to become an exporter of food. Israel has unarguable success in its agriculture.

The fourth reason I believe Israel has the right to the land is on the grounds of humanitarian concern. You see, there were 6 million Jews slaughtered in Europe in World War II. The persecution against the Jews had been very strong in Russia since the advent of communism. It was against them even before then under the Czars.

These people have a right to their homeland. If we are not going to allow them a homeland in the Middle East, then where? What other nation on Earth is going to cede territory, is going to give up land?

They are not asking for a great deal. The whole nation of Israel would fit into my home State of Oklahoma seven times. It would fit into the Presiding Officer's State of Georgia seven times. They are not asking for a great deal. The whole nation of Israel is very small. It is a nation that, up until the time that claims started coming in, was not desired by anybody.

The fifth reason Israel ought to have their land is that she is a strategic ally of the United States. Whether we realize it or not, Israel is a detriment, an impediment, to certain groups hostile to democracies and hostile to what we believe in, hostile to that which makes us the greatest nation in the history of the world. They have kept them from taking complete control of the Middle East. If it were not for Israel, they would overrun the region. They are our strategic ally.

It is good to know we have a friend in the Middle East on whom we can count. They vote with us in the United Nations more than England, more than Canada, more than France, more than Germany—more than any other country in the world.

The sixth reason is that Israel is a roadblock to terrorism. The war we are now facing is not against a sovereign nation; it is against a group of terrorists who are very fluid, moving from one country to another. They are almost invisible. That is whom we are fighting against today. We need every ally we can get. If we do not stop ter-

rorism in the Middle East, it will be on our shores. We have said this again and again and again, and it is true.

One of the reasons I believe the spiritual door was opened for an attack against the United States of America is that the policy of our Government has been to ask the Israelis, and demand it with pressure, not to retaliate in a significant way against the terrorist strikes that have been launched against them.

Since its independence in 1948, Israel has fought four wars: The war in 1948 and 1949—that was the war for independence—the war in 1956, the Sinai campaign; the Six-Day War in 1967; and in 1973, the Yom Kippur War, the holiest day of the year, and that was with Egypt and Syria.

You have to understand that in all four cases, Israel was attacked. They were not the aggressor. Some people may argue that this was not true because they went in first in 1956, but they knew at that time that Egypt was building a huge military to become the aggressor. Israel, in fact, was not the aggressor and has not been the aggressor in any of the four wars.

Also, they won all four wars against impossible odds. They are great warriors. They consider a level playing field being outnumbered 2 to 1.

There were 39 Scud missiles that landed on Israeli soil during the gulf war. Our President asked Israel not to respond. In order to have the Arab nations on board, we asked Israel not to participate in the war. They showed tremendous restraint and did not. Now we have asked them to stand back and not do anything over these last several attacks.

We have criticized them. We have criticized them in our media. Local people in television and radio often criticize Israel, not knowing the true facts. We need to be informed.

I was so thrilled when I heard a reporter pose a question to our Secretary of State, Colin Powell. He said:

Mr. Powell, the United States has advocated a policy of restraint in the Middle East. We have discouraged Israel from retaliation again and again and again because we've said it leads to continued escalation—that it escalates the violence. Are we going to follow that preaching ourselves?

Mr. Powell indicated we would strike back. In other words, we can tell Israel not to do it, but when it hits us, we are going to do something.

But all that changed in December when the Israelis went into the Gaza with gunships and into the West Bank with F-16s. With the exception of last May, the Israelis had not used F-16s since the 1967 6-Day War. And I am so proud of them because we have to stop terrorism. It is not going to go away. If Israel were driven into the sea tomorrow, if every Jew in the Middle East were killed, terrorism would not end. You know that in your heart. Terrorism would continue.

It is not just a matter of Israel in the Middle East. It is the heart of the very

people who are perpetrating this stuff. Should they be successful in over-running Israel—which they won't be—but should they be, it would not be enough. They will never be satisfied.

No. 7, I believe very strongly that we ought to support Israel; that it has a right to the land. This is the most important reason: Because God said so. As I said a minute ago, look it up in the book of Genesis. It is right up there on the desk.

In Genesis 13:14-17, the Bible says:

The Lord said to Abram, "Lift up now your eyes, and look from the place where you are northward, and southward, and eastward and westward: for all the land which you see, to you will I give it, and to your seed forever. . . . Arise, walk through the land in the length of it and in the breadth of it; for I will give it to thee."

That is God talking.

The Bible says that Abram removed his tent and came and dwelt in the plain of Mamre, which is in Hebron, and built there an altar before the Lord. Hebron is in the West Bank. It is at this place where God appeared to Abram and said, "I am giving you this land,"—the West Bank.

This is not a political battle at all. It is a contest over whether or not the word of God is true. The seven reasons, I am convinced, clearly establish that Israel has a right to the land.

Eight years ago on the lawn of the White House, Yitzhak Rabin shook hands with PLO Chairman Yasser Arafat. It was a historic occasion. It was a tragic occasion.

At that time, the official policy of the Government of Israel began to be, "Let us appease the terrorists. Let us begin to trade the land for peace." This process continued unabated up until last year. Here in our own Nation, at Camp David, in the summer of 2000, then Prime Minister of Israel Ehud Barak offered the most generous concessions to Yasser Arafat that had ever been laid on the table.

He offered him more than 90 percent of all the West Bank territory, sovereign control of it. There were some parts he did not want to offer, but in exchange for that he said he would give up land in Israel proper that the PLO had not even asked for.

And he also did the unthinkable. He even spoke of dividing Jerusalem and allowing the Palestinians to have their capital there in the East. Yasser Arafat stormed out of the meeting. Why did he storm out of the meeting? Everything he had said he wanted was offered there. It was put into his hands. Why did he storm out of the meeting?

A couple of months later, there began to be riots, terrorism. The riots began when now Prime Minister Ariel Sharon went to the Temple Mount. And this was used as the thing that lit the fire and that caused the explosion.

Did you know that Sharon did not go unannounced and that he contacted the Islamic authorities before he went and secured their permission and had permission to be there? It was no surprise.

The response was very carefully calculated. They knew the world would not pay attention to the details.

They would portray this in the Arab world as an attack upon the holy mosque. They would portray it as an attack upon that mosque and use it as an excuse to riot. Over the last 8 years, during this time of the peace process, where the Israeli public has pressured its leaders to give up land for peace because they are tired of fighting, there has been increased terror.

In fact, it has been greater in the last 8 years than any other time in Israel's history. Showing restraint and giving in has not produced any kind of peace. It is so much so that today the leftist peace movement in Israel does not exist because the people feel they were deceived.

They did offer a hand of peace, and it was not taken. That is why the politics of Israel have changed drastically over the past 12 months. The Israelis have come to see that, "No matter what we do, these people do not want to deal with us. . . . They want to destroy us." That is why even yet today the stationery of the PLO still has upon it the map of the entire state of Israel, not just the tiny little part they call the West Bank that they want. They want it all.

We have to get out of this mindset that somehow you can buy peace in the Middle East by giving little plots of

land. It has not worked before when it has been offered.

These seven reasons show why Israel is entitled to that land.

I yield the floor.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate is adjourned until 10 a.m. on Tuesday, March 5, 2002.

Thereupon, the Senate, at 7:15 p.m., adjourned until Tuesday, March 5, 2002, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate March 4, 2002:

##### DEPARTMENT OF STATE

ROBERT PATRICK JOHN FINN, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO AFGHANISTAN.

STEPHEN GEOFFREY RADEMAKER, OF DELAWARE, TO BE AN ASSISTANT SECRETARY OF STATE (ARMS CONTROL), VICE AVIS THAYER BOHLEN.

##### THE JUDICIARY

ROBERT R. RIGSBY, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE REGGIE BARNETT WALTON, ELEVATED.

##### UNITED STATES POSTAL SERVICE

ALBERT CASEY, OF TEXAS, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2009, VICE TIRSO DEL JUNCO, TERM EXPIRED.

##### DEPARTMENT OF JUSTICE

JAMES B. COMEY, OF NEW YORK, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS, VICE MARY JO WHITE, TERM EXPIRED.

THOMAS A. MARINO, OF PENNSYLVANIA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE DAVID M. BARASCH, TERM EXPIRED.

PATRICK E. McDONALD, OF IDAHO, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF IDAHO FOR THE TERM OF FOUR YEARS, VICE JAMES HOWARD BENHAM, TERM EXPIRED.

JOHN EDWARD QUINN, OF IOWA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF IOWA FOR THE TERM OF FOUR YEARS, VICE DENNIS H. BLOME, TERM EXPIRED.

DON SLAZINK, OF ILLINOIS, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE TERRENCE EDWARD DELANEY, TERM EXPIRED.

KIM RICHARD WIDUP, OF ILLINOIS, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE JAMES L. WHIGHAM.

##### FEDERAL ELECTION COMMISSION

MICHAEL E. TONER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2007, VICE DARRYL R. WOLD, TERM EXPIRED.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 4, 2002:

##### DEPARTMENT OF ENERGY

RAYMOND L. ORBACH, OF CALIFORNIA, TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

##### DEPARTMENT OF JUSTICE

WILLIAM SMITH TAYLOR, OF ALABAMA, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS.