

such as David Demag, the Police Chief in Essex, VT, who is now serving on the Medal of Valor Review Board. I want the States to have primary jurisdiction, because they can handle most hate crimes prosecutions. But there are times when Federal assistance is helpful and even necessary. For those cases, we must have this Federal law.

In a sign that this legislation respects the proper balance between Federal and local authority, it has received strong bipartisan support from State and local law enforcement organizations across the country. This support convinces me that we should pass this powerful law enforcement tool without further delay.

Moreover, this bill accomplishes a critically important goal—protecting all of our citizens—without compromising our constitutional responsibilities. It is a tool for combating acts and threats of violence motivated by hatred and bigotry. It doesn't target pure speech—even that speech that you and I and everybody finds offensive or disagreeable. The Constitution does not permit us in Congress to prohibit the expression of an idea simply because we disagree with it.

As Justice Holmes wrote, the Constitution protects not just freedom for the thought and expression we agree with, but freedom for the thought that we hate. I am devoted to that principle, and I am confident that this bill does not contradict it. Indeed, Senator KENNEDY, who has been a leader on civil rights for four decades, has worked carefully and hard to tailor this needed remedy to the narrowing restrictions of the current very activist Supreme Court.

It is long past time to pass this bill. Of course, the Senate has done its part before. In 1999, we passed it as part of the Commerce-Justice-State appropriations bill, but the House insisted on its removal. In 2000, the Senate voted 57 to 42 to include it as an amendment to the Department of Defense authorization bill. That year, the House even voted 232 to 192 to instruct House conferees on the bill to agree to the Senate language on hate crimes.

Nonetheless, the House Republican leadership insisted on its removal and they won. So despite the best efforts of former President Clinton and us all, we were twice unable to overcome the opposition of the other body. I hope we will this time.

I hope the House Republicans will finally allow a vote on this measure. I urge President Bush to ask them to do so. Think about what the President said so eloquently last week at West Point. I think of this because the distinguished Presiding Officer is a well-respected graduate of West Point.

When the President spoke at West Point's commencement about our fight against terrorism, he called it a conflict between good and evil and said that we cannot allow other nations to "tolerate the hatred that leads to terror." He correctly stated that "there

can be no neutrality between justice and cruelty." He promised that "the United States will promote moderation and tolerance and human rights."

I agree with President Bush. And I believe that passage of this legislation will show once again that America values tolerance and protects all of its people. I urge the opponents of this legislation to consider the message it sends to the rest of America when, year after year, we are unable to move this broadly supported bill.

A majority of the people in the Senate support this bill, a majority of the people in the House of Representatives support it, and a majority of Americans support it. Yet a small group blocks it from going forward. What does that say about our American values?

I say to the Republican leadership in the other body and in our own: Listen to what President Bush has so eloquently said at West Point. Let's pass this legislation. The victims of hate deserve our support—the victims do. Those who would impose hateful conduct upon them deserve to know that the United States of America doesn't stand for that. So we need a vote, both in this body and in the House of Representatives. If we have such a vote, Mr. President, we will once again make it very clear: The U.S. Government does not tolerate hate and intolerance, no matter who it is directed against. Making that statement, we make our Nation even stronger.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Mr. DORGAN. Mr. President, will the Senator from Hawaii yield for a unanimous consent request?

Mr. AKAKA. Yes, I certainly yield to my friend from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent that following the presentation by the Senator from Hawaii, I be recognized for 20 minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Hawaii.

#### THE BATTLE AGAINST INVASIVE SPECIES

Mr. AKAKA. Mr. President, I rise today to call attention to a very serious problem that burdens not only the State of Hawaii, but also the entire country—the problem of exotic and invasive species. Invasive species are plants, animals, and microbes which are transported from their native environments, and in the absence of natural predators and competitors, proliferate and permanently alter their new "home." Invasive species are potentially one of the largest economic and environmental threats in this century, costing the U.S. an estimated \$100 billion each year and wreaking havoc with the nation's biodiversity. With the rise of global commerce, invasive

species have found it easier to find their way to new lands. They arrive in nearly every possible way, including by vessels in ballast water to our ports, and by planes via cargo, military and commercial shipments of plants and food. Upon arrival, they can have devastating impacts on water quality, agriculture, health, and especially the environment and the economy.

Nowhere is this situation more evident than in Hawaii. Hawaii has suffered the highest rate of species extinction in the United States, and in fact, one of the highest rates of extinction anywhere in the world. The Hawaii State Department of Land and Natural Resources estimates that before the arrival of humans, new species became established in Hawaii once every 70,000 years. Currently, Hawaii becomes home to over 20 new species per year. The Federal interagency Aquatic Nuisance Species Task Force estimates that Hawaii alone has 4,465 nonindigenous species. It is a problem of unbelievable magnitude.

I would like to bring your attention to a few species in particular. Many may have read the recent Washington Post article on the coqui. This small frog is less than two inches long and is beloved in its native home of Puerto Rico. But in Hawaii, we have no native frogs. In fact, we have no native reptiles or terrestrial amphibians, no native snakes, iguanas, toads, or even salamanders. In short, our ecosystems are not prepared to take on the coqui; there are no natural predators, such as snakes. Therefore, the impact of the coqui is immense. These nocturnal frogs, which make beautiful sounds individually, cause quite an uproar when singing in a chorus. Each one can produce a call at 90 decibels. However, at one site on the island of Hawaii, the coqui population is estimated at over 8,000 frogs an acre. It would sound as if 8,000 lawn mowers were running at once. The U.S. Fish and Wildlife Service has documented 260 infested sites on the Big Island, 40 sites on Maui, 20 on Oahu, and two on Kauai. Our tourism industries, especially our hotels which are world-renowned for the promise of restful tranquility, are already feeling the impact.

The coqui consume an average of 46,000 prey items per night per acre. This puts tremendous predation pressure on Hawaii's native arthropods, and provides intense competition for Hawaii's native forest birds, many of which are insect-eating as well as threatened or endangered species. The frogs also serve as an additional food source for non-native rats and mongoose. Increased populations of rats and mongoose then prey on the already impacted forest birds, which intensifies the effects on native ecosystems and disrupts their delicate balance.

The brown tree snake is another example of an invasive species with tremendous potential for affecting Hawaii. This snake was introduced to Guam in World War II probably as a

stowaway in ship cargo. It eats any animal smaller than itself, and is responsible for the extinction of twelve native bird species on Guam. Up to 13,000 snakes per square mile may occur in some forested areas of Guam. A brown tree snake can enter a home, and its venom is life threatening to infants. In fact, one out of every thousand visits to the emergency room in Guam is due to snakebites. It has caused more than 1,200 electric power outages since 1980, some island-wide and lasting several days. Approximately every third day there is a snake-caused power outage somewhere on Guam. The outages cost Guam an estimated \$1–\$4 million each year. Research and control of brown tree snakes in Guam cost over \$4 million per year.

Now the brown tree snake is poised to invade Hawaii, other Pacific Islands, and even the U.S. mainland. The snake has already reached Hawaii several times as a stowaway on flights from Guam. If the brown tree snake is accidentally introduced, Hawaii will suffer the same fate as Guam. On Guam, you no longer hear the sweet melody of a songbird because they have all been consumed by the brown tree snake. Development of long-term screening measures at airports to prevent this introduction would cost an estimated \$2.5 million annually over several years. While this may seem costly, the potential economic impact caused by the brown tree snake would be devastating in comparison.

Miconia is a large, leafy tree that was introduced to Hawaii in 1959. It was brought intentionally as an ornamental plant; miconia has a beautiful, deep rich purple color on the underside of its leaves. However, despite its benign appearance, it is an aggressive invader of native and disturbed forests, growing into dense stands that block light to smaller native plants. Miconia has also contributed to erosion and landslides because of its shallow root system. It blossoms four times a year, sending out millions of seeds each time, and the seed pods remain viable for up to eight years. Miconia is just one example of a noxious weed that is a major threat to native Hawaiian plants.

All across the country, invasive alien weeds fuel grass and forest fires, accelerate soil erosion, and consume critical water resources. The lost productivity of rangelands due to weeds has been estimated at \$3.6 to \$4.5 billion annually. Over 100 million acres of land are infested with weeds, and the infestation is expanding by 10 million acres per year. On Federal lands alone, the rate of infestation is 4,600 acres per day. Noxious weeds destroy or alter natural habitats, damage waterways and power lines, and depress property values. Some are even toxic.

In Hawaii, Federal, State, and local agencies have joined the universities and local communities to support efforts to prevent the spread of invasive

species. The University of Hawaii, Hawaii's Department of Agriculture and State Department of Land and Natural Resources, the U.S. Geological Survey, and the U.S. Fish and Wildlife Service, as well as smaller, island-specific citizen groups coordinate efforts to research, track and control the coqui. In the case of the miconia, students and volunteers have to hack through a jungle to reach the trees, suffering through mosquito bites and the thorny underbrush. The State employs helicopters to spot plants in places that may have been missed, and volunteers in some cases drop off 100-foot cliffs to destroy these invaders.

Now it is time to do our part in Congress to support these efforts at the Federal level. I have joined 19 of my colleagues in signing a letter circulated by my friend, the senior Senator from Michigan, Mr. LEVIN, in support of funding for the National Invasive Species Act of 1996. This Act provides for ballast water management to prevent the introduction and spread of non-indigenous species into the waters of the United States, provides for a comprehensive program to control the brown tree snake, and provides for invasive aquatic plant management.

In 1999, President Clinton signed Executive Order 13112. The executive order mandates federal agencies to take steps to prevent the introduction and spread of harmful alien species, and coordinate their actions with other federal agencies. The goal of the executive order is to minimize the negative economic, ecological, and human health impacts that invasive species cause.

We must act to turn these goals into reality. Funding for the battle against invasive species crosscuts almost every Federal agency, including the U.S. Department of the Interior, Department of Agriculture, Department of Defense, and Department of Commerce. Each agency has been taking an active role against invasive species. This is a challenge that must be appreciated and fought on all fronts, and the agencies need increased funding in this budget-conscious year. I urge my colleagues to support funding for the effective implementation of Executive Order 13112, the National Invasive Species Act of 1996, and for Federal and State agencies' efforts across the United States in the struggle against invasive and exotic species. Until these efforts are fully funded, we do not stand a chance against these destructive invaders.

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

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

#### CORPORATE GREED

Mr. DORGAN. Mr. President, in recent months I have been conducting hearings in the subcommittee that I chair and the Commerce Committee on the issue of the Enron scandal.

While conducting those hearings, I received a letter from a constituent of mine in North Dakota. That constituent said he had been an employee of the Enron Corporation for a good number of years and had \$330,000 in his 401(k) retirement account, invested in Enron stock. And then, of course, Enron collapsed. Now that \$330,000 is worth \$1,700.

The folks at the top of Enron made a fortune and got away with their fortune, and the company collapsed, the employees lost their shirts, and the investors lost their shirts. It is another case of the big doing very well, and the little losing everything they had.

It reminds me of the verse in a song by Bob Wells and the Texas Playboys from the 1930s: Little guy picks the cotton, the big guy gets the money. The little bee sucks the blossom, the big bee gets the honey.

That is what is going on too often in this country. I am more and more dismayed by what I am reading in the business pages, about the scandals at the top levels of a number of corporations in America. I have been reading especially in recent days about Dennis Kozlowski, CEO of Tyco International. Mr. Kozlowski resigned under criminal indictment for tax evasion, but he has been criticized for some time for the way his company was playing games with his books.

Now, I don't know him. I have never met him. I did not know much about his company until it started making news. But Tyco's problems are another troubling sign about the state of our system of capitalism, the system by which companies accumulate money in a corporate structure, and the system by which people are compensated for their performance.

I will speak about this in a moment. But first let me mention another aspect that troubles me about Tyco's story. Because Tyco is one of those companies that, recently, decided to move its corporate headquarters offshore, to avoid paying their fair share of taxes.

In the middle of a war against terrorism, it is unconscionable for an American corporation to forsake its country and move off-shore—in a so-called "inversion"—to avoid paying taxes. It really raises questions of patriotism, in my judgment. Who do they think should fight this war on terrorism? Who do they think ought to pay for the war against terrorism? Who do they think protects their assets and their company and their business? They want the protection of the U.S. military, but they do not want to pay for it.

Tyco is one of the world's largest manufacturers and services of electrical and electronic components, as