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## Senate

The Senate met at 10 a.m., and was called to order by the Honorable ZELL MILLER, a Senator from the State of Georgia.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Cecil H. Perry, of Oak Hill, WV, a guest of Senator ROBERT BYRD.

### PRAYER

The guest Chaplain offered the following prayer:

As we pause to pray, we are grateful for this wonderful privilege the Bible says in John 9:31 is only given to those that worship God and do His will. It is a time in which the almighty God, the God of Heaven and Earth, the only true living God, condescends to be here in this most precious hour before this group of American citizens exercising one of the freedoms they possess—that of assembly, seeking to bring to fruition matters that are good and best for our beloved Nation—America under God.

God, we pray that You will smile upon these Senators who chose a life of public service. Strengthen them that they can give their full measure of service in this session and all future ones, remembering that God's word is the final authority in all matters.

In the name of Jesus I pray. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable ZELL MILLER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 3, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ZELL MILLER, a Senator from the State of Georgia, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. MILLER thereupon assumed the chair as Acting President pro tempore.

### ORDER OF PROCEDURE

Mr. REID. Senator BYRD, the President pro tempore of the Senate, is in the Chamber this morning and is going to make some comments regarding the guest Chaplain. I ask unanimous consent that Senator BYRD be recognized for whatever time he feels is appropriate. Following that, after the Chair announces morning business, the Republican time has already been set aside as the first half hour. I ask unanimous consent that Senator WELLSTONE be recognized for the second half hour and that the time of Senator BYRD precede the time for morning business and would not take any part of that half hour from either the majority or the minority.

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

### MEASURES PLACED ON THE CALENDAR—S.J. RES. 45, H.R. 3534, AND H.R. 4793

Mr. REID. There are two bills and a joint resolution at the desk, S.J. Res. 45, H.R. 3534, and H.R. 4973, having been read the first time, is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. REID. I ask unanimous consent that it be in order for these bills and the joint resolution to receive a second

reading en bloc, but then I would object to any further proceedings on these matters.

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

The clerk will read the bills and joint resolution by title.

The assistant legislative clerk read the bills and joint resolution as follows:

A joint resolution (S.J. Res. 45) to authorize the use of United States Armed Forces against Iraq.

A bill (H.R. 4793) to authorize grants through the Centers for Disease Control and Prevention for mosquito control programs to prevent mosquito-borne diseases.

A bill (H.R. 3534) to provide for the settlement of certain land claims of Cherokee, Choctaw, and Chickasaw Nations to the Arkansas Riverbed in Oklahoma.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills and joint resolution will be placed on the calendar.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia is recognized.

### WELCOME AND HAPPY BIRTHDAY TO REVEREND CECIL PERRY OF WEST VIRGINIA

Mr. BYRD. Mr. President, this morning's inspirational invocation was delivered by the Rev. Cecil Perry from Oak Hill, WV. I am pleased and proud to announce today, October 3, is the Reverend Mr. Perry's 85th birthday.

I am also pleased and proud to point out that more than 50 years ago—as a matter of fact, it was more than 60 years ago—Mr. Perry and I worked together as meat cutters in the New River Company Store near Beckley, WV. Our careers took us on different paths. Mine became a career in public service. Mr. Perry became a coal miner. That is a very honorable title, a "coal miner." The man who raised me was a coal miner. My wife's father was a coal miner. My wife's brother-in-law

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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died of silicosis pneumoconiosis, which he contracted through working in the coal mines. His father was killed by a slate fall in a coal mine. So the coal miners have a great heritage of which they can be proud.

After attending the Appalachian Bible Institute, the Reverend Mr. Perry was ordained in 1957 as a Baptist minister. For the next 40 years, he preached the word of God throughout southern West Virginia.

The Senate chaplain's office, at my request, invited Mr. Perry to come to the Nation's Capital and deliver the Senate prayer for us today. I am pleased the Reverend Mr. Perry brought with him his wonderful family, including his son David Perry, who is a delegate in the West Virginia State legislature, and also his daughter Nancy James. Accompanying them are Cecil Perry's 4 grandchildren and 12 great grandchildren. I am glad the family has come to Washington and is visiting the U.S. Capitol. I trust they will return to the hills of our beloved West Virginia rewarded and informed by their visit here.

The Scriptures say: "Let the elders that rule well be counted worthy of double honor, especially they who labor in the word and doctrine"—1 Timothy 5:17.

The Reverend Mr. Perry has "ruled well." He has "labor[ed] in the word and doctrine." He is "worthy of double honor."

I am delighted, as a Senator from West Virginia, in having this good man visit the Senate today, and I thank him for helping us to begin our day with his eloquent and uplifting words which were not written but came from the heart. Happy Birthday, Mr. Perry.

Last night, I passed beside the blacksmith's door

And heard the anvil ring the vesper chime  
And looking in I saw upon the floor  
Old hammers, worn with beating years of time

"How many anvils have you had", said I  
"To wear and batter all these hammers so?"  
"Only one," the blacksmith said, with twinkling eye.

"The anvil wears the hammers out, you know."

And so, the Bible, anvil of God's Word  
For centuries, skeptic blows have beat upon  
And though the noise of falling blows was heard,

The anvil is unharmed—the hammers, gone.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 11:30 a.m. with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the first half of the time shall be under the con-

trol of the Republican leader or his designee.

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

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

#### DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT

Mr. SESSIONS. Mr. President, we are considering the conference report on the Department of Justice Authorization Act. I would like to highlight a few matters in that bill that I believe are important to justice in America.

I serve on the Senate Judiciary Committee and have wrestled with a number of these issues, both as a Federal prosecutor and as a member of the committee. I think there are some good things in the bill, and I would like to make a few points that I think are important.

One thing I know the chairman is interested in and has been a leader in supporting is the Coverdell forensic science legislation, named for former Senator Coverdell of Georgia, who is now deceased. I know that Senator MILLER, the Acting President pro tempore, has been instrumental and helpful in making this bill a reality.

The reason it is important is this. Throughout our entire criminal justice system, it is my view that delay is hurting justice in America. Cases take far longer than necessary to reach a conclusion, and justice delayed is justice denied. When a criminal is caught in a significant drug case, dealing drugs or some other offense, and time goes by, month after month after month, and that person is released on bail, back in the community amongst maybe his friends and criminal element and others who are looking to see if anything is going to happen to the person who got caught burglarizing an automobile or home or selling drugs, and a year or more goes by and nothing happens—that is a problem. It undermines respect for law. It undermines the integrity of the criminal justice system. It is not right.

We had in my State recently the worst murder in the history of Alabama. No one can think of a more serious one. Six people were murdered. The individual who murdered those people had been out on bail and was out on bail at that time because the chemical analysis on the drugs he had sold had not yet come back from the State laboratory.

As a professional prosecutor for most of my life, nearly 15 years, I would say to you that on a regular basis in courts all over America, a delay in getting fingerprints, ballistics, drug analysis, and DNA is slowing down justice. It is

allowing criminals to stay free. It is allowing people to remain under a cloud who might be found innocent when an analysis comes back. It is not a good situation. We need to highlight that, and the Coverdell bill provides States support for State laboratories to encourage them to get caught up and stay where they ought to be.

In my view, if it takes no more than a few hours to do a laboratory analysis on a powder to find out if it is cocaine, why can't we get it back in a matter of days? I think our goal in America should not be weeks, it should not be months, but it should be days when these reports come back. It does not take more time, and it does not really cost more money to have a chemical analysis done today rather than waiting 6 months to do that chemical analysis. So I would just say that is important.

I am glad we strengthened that bill with some amendments in this language. There are appropriations of some \$35 million in the appropriations bill that will go along with this. We are moving in the right direction.

In my view, the single greatest bottleneck in the criminal justice system today is the forensic capability. We are far too far behind on that. When you consider all the people we are hiring in police, law enforcement, judges, jails, sheriffs, deputies and all those, the very few we have on forensic work that is slowing down all of their work is a weakness in the system that I think ought to be fixed.

This bill does something else that I think is important. The Boys and Girls Clubs in America are proven to be some of the finest agencies anywhere for the delivery of services, hope, and encouragement to young people in poor areas of our country. They have done tremendous work. I have visited centers in Huntsville, Mobile, and other places. I have talked with their leadership and studied their programs. It is a tremendous program.

We are providing, through this bill, greater help to them. They are managing personnel and managing the money that they get efficiently, to get the greatest possible benefit for young people in communities all across America. I am glad we are doing that.

The bill provides for additional monies for drug courts. The first drug court began in Miami. Judge Goldstein and a couple of other judges developed a concept where many people involved with the criminal justice system, both with drug charges and other criminal charges could get help with the root of the problem, their serious drug habits. They believed that if those individuals were carefully monitored under the supervision of a judge who could order them to jail if they did not cooperate, improved behavior could occur, the drug use could be prevented or reduced, treatment could be carried out effectively, and our crime rates would go down.

The numbers seem to bear that out. In fact, they cited exceedingly positive