

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

country. FBI reform was already important, but the terrorist attacks suffered by this country last year have imposed even greater urgency on improving the FBI. The Bureau is our front line of domestic defense against terrorists. It needs to be as great as possible.

Even before those attacks, the Judiciary Committee's oversight hearings revealed some very serious problems at the FBI that needed strong congressional action to fix. We continue this oversight of the Department of Justice and the FBI. We heard about a double standard in evaluations and discipline. We heard about record and information management problems and communications breakdowns between field offices and headquarters that led to the belated production of documents in the Oklahoma City bombing case. Despite the fact that we have poured money—billions of dollars—into the FBI over the last 5 years, we heard the FBI's computer systems were in dire need of modernization.

In fact, most children in grade school in my State have access, many times, to better computer systems.

We heard about how an FBI supervisor, Robert Hanssen, was able to sell critical secrets to the Russians, undetected for years, and he never even had a polygraph. We heard that there were no fewer than 15 different areas of security the Justice Department needed to fix at the FBI.

The FBI Reform Act tackles these problems with improved accountability, improved security both inside and outside the FBI, and required planning to ensure that the FBI is prepared to deal with a multitude of challenges we are facing.

As I said, it was unanimously reported by both Republicans and Democrats on the Judiciary Committee. It reflects our determination to make sure the FBI is as good and strong as it can be—probably more important, as good and as strong as America needs it to be. That reform bill is a long stride toward the goal.

The case reported in yesterday's Washington Post and the matters raised by Minneapolis Field Office Agent Coleen M. Rowley in her May 21, 2002 letter and subsequent testimony critiquing the handling of the Moussaoui case by FBI Headquarters personnel provide case studies for many of the precise issues that S. 1774, the FBI Reform Act, addresses and why its passage is so critical in the FBI's effort to fight terrorism. The Leahy-Grassley bill expands whistleblower protections to ensure that FBI whistleblowers get the same protections as other government employees.

The FBI is currently exempted from the Whistleblower Protection Act, and its employees are only protected by internal Department of Justice regulations. For example, while Special Agent Rowley's letter to the FBI Director and the Inspector General is protected under these regulations, three of

the five people to whom she sent her letter were Members of Congress and are not covered under the current regulations. Moreover, her testimony at the June 6 Judiciary Committee oversight hearing, and before any other committee or subcommittee of the Congress, is not protected under the current regulations. Even a report or complaint to her immediate FBI supervisors would not be protected under the current regulations. That is why the FBI Director's personal guaranty, and the Attorney General's assurances, that she would be protected against retaliations is so important. The Leahy-Grassley FBI Reform Act would extend whistleblower protection for FBI employees to all these disclosures.

The FBI Reform Act would also put an end to statutory restrictions that contribute to the "double standard," where senior management officials are not disciplined as harshly for misconduct as line agents are. Agent Rowley complained about this double standard, as have other FBI agents who have helped the Judiciary Committee craft solutions to the FBI's problems.

The bill would provide expanded statutory authority for the DOJ Inspector General to investigate internal problems at the FBI and help design comprehensive, systematic solutions. It would create the Career Security Officer Program that Judge Webster and FBI officials have endorsed to prevent security breaches.

These are not partisan provisions. The FBI Reform Act is the result of bipartisan oversight hearings which the Judiciary Committee has conducted over the last year. It was reported out of Committee unanimously. Now, when it reaches the Senate floor, it is being blocked anonymously. The future of the FBI is too important for politics. Too many Americans depend on it for their safety.

On June 7, 2002, I delivered a statement that highlighted Republican holds on four important bipartisan pieces of legislation, including important anti-terrorism legislation aimed at curbing terrorist bombings.

Less than a week later, the United States Embassy in Karachi, Pakistan was bombed. The next morning, the Senate passed my bill, S. 1770, to deal with that issue.

I now appeal to the Republican Senator or Senators blocking the FBI Reform Act to remove your hold so that we may pass this bill. The American people deserve action, not politics as usual.

Senator GRASSLEY and I would never be seen as ideological soulmates, but we are joined together in wanting to improve this aspect of the FBI, and we have had key Republicans and key Democrats join us.

Let the bill go forward. The American people deserve this action, not politics as usual.

I ask unanimous consent that yesterday's Washington Post article and the letter I sent with Senator GRASSLEY to

the Justice Department inspector general be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 19, 2002.

Hon. GLEN A. FINE,
Inspector General, Department of Justice,
Washington, DC.

DEAR MR. FINE: The Senate Judiciary Committee has received unclassified information from the FBI regarding allegations made by Ms. Sibel D. Edmonds, a former FBI contract linguist, that your office is currently investigating. We request that, as this investigation progresses, you consider the following questions on this matter:

(1) Ms. Edmonds has alleged, and the FBI has confirmed, that the FBI assigned a contract language "monitor" to Guantanamo Bay, Cuba, contrary to clear FBI policy that only more qualified "linguists" be assigned to Guantanamo Bay. What circumstances led to the contract language monitor being considered qualified for this assignment, and what were the consequences, if any, for the effectiveness of the interrogation of those being detained at Guantanamo?

(2) Ms. Edmonds has alleged, and the FBI has confirmed, that another contract linguist in the FBI unit to which Ms. Edmonds was assigned failed to translate at least two communications reflecting a foreign official's handling of intelligence matters. The FBI has confirmed that the contract linguist had "unreported contracts" with that foreign official. To what extent did that contract linguist have any additional unreported or reported contacts with that foreign official? What counterintelligence inquiries or assessments, if any, were made with respect to those contacts? Do you plan to interview field office and headquarters counterintelligence personnel regarding this matter?

(3) The FBI has said that, to review the other contract linguist's work that Ms. Edmonds questioned, it used three linguists in its language division, a supervisory special agent, and special agents who worked on the case that generated the communications under review. Was this a "blind" review by the linguists, or did they know the person whose work was under review? Were the linguists sufficiently independent to make objective judgments about the translations in question? Would it have been appropriate to use linguists from outside the FBI?

(4) The FBI has said a determination was made by the supervisory special agent that the contract linguist whose work was reviewed made a mistake and that the matter was a training issue. Did this agent's position affect his ability to render an objective judgment? What input did the other special agents provide? Did their involvement in the case that generated the communications affect their ability to make an objective judgment about a person with whom they had worked on the case? Would it have been better to ask other counterintelligence agents to assess the importance of the untranslated information and the reason it was not translated?

(5) To what extent is the credibility of witnesses regarding Ms. Edmonds' allegations affected by their continuing employment in the same translation unit and under the same supervisor where the contract linguist discussed in question (2) is employed.

(6) The FBI has said that Ms. Edmonds prepared two classified documents with respect to her allegations on her home computer without authorization and that one witness reported Ms. Edmonds discussed classified

information regarding her allegations in the presence of three uncleared members of her family without authorization. Would these actions disqualify her from a security clearance, given the circumstances of her concern about a foreign attempt to penetrate or influence FBI operations at her workplace?

(7) What guidance is provided to FBI contract linguists as to the steps they should take if they are concerned about a possible foreign attempt to penetrate or influence FBI operations? How well is this guidance understood by contract linguists in the FBI translation centers and other FBI personnel who would handle such matters?

(8) What improvements, if any, are needed to encourage FBI contract linguists and other FBI contract personnel to come forward with such counterintelligence concerns and to ensure that they are not adversely affected as a result of seeking to assist FBI counterintelligence efforts? Was Ms. Edmonds' case handled in a manner that would encourage such reporting in the future?

Please let us know the timetable for your investigation and advise us of the results.

Sincerely,

PATRICK LEAHY,
Chairman.

CHARLES E. GRASSLEY,
United States Senator.

[From the Washington Post, June 19, 2002]

2 FBI WHISTLE BLOWERS ALLEGE LAX SECURITY, POSSIBLE ESPIONAGE

(By James V. Grimaldi)

In separate case, two new FBI whistle-blowers are alleging mismanagement and lax security—and in one case possible espionage—among those who translate and oversee some of the FBI's most sensitive, top-secret wiretaps in counterintelligence and counterterrorist investigations.

The allegations of one of the whistle-blowers have prompted two key senators—Judiciary Chairman Patrick J. Leahy (D-VT) and Charles E. Grassley (R-Iowa)—to pose critical questions about the FBI division working on the front line of gathering and analyzing wiretaps.

That whistle-blower, Sibel Edmonds, 32, a former wiretap translator in the Washington field office, raised suspicions about a co-worker's connections to a group under surveillance.

Under pressure, FBI officials have investigated and verified the veracity of parts of Edmonds' story, according to documents and people familiar with an FBI briefing of congressional staff. Leahy and Grassley summoned the FBI to Capitol Hill on Monday for a private explanation, people familiar with the briefing said.

The FBI confirmed that Edmonds' co-worker had been part of an organization that was a target of top-secret surveillance and that the same co-worker had "unreported contacts" with a foreign government official subject to the surveillance, according to a letter from the two senators to the Justice Department's Office of the Inspector General. In addition, the linguist failed to translate two communications from the targeted foreign government official, the letter said.

"This whistleblower raised serious questions about potential security problems and the integrity of important translations made by the FBI," Grassley said in a statement. "She made these allegations in good faith and even though the deck was stacked against her. The FBI even admits to a number of her allegations, and on other allegations, the bureau's explanation leaves me skeptical."

The allegations add a new dimension to the growing criticism of the FBI, which has cen-

tered in recent weeks on the bureau's failure to heed internal warnings about al-Qaida leading up to the Sept. 11 terrorist attacks. Last month, FBI agent Coleen Rowley also complained about systemic problems before the attacks. Rowley works in Minneapolis, where agents in August unsuccessfully tried to get a search warrant to look into the laptop computer of a man now described as the "20th hijacker."

Finding capable and trustworthy translators has been a special challenge in the terrorism war. FBI officials told government auditors in January that translator shortages have resulted in "the accumulation of thousands of hours of audio tapes and pages" of untranslated material. After the attacks, FBI Director Robert S. Mueller III issued a plea for translators, and hundreds of people applied.

Margaret Gulotta, chief of language services at the FBI, said the bureau has hired 400 translators in two years, significantly reducing the backlog on high-priority cases while upholding strict background checks. "We have not compromised our standards in terms of language proficiency and security," Gulotta said.

In the second whistle-blower case, John M. Cole, 41, program manager for FBI foreign intelligence investigations covering India, Pakistan and Afghanistan, said counterintelligence and counterterrorism training has declined drastically in recent years as part of a continuing pattern of poor management.

Cole also said he had observed what he believed was a security lapse regarding the screening and hiring of translators. "I thought we had all these new security procedures in place, in light of [FBI spy Robert P.] Hanssen," Cole said. "No one is going by the rules and regulations and whatever policy may be implemented."

Edmonds and Cole have written about their concerns to high-level FBI officials. Edmonds wrote to Dale Watson, the bureau's counterterrorism chief, and Cole wrote to Mueller. Both cases have been referred to Justice's Office of the Inspector General, which is investigating, government officials confirmed.

The FBI said it was unable to corroborate an allegation by Edmonds that she was approached to join the targeted group. Edmonds said she told Dennis Saccher, a special agent in the Washington field office who was conducting the surveillance, about the co-worker's actions and Saccher replied. It looks like espionage to me," Saccher declined to comment when contacted by a reporter.

Edmonds was fired in March after she reported her concerns. Government officials said the FBI fired her because her "disruptiveness" hurt her on-the-job "performance." Edmonds said she believes she was fired in retaliation for reporting on her co-worker.

Edmonds began working at the FBI in late September. In an interview, she said she became particularly alarmed when she discovered that a recently hired FBI translator was saying that she belonged to Middle Eastern organization whose taped conversations she had been translating for FBI counterintelligence agents. Officials asked that the name of the target group not be revealed for national security reasons.

A Washington Post reporter discovered Edmonds' name in her whistle-blowing letters to federal and congressional officials and approached her for an interview.

Edmonds said that on several occasions, the translator tried to recruit her to join the targeted foreign group. "This person told us she worked for our target organization," Edmonds said in an interview. "These are the people we are targeting, monitoring."

Edmonds would not identify the other translator, but The Post has learned from other sources that she is a 33-year-old U.S. citizen whose native country is home to the target group. Both Edmonds and the other translator are U.S. citizens who trace their ethnicity to the same Middle Eastern country. Reached by telephone last week, the woman, who works under contract for the FBI's Washington field office, declined to comment.

In December, Edmonds said the woman and her husband, a U.S. military officer, suggested during a hastily arranged visit to Edmonds' Northern Virginia home on a Sunday morning that Edmonds join the group.

"He said, 'Are you a member of the particular organization?'" Edmonds recalled the woman's husband saying. "[He said,] 'It's a very good place to be a member. There are a lot of advantages of being with this organization and doing things together'—this is our targeted organization—and one of the greatest things about it is you can have an early, an unexpected, early retirement. And you will be totally set if you go to that specific country."

Edmonds also said the woman's husband told her she would be admitted to the group, especially if she said she worked for the FBI.

Later, Edmonds said, the woman approached her with a list dividing up individuals whose phone lines were being secretly tapped. Under the plan, the woman would translate conversations of her former co-workers in the target organization, and Edmonds would handle other phone calls. Edmonds said she refused and that the woman told her that her lack of cooperation could put her family in danger.

Edmonds said she also brought her concerns to her supervisor and other FBI officials in the Washington field office. When no action was taken, she said, she reported her concerns to the FBI's Office of Professional Responsibility, then to Justice's inspector general.

"Investigations are being compromised," Edmonds wrote to the inspector general's office in March. "Incorrect or misleading translations are being sent to agents in the field. Translations are being blocked and circumvented."

Government officials familiar with the matter who asked not to be identified said that both Edmonds and the woman were given polygraph examinations by the FBI and that both passed.

Edmonds had been found to have breached security, FBI officials told Senate investigators. Edmonds said that two of those alleged breaches were related to specific instruction by a supervisor to prepare a report on the other translator on her home computer.

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 last 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 29, 2000 in Mahwah, NJ. Two gay men were beaten in an apartment complex parking lot. The assailant, William Courain, 26, was at an apartment complex party when he began making obscene remarks to several of the guests about their sexual