

hood. Does it have the souped-up engine that we are being promised, or is this another dressed-up jalopy? And, more importantly, as this missile defense hot-rod charges down the road with its throttle wide open and the Anti-Ballistic Missile Treaty in the rear-view mirror, is the scrutiny of Congress and the American people being left in the dust?

As part of its normal oversight duties, the Armed Services Committee has requested from the Department of Defense information relating to cost estimates and performance measures for various components of the missile defense research program that is underway. This kind of information is essential to allowing Congress to render its own assessment of whether these programs are on-budget and meeting expectations.

As the Armed Services Committee began hearings on the fiscal year 2003 Defense budget request in February 2002, we requested basic information from the Department of Defense on its proposed missile defense program. We asked for cost estimates, development schedules, and performance milestones. But the committee has not received the information. It is as though the Department of Defense does not want Congress to know what we are getting for the \$7.8 billion in missile defense funds that were appropriated last year.

On March 7, 2002, at an Armed Services Committee hearing, I questioned the Pentagon's chief of acquisition, Under Secretary Pete Aldridge, about the delays in providing this information to Congress. He answered my questions with what I believed was an unequivocal statement that he would make sure that Congress gets the information it needs.

Three and a half months later, we still have not received the information that we requested. It also seems that the Pentagon is developing a new aspect of its strategy in its consultations with Congress and the American people. On June 9, 2002, The Los Angeles Times ran an article entitled, "Missile Data To Be Kept Secret." The Washington Post ran a similar story on June 12, "Secrecy On Missile Defense Grows." The two articles detail a decision to begin classifying as "secret" certain types of basic information about missile defense tests.

These missile defense tests use decoys to challenge our anti-missile system to pick out and destroy the right target, which would be a warhead hurtling toward the United States at thousands of miles per hour. According to the newspaper articles, the Pentagon will no longer release to the public descriptions of what types of decoys are used in a missile defense test to fool our anti-missile radars. This information will be classified.

Independent engineers and scientists who lack security clearances will have no means to form an opinion on the rigor of this aspect of missile defense tests. No longer will the experts out-

side the government be able to make informed comments on whether a missile defense test is a realistic challenge to a developmental system, or a stacked deck on which a bet in favor of our rudimentary anti-missile system is a sure winner.

I do not think that it is a coincidence that independent scientists have criticized the realism of past missile defense tests because the decoys used were not realistic. I cannot help but be left with the impression that the sole reason for classifying this kind of basic information is to squelch criticism about the missile defense program.

Should this basic information about our missile defense program be protected by the cloak of government secrecy? If the tests are rigorous and our anti-missile system is meeting our expectations, would it not be to our advantage to let our adversaries know how effective this system will be?

But perhaps this national missile defense system is not progressing as rapidly as hoped. Then would it not be to our advantage to encourage constructive criticism in order to improve the system? In either case, I cannot see how these secrecy edicts will promote the development of a missile defense system that actually works.

The bottom line is that Congress and the American people must know whether the huge sums that are being spent on missile defense will increase our national security. Since September 11, we have been consumed with debates about homeland security. What is this system intended to be but a protection of our homeland?

Do we believe that American people can be entrusted with information about their own security? I certainly think so. Without a doubt, we need to carefully guard information that would compromise our national defense, but public scrutiny of our missile defense program is not an inherent threat to our security.

In April, the Appropriations Committee heard testimony from a number of people with expertise in homeland security. We heard many warnings about the peril of losing public trust in our Government. No matter if the threat is terrorists with biological weapons or rogue states with missiles, we must not jeopardize the trust of the American people in their Government. If the missile defense system does not work as it is supposed to do, and we hide its shortcomings inside "top secret" folders and other red tape, we will be setting ourselves up for a sure fall. We ought to have more, not fewer, independent reviews of our antimissile system.

So I oppose the amendment to increase missile defense funding in this bill by \$812 million. The Department of Defense has shown it is more than willing to delay and obfuscate details about what it is doing on missile defense, and I cannot understand the logic of increasing funds for an anti-

missile system that is the subject of greater and greater secrecy. It does not make sense to devote more money to a system of questionable utility before there is a consensus of independent views that an antimissile system is technologically feasible. The missile defense system that we are developing needs more scrutiny, not more secrecy, more assessment, not more money.

In the next few days, the Senate will vote on this bill and authorize billions of dollars in missile defense funds. While the Pentagon will continue to portray these programs as a hot rod that is speeding toward success, one thing is certain: this hot rod is running on almost \$8 billion in taxpayer money this year. Talk about a gas guzzler! If Congress is not allowed to kick the tires, check the oil and look under the hood, this rig could fall apart and leave us all stranded.

#### IMMEDIATE ACTION FOR AMTRAK

Mr. BYRD. Mr. President, the Nation faces a transportation crisis. Amtrak, the country's passenger rail service, is running out of dough—D-O-U-G-H—money, that green stuff, funds, what makes the cash registers ring, funds, and its passengers are running out of time. Without an infusion of funding quickly, Amtrak will stop all operations within the next very few days.

If Amtrak closes, the Nation's transportation system will be thrown into chaos. All of Amtrak's 68,000 daily riders will be without service. Thousands of vacation passengers who have already paid money for Amtrak tickets will be left stranded at the station. Commuter railroads from East to West will be completely shut down.

For example, Washington's Union Station is just a few blocks from this Capitol. None of the Maryland or Virginia commuter rail trains will be able to access Union Station. Why? Because Amtrak owns the station. The Virginia trains will not operate at all because Amtrak runs the trains.

The commuter rail authorities in Philadelphia, New York City, and in many parts of New Jersey will stop running. Why? Why will they stop running? Because Amtrak provides the electricity for those trains to operate.

Access to Penn Station in New York City the single busiest rail station in the country will be limited. Why? Because Amtrak already has mortgaged away parts of that station.

In Boston, tens of thousands of commuters daily rely on Amtrak because it operates commuter lines under contract with the State of Massachusetts. Those commuters will have to find a new way to get to work. Why? Because their trains will not be running.

Out West, in California, all "Caltrains" service will be halted. Why? Why, I ask? Because Amtrak operates those trains. That is why. The same can be said for the "Sounder Commuter Rail Service" in Seattle.

Without Amtrak service, these passengers will take to the highways and

the airways. The traffic jams that are already difficult to navigate will grow by thousands, tens of thousands of cars. How would you like that? The airways between Boston, New York, and Washington already comprise the most congested airspace in the entire country. The air traffic control system cannot simply absorb dozens of additional flights during peak business travel times.

Mr. President, the July 4th holiday is almost upon us. As the celebrations approach, the warnings for potential terrorist attacks grow louder. We should heed those warnings and ensure that Amtrak stays open. Amtrak has a vital homeland security role. The railroad is a viable transportation alternative to highways and airways. To allow Amtrak to close its doors now, when the terrorist threats and the attack warnings come almost daily, would be irresponsible, wouldn't it? It seems to me it would be. To take away the safety net for the traveling public would be foolhardy, wouldn't it? Wouldn't it be? I would think so.

We also must consider the ramifications to the Nation's economy if Amtrak is allowed to file for bankruptcy. Immediately, more than 20,000 Amtrak employees would lose their jobs. That is 20,000 families without paychecks, 20,000 families without health care benefits. Thousands more jobs at commuter lines, suppliers, and vendors would be in jeopardy. In the blink of an eye, the Nation's economy would be dealt a devastating blow in States from coast to coast. With the economy in a precarious state as it is, with the markets fluctuating by the day, it makes no sense—none—to allow Amtrak to close.

With the support of the ranking member of the Senate Appropriations Committee, Senator STEVENS of Alaska, I have proposed, in our discussions with House conferees on the supplemental appropriations bill, that the supplemental appropriations bill, currently pending in conference, include at least \$205 million for Amtrak to keep trains running through the end of the fiscal year. With the looming crisis facing the Nation's passenger rail service, we should insist that this funding for Amtrak be part of the final version of the bill, hopefully to be considered by Congress this week.

The Senate included \$55 million for Amtrak emergency repairs in its version of the supplemental bill which passed on June 7 by an overwhelming margin of 71 to 22. The House did not include any funds for Amtrak in its bill. The conference report on the supplemental bill would build on the package already approved by the Senate and provide sufficient funding to keep Amtrak on track through the end of this fiscal year.

Last week, Amtrak's new president, David Gunn, testified before the Senate Appropriations Transportation Subcommittee. At that hearing, Mr. Gunn said:

The urgency of this is enormous. We are very near the point of no return.

Those are not ROBERT BYRD's words. They are the words of Mr. David Gunn, new president of Amtrak. Let me repeat them:

The urgency of this is enormous. We are very near the point of no return.

In the days since that hearing, there has been no news that I know about to change Mr. Gunn's assessment of the situation. Amtrak's board of directors has been involved in discussions with Transportation Secretary Norman Mineta and the Federal Railroad Administration. But the national administration, instead of stepping up to the plate and providing Amtrak with the funding that it needs, has pushed for a half-way approach that only delays the crisis.

I have spoken with Secretary Mineta. I have spoken with President Gunn. Following those conversations, it is clear that the best alternative is an emergency appropriation of \$205 million. That is cash on the barrel head. There is no time for creative accounting. There is no time for posturing. There is no time for so-called reforms. We can talk about reforms and improvements later, but we cannot reform a dead railroad. Amtrak needs help. It needs help now.

Last September, when the nation's airline industry was shut down, to whom did Americans turn for transportation? To Amtrak. Since then, Amtrak's ridership has continued to increase, with record numbers of Americans turning to passenger rail service. At a time when the Nation is turning to Amtrak, the Federal Government should not turn its back.

On September 21, after just a few hours of debate, Senators approved \$15 billion for the airline industry. Of those funds, \$10 billion was made available in loan guarantees and \$5 billion in cash for emergency grants. Few questions were asked. The airlines needed this infusion; the airlines got it. Congress acted; the administration acted. We should do the same now.

We did not blink when the airline industry faced a financial crisis. The administration did not urge grand reforms of the airline industry in order to qualify for these funds. Congress did not urge grand reforms of the airline industry in order to qualify for these funds. When asked for help, when the need was clear, Congress and the administration provided help to the airlines. We ought to show the same leadership for the Nation's rail passengers and employees.

The truth of the matter is that none of this has to happen. We can provide a short-term immediate solution for Amtrak to carry it through the fiscal year by enacting the proposal I have made, with the support of Senator STEVENS, in the supplemental appropriations conference, for \$205 million in the supplemental appropriations bill.

I have joined with more than 40 Senators to urge President Bush to support the \$205 million supplemental appro-

priation. As the letter states: The Nation's economy and the Nation's morale have suffered enough since September 11. Allowing the Nation's passenger rail service to shut down would idle more than 20,000 employees and throw the lives of tens of thousands of passengers into disarray. The administration and Congress must not allow this to happen.

Quite simply, Amtrak is vital. It is vital to those Americans who rely on Amtrak for their daily commute to and from work. It is vital to those Americans who use Amtrak for their vacation travel. It is vital to thousands of rail employees. It is vital to our Nation's homeland security. Congress should move ahead with an emergency appropriation for Amtrak and stave off the bankruptcy that would result in absolute chaos for the Nation's transportation network and would give certitude and assurance to Amtrak that the Federal Government, Congress, and the administration do not intend to let it happen to Amtrak; that the Federal Government, that Congress and the administration, stand ready to act, and act quickly. The administration and the congressional leadership should support the addition of \$205 million in the supplemental appropriations bill for Amtrak.

I yield the floor.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003—Continued

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, we have in many ways a good Defense authorization bill. I am sorry we are debating again this year over national missile defense.

Last year, the same debate occurred. It was about the only major disagreement we had over the Defense authorization bill, but it is a very important issue. It is important to the people of the United States. It is important to the President and the Secretary of Defense who are charged with defending our homeland against attack. We have to debate it again this year. That is healthy. That is what this body is all about.

In 1999, it is important to recall, the Senate voted 97 to 3 to "deploy as soon as technologically feasible a national missile defense system." That represented the overwhelming consensus of opinion in this body. President Clinton signed that bill. President Clinton stated that he favored the deployment of a national missile defense system.

During the 2000 campaign, Vice President Gore said he was for it. President Bush made quite clear in his campaign for the Presidency that he considered the deployment of a national missile defense system a high priority for America.

We should not fail to note that Vice President Gore's candidate for Vice President, Senator JOE LIEBERMAN, was