

Accordingly, the amendment we are offering would authorize the Secretary of Defense to accept foreign gifts and donations for the Institute, and would require the Secretary of Defense's annual report to Congress on the Institute to include the annual report of the Board of Visitors along with the Secretary's comments on the Board's report. I ask my colleagues for their support for this amendment.

Mr. WARNER. Mr. President, it has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3951) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators allowed to speak for up to 5 minutes each.

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

#### WEST VIRGINIA DAY, 2002

Mr. BYRD. Mr. President and fellow Senators, have you noticed how everyone seems a little happier today? Their smiles are brighter, their greetings are a little more gracious and their thank yous are more sincere. Have you noticed how the sun seems to be shining brighter today and food tastes better today? The air seems sweeter today.

The Senator from Pennsylvania does not know what a great day this is.

That is, no doubt, because today is June 20, and that means it is West Virginia Day. All over the country, it is June 20th. All over the world, it is June 20th. That means all over the country, and all over the world, it is West Virginia Day.

It was 139 years ago today that West Virginia, by an act of Congress and the signature of President Abraham Lincoln, became the thirty-fifth state of our Union.

The birth of the State of West Virginia was not an easy delivery. It involved great labor pains, and blood, sweat, and tears. West Virginia was born in the middle of our country's bitter, divisive, and bloody Civil War, and there were serious constitutional questions involved in her delivery.

But goodness and righteousness prevailed and West Virginia, predicated upon its allegiance to the Constitution and the republic, became a State, and here I am. Had that not happened, I would not have been here. This Union may not have survived.

It all began on that great and glorious day of June 20th, 1863—and what a great and glorious day it was. It was a day a local newspaper, the *Wheeling Intelligencer*, called a "great gala day." The newspaper reported that "thousands of people from abroad" joined with the new state officials and the "entire population" of Wheeling, the city where the official ceremony took place, to celebrate the occasion.

Business was suspended. Workers were given the day off.

Flags were everywhere—everywhere, on all the street corners, along all the streets. Flags of all sizes were flown from every housetop and every business in the city. It was reported that flags were as "thick as the locusts that were then occupying the suburbs and surrounding countryside."

The ceremonies included brigade bands playing patriotic songs, and units of the West Virginia militia parading through the town. There were countless toasts and even more cheers for the United States and for its new state, the State of West Virginia.

And, of course, there were political speeches.

The man considered the "father of West Virginia," Francis H. Pierpont, declared:

May we [meaning West Virginia]—may we from this small beginning today, grow to be the proudest state in all the glorious galaxy of States that form the Nation.

Waitman T. Willey, one of the State's first two U.S. Senators, proclaimed:

What we have longed for and labored for and prayed for is [now] a fixed fact. West Virginia is a fixed fact.

West Virginia is a fixed fact.

The first Governor of the State, Arthur Boreman, a 39-year-old man with a full-flowing black beard, promised to do everything in his power "to advance the agricultural, mining, and manufacturing, and commercial interests of the State."

After the speeches, 35 little girls representing the 35 states of the Union, sang more patriotic songs and the band played the "Star Spangled Banner."

The day closed with a "brilliant display of fireworks" over the Ohio River.

The next day, the *New York Post* reported:

[B]orn amid the turmoil of the Civil War and cradled by the storm . . . the 35th State is now added to the American union.

The *New York Times* echoed the words of Senator Willey with the headline that read "West Virginia is now a fixed fact."

The State of West Virginia was a "fixed fact," but its future was not. The State's childhood and adolescence were to be as difficult and tumultuous as its birth.

The State of West Virginia soon became an economic colony of northeastern, absentee landlords, the infamous Robber Barons of the late nineteenth century, who ruthlessly exploited the State for its rich natural resources.

Other problems came piling on. From the Monongah mine disaster of 1907, when I believe 361 miners lost their lives, the worst coal-mine disaster in American history, to the Marshall University plane crash of 1970, the worst sports tragedy in American history, the people of West Virginia came to know and suffer many and various forms of tragedy, including the Silver Bridge collapse at Point Pleasant, the Buffalo Creek Slag Dam collapse in Logan County, as well as a multitude of deadly mine explosions and disastrous floods.

And for too long, the State suffered from economic backwardness.

Through it all, the courageous, patriotic, and dedicated people of West Virginia have remained loyal to their country and their government.

They have continued to supply the nation with the energy it needs to heat our homes, to light these Chambers, fuel our battleships, and power our massive industries.

And the people of West Virginia have served our country in times of war as well as peace. West Virginians have fought and died in our nation's wars, including World War II, Korea and Vietnam, far beyond proportion to West Virginia's population size.

Meanwhile, the people of West Virginia have struggled to overcome exploitation and oppression by joining unions and electing political leaders who would better represent them. It took decades and it took tremendous effort, but, as I have said, the spirit of West Virginia is to "endure and to prevail." The people of West Virginia endured and they have prevailed.

One of my favorite Roman philosophers, Seneca, said, "Fire is the test of gold; adversity, of strong men."

Today, many strong men and women have brought West Virginia to the brink of vast social and economic change. The State is cultivating new economic growth and prosperity as a result of a bumper crop of better roads, new technology, and forward-looking leadership. Traditional industries are being augmented by fresh business activity, flexible manufacturing, leading-edge and information-age high technology.

People across America are discovering West Virginia. They are coming to West Virginia to camp, hike, fish, raft our white waters, and ski our slopes.

They are discovering the natural wonders of my State—that West Virginia is truly one of the most beautiful states in the union. With its rushing, trout-filled mountain streams, its majestic rolling green hills, picturesque villages and towns, magnificent forests, scenic State parks, no wonder the

State has been depicted in song and verse as being "almost heaven."

People are discovering what West Virginians already knew, that the State is a great place to just relax and enjoy life. In the early morning hours, you can sit back in your favorite chair looking east, and enjoy the most beautiful sight in the world: the sun rising over the beautiful, rolling green hills of West Virginia. A few hours later, you can turn your chair around and look to the west, and enjoy the second most beautiful sight in the world, the sun setting over those beautiful, rolling green hills of West Virginia.

Mr. President, in the inaugural ceremony on June 20, 1863, the Reverend J.T. McLure offered the inaugural prayer, in which he stated:

We pray Thee, almighty God, that this State, born amidst tears and blood and fire and desolation, may long be preserved and from its little beginning may grow to be a might and a power that shall make those who come after us look upon it with joy and gladness and pride of heart.

Mr. President, this child of "tears and blood and fire and desolation" did grow.

Today, on this anniversary of the birth of West Virginia, as the Reverend Mr. McClure predicted, one may look upon my state of West Virginia "with joy and gladness and pride of heart." I am reminded of the words of the English poet, William Blake, who wrote: "Great things are done when men and mountains meet."

Congratulations, West Virginia! Happy birthday, West Virginia! You have not merely endured, you have prevailed!

Mr. President, I yield the floor.

Mr. ROCKEFELLER. Mr. President, 139 years ago today, on June 20, 1863, West Virginia became the 35th State admitted to the Union. The only State born of Civil War, West Virginia was signed into existence by the hand of Abraham Lincoln.

I am both proud and grateful to be a West Virginian and to represent my State in the U.S. Senate. I am also glad to have this opportunity to reflect on some of the features that make my home State so very special. Aside from my State's distinct heritage of industry and agriculture, one of its most defining characteristics is its extravagant natural beauty. Blessed with icy native trout streams, majestic deep-forest hardwood stands, and lush groves of rhododendron, West Virginia is almost heaven to many people.

West Virginia is home to three of the Nation's most famous rivers: The Shenandoah and Potomac to the east, and the Ohio River along the State's entire western border. These and many other rivers, streams, and mountain lakes provide great places to fish or canoe on a relaxing weekend or sunny afternoon.

The New River, which is thought to be the world's oldest river, tumbles through ancient limestone canyons and provides some of the world's premier whitewater rafting. The more serene

waters at Harpers Ferry were praised by our Nation's third President when he wrote: "The passage of the Patowmac through the Blue Ridge is perhaps one of the most stupendous scenes in Nature. This scene is worth a voyage across the Atlantic." President Jefferson was right, and the millions of people who visit the Mountain State regularly to ski our mountains, raft our rivers, marvel at the brilliant autumn foliage, and enjoy our hospitality agree.

Thousands of miles of trails and scenic roads wind through the State's National Forest, State Parks, and countless mountain passes, luring hikers and bikers of all ages and from around the world. Seneca Rocks, the most dramatic rock formation in the east, is a visual feast and rock climbers' paradise. The State is also home to a wide variety of wild vegetation and animal life found nowhere else in America, and protests 20 threatened and endangered plant and animal species. West Virginia truly earns its label of "wild and wonderful."

The people of West Virginia remain its greatest asset. West Virginians are industrious, hard-working, unpretentious, straightforward, open and fun-loving. They value common sense and fairness, and have a deeply rooted connection to the land and attachment to home.

On this West Virginia Day, I am joining all West Virginians in celebrating the abundance of our natural beauty. We are truly blessed in West Virginia to have such a bounty of natural resources. As we strive to promote our economic growth, I hope we will also be mindful of our responsibilities to the land. West Virginia's environment is a special resource, a national treasure that must be preserved and protected for future generations.

I am proud to represent my home State of West Virginia, and deeply honored to stand here today to recognize the 139th anniversary of the Mountain State.

#### FBI REFORM ACT

Mr. LEAHY. Mr. President, yesterday's Washington Post provides yet another example of why it is so urgent that we act to pass S. 1974, the Leahy-Grassley FBI Reform Act.

This bill was unanimously reported out of the Judiciary Committee on April 25, 2 months ago. Apparently an anonymous Republican Senator has operated to block Senate passage of this bill which, as I said, passed unanimously from the Judiciary Committee.

Normally, I would be willing to wait for the time when some of these holds finally get dropped off, but I thought it was important for my colleagues on both sides of the aisle to know about this. It is troubling to me that an anonymous Republican Senator would block passage of what is a bipartisan bill, a bipartisan bill to improve the FBI, the Nation's leading

counterterrorism agency, at the same time the President has sought bipartisan efforts to pass his proposed homeland security reorganization.

I hope the White House will ask their fellow party members why they would hold up this legislation.

I urge the Republican Member or Members with the hold on this legislation to remove the hold and allow us to discuss whatever issue on the merits they may have.

The press reported yesterday that two new FBI whistleblowers have come forward and provided information which might be crucial to the FBI's antiterrorism efforts. At least one of those whistleblowers has also provided information to the staff of the Judiciary Committee that suggests that, in its rush to beef up its translation capabilities after September 11, the FBI may have relaxed both quality control and its own security standards.

The Post also reports that some of the allegations made by this whistleblower have been verified, but still, even though verified, the woman who raised these concerns, who raised these legitimate security issues post-September 11, was fired by the FBI for "disruptiveness," their words.

Because the Department of Justice inspector general is looking into this matter, Senator GRASSLEY and I sent a letter to his office based upon what we learned about the incident. This whistleblower makes allegations that amount to far more than just a "he-said, she-said" internal office dispute. Rather, her allegations raise significant security issues that should be addressed as part of the inspector general's review.

The letter Senator GRASSLEY and I sent posed specific questions we hope the inspector general will examine as part of his investigation, including whether the reaction to this woman's report is likely to chill further reporting of security breaches by FBI employees.

What we are concerned about is, if you have an FBI agent who is aware of a security breach, will they be willing to come forward and tell about that, or will they fear they may be fired? It is not a good management practice for the FBI to fire the person who reports a security breach while nothing happens to the person who allegedly committed the breach. That could mean if you commit a breach, you might get away with it, but if you report it, you are out of here. That is a concern we have. That is not the way it should be.

That is precisely the kind of culture Judge Webster found helped FBI Supervisory Agent Robert Hanssen to get away with spying for the Russians. He got away with that spying for 20 years.

Since the attacks of September 11 and the anthrax attacks last fall, we have relied on the FBI to detect and prevent acts of catastrophic terrorism that endanger the lives of the American people and the institutions of our