

The Senate has passed appropriation bills for the legislative branch, military construction, and homeland security, with 8 others ready for floor action upon our return in September.

After 42 days of consideration during the past 2 years, the Senate has passed an energy bill.

After more than a decade of repression, the Senate has passed the *Burmes Freedom and Democracy Act*.

And to ensure funding of any disasters that may arise prior to the Congress' return in September, the Senate has enacted an emergency supplemental for FEMA funding.

Looking to the earlier part of the year, the Senate, extended unemployment benefits to those who need it—twice; passed the 11 unfinished spending bills from the last Congress; funded Operation Iraqi Freedom; initiated the protection of Homeland by confirming the nomination of the first Secretary of the Department of Homeland Security; maintained fiscal discipline by passing the Federal budget which the Senate failed to do last year; enacted the President's plans to create jobs and stimulate the economy; banned the horrific practice of partial birth abortion; passed the President's faith-based initiative; funded the effort to eradicate the scourge of global AIDS; acted to guard our children against abduction and exploitation by passing the PROTECT Act; improved safeguards from foreign terrorists by enacting the FISA bill; expanded of NATO to include most of the former Warsaw Pact countries; passed a significant arms reduction treaty with enemy turned ally, Russia; taken steps to bridge the digital divide by providing needed funds to historically black colleges; affirmed the constitutionality of using the term "under God" in the Pledge of Allegiance; awarded a Congressional Gold Medal to Prime Minister Tony Blair; and provided tax equity to men and women in our Nation's Armed Forces.

This is a record all Senators can be particularly proud of. There is much yet to be done, but we have had an extraordinary first half of the year. Members of the Senate can go back to their States with a good feeling they have made great progress for our people.

I yield the floor.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senate will begin a period of morning business with Senators permitted to speak therein for up to 10 minutes.

The Senator from New Mexico.

#### ENERGY POLICY

Mr. BINGAMAN. Mr. President, let me speak very briefly in regard to the

Energy bill that we passed here last night. As I just did personally, let me congratulate the majority leader on the decision he and the minority leader, Senator DASCHLE, made to move ahead and take the bill that was developed and had strong bipartisan support in the previous Congress and send that to the conference with the House as the democratically passed bill.

I think that was the right decision. That bill, as many have said, had a strong majority in the previous Congress. I think there were 88 Senators voting for it. There were nearly that many voting for it last night when it, once again, passed the Senate. I think that does allow us to move to the next stage of the process of actually writing a comprehensive Energy bill.

I, like many of my colleagues on the Democratic side, strongly support enacting a comprehensive bill. We have worked very hard to do that in the previous Congress. We worked hard to do that in this Congress, and to assist the majority in the development of the bill.

I believe strongly that the amendments that were offered to the bill that my colleague, Senator DOMENICI, brought to the floor were constructive amendments, were intended to improve the bill, were intended to get us in a better position to serve the needs of the country as far as energy is concerned over the next years and decades.

I think this result is a good one. Like all successful results in Congress, nobody won everything; nobody lost everything. There were wins and losses on both sides. I think that is the nature of compromise. But the end result is the American people will win. We will be able to go to conference now and hopefully develop an Energy bill that will continue to enjoy strong bipartisan support.

That is a challenge, as I see it. We have come a long way in a bipartisan way. We have had disagreements about particular provisions of the bill, but by and large we have been willing to resolve those differences and come up with something that makes good sense for the country. That same process needs to continue in the conference. I am confident it will.

Again, my colleague Senator DOMENICI will chair that conference. We had some disagreement in the previous Congress as to whether the Senate or House chairman should be the chair of the conference. We concluded that, based on precedent and all, in the 107th Congress the House was entitled to that position. But it is obvious now that in this Congress the Senate is entitled to that position. Senator DOMENICI will chair the conference. I hope to be on the conference once the conferees are named, and I look forward to working with him and with all the other members on the conference to try to ensure that we come up with a good bill that meets our long-term energy needs.

Let me, before I yield the floor, just take a moment to thank the staff, the

Energy Committee staff, the cloakroom staff, and Senator DASCHLE's staff, for the hard work they put in getting us to this point on the energy legislation: On the Democratic committee staff of the Energy Committee: Bob Simon, Sam Fowler, Vicki Thorne, Patty Beneke, Mike Connor, Leon Lowery, Deborah Estes, Jennifer Michael, Bill Wicker, Jonathan Black, Jonathan Epstein, Malini Sekhar, Poonum Agrawal, Amanda Goldman, Shelley Brown, and Rosemarie Calabro.

The Democratic cloakroom staff, of course, is essential to all the progress we make here in the Senate. I want to acknowledge them: Marty Paone, Lula Davis, Nancy Iacomini, Tim Mitchell, Tricia Engle, Bret Wincup, Eric Pederson, Joe Lapia, Ben Vaughan.

I thank all of them and also Senator DASCHLE's excellent staff that is essential to all progress, as well, here in the Senate: Mark Childress, Jonathan Lehman, Peter Umhofer, Mark Patterson, and Michele Ballentine.

I think the result we achieved regarding energy was a good one. We now have a lot of work to do this fall when we return on the conference. I look forward to that. I am confident we can succeed in passing a good, bipartisan bill. I hope that will be the result.

I yield the floor and suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SUNUNU). Without objection, it is so ordered.

#### SUPPLEMENTAL APPROPRIATIONS

Mr. NELSON of Florida. Mr. President, we have passed the supplemental appropriations bill. Because of the lateness of the hour last evening, and the fact that the House had already adjourned, having sent an emergency spending bill to us that basically included disaster relief money to FEMA, almost \$1 billion, we were left with a choice of having to take it or leave it. It certainly was necessary for funding for FEMA for all kinds of emergencies. But, unfortunately, we did not have the opportunity to amend the bill to add additional items of very necessary funding.

One of those is the ongoing investigation into what happened to the Space Shuttle *Columbia*. This commission was established by NASA and headed by retired Navy Admiral Gayman. I have personally visited with them several times, and I am quite impressed with the professionalism of the individual members of the *Columbia* commission.

Certainly I am impressed with the professionalism and the dedication of Admiral Gayman as we anticipate the forthcoming report about what happened to the space shuttle. What was

the cause? What is the fix? I think we can anticipate we are going to see them go much deeper into the organization of NASA itself as to what can be improved. I want to talk about that for a minute.

Let me get to the point about my coming to the floor so I can address this issue. They did not get the money appropriated which they need to continue the investigation. The only place conceivably they could get it is to take it right out of the hide of NASA. Of course, NASA has been starved over the last 10 years, which is part of the reason we got to this point in the first place. Safety was not given the priority it should have been given. Often safety is a reflection of where the resources—the money—is going. Thus, over that decade, right up until recently, NASA was starved of funds and, therefore, they were taking money out of space shuttle safety upgrades and putting it into other areas. That is one of the problems I think the Gayman commission will identify as their report comes forward.

But the supplemental appropriations bill that we passed last night did not provide the appropriation of \$50 million for the Gayman commission when, in fact, it is ongoing and it will be reporting.

The long and short of it is that when we come back in session in September, that is one of the items we will have to address immediately. I think the will is clearly here in the Senate. From talking to the leadership on both sides of the aisle, I think the will is clearly here, and that is an item that we will have to attend to.

Let me say a couple of words about the investigation and what I think they might find. Clearly, the dramatic evidence they have is that this piece of foam that covered one of the support structures for the strut that attaches to the orbiter came off after launch during the ascent. It came off at such a rate and velocity, hitting the leading edge of the wing—that reinforced carbon—that it just blew a hole in it. Yet when the space shuttle got into orbit many engineers in the space agency were saying we ought to take photographs of it. That was denied. The capability of those high resolution photographs is well known, well established, and well reported in the press. That would have shown the breach. The breach was estimated to be probably a half foot. With that kind of photography available, NASA managers would have been able to clearly see it.

Then the question is, What would you do about it? They had the capability because we had another space shuttle already stacked. It was back in the vehicle assembly building. It could have been processed; it could have been done double time. They could have rolled it out to the pad. Unless there was a major hitch, they could have launched it. They could have gotten this launched as a rescue shuttle in time. Another option was they could have

done an EVA—that is an acronym for space walk—from *Columbia* in orbit.

The ingenuity of NASA in a time of peril is just incredible. What that space team, that space family can do to figure out how to take care of problems and how to meet emergencies is incredible.

Let us not forget *Apollo 13*. On the way to the Moon, the major engines exploded. They were losing oxygen. They were losing air pressure. That team went into emergency mode and they figured out how to get those three *Apollo* astronauts back into the lunar lander. Then they figured out how to use the motor of the lunar lander. As the gravity of the Moon caught them and pulled them behind the Moon, they used that motor to kick them out of lunar orbit onto a trajectory back to Earth. All reasonable people thought we were going to have three dead astronauts. Yet the NASA team, the NASA family, even the astronaut who had been bumped from the flight because he had been exposed to the measles—he was on the ground—could go into the simulator and work it real time—figured out how to bring them back. That team, headed by astronaut Jim Lovell, who was in the spacecraft, came back home. They came back home safely. It was an incredible time. It is just another example of the ingenuity and the high-pressure decisionmaking that NASA's family and its team is capable of doing.

Had they known that a hole was blown into the leading edge of the left wing of the Space Shuttle *Columbia* this past February, they, too, would have been able to figure out something that they could do in a space walk to stuff it in. That may not have saved them but we could have tried.

I think the Gayman report will discuss these issues. But I think the Gayman report is also going to discuss some additional points.

It has been well reported in the press that you can expect they are going to talk about the lack of communication and the culture of NASA that discourages communication from the bottom up. That is a culture that leads to intimidation of people coming forth into the open—a culture in which the managers are not encouraging that information. It is kind of like water. It is very easy for water to flow from the top down, but it is very difficult for water to flow from the bottom up. You have to encourage that communication for it to occur.

Interestingly, this same kind of problem occurred 17 years ago in the destruction of the Space Shuttle *Challenger*. There were engineers in Provo, UT, at Morton Thiokol begging their management the night before to stop the countdown on the Space Shuttle *Challenger* because they feared the cold weather was going to stiffen those rubberized gaskets called O-rings which would on launch allow the hot gases to come through the joints of the solid rocket boosters, which is exactly what

happened, and it caused the destruction of the Space Shuttle *Challenger*.

There is a logical reason why it was destroyed, but there is also a culture reason why it was destroyed. That culture was a lack of communication. It was a culture in NASA that did not encourage communication, that was almost intimidation if you dared challenge the authority.

When you are dealing in a research and development agency that is as good as NASA is, you can only expect the very best flow of information in all directions.

So I am looking forward to Admiral Gayman's commission report, which I think will be very helpful as we try to get this problem fixed and get flying again so we can get on with America's space program. Once we address all these culture issues, it is going to be the responsibility of this Congress to help NASA develop a new goal, a new vision, a new mission, that will ignite again the imagination of the American people.

I think in large part that is going to be either us going back to the moon with a lunar colony and/or the next major bold step of sending an international team from planet Earth to planet Mars. That will be an exciting day.

In the meantime, however, we have to do what we did not do last night. We have to fund the investigation as to the destruction of *Columbia*. We have to fund that commission, and not out of the hide of NASA, so that those NASA moneys are not taken away from upgrades in safety. Instead, we have to fund that as we had promised we would fund it.

Mr. President, there was another program we did not fund last night. It is clearly the majority opinion in this Senate that we want to fund AmeriCorps, that we want to continue to have young people have a financial incentive to help out their country, just like we do in the Peace Corps.

We have been down to only 7,500 people in the Peace Corps. We need to at least get that up to 25,000. I have had foreign leaders over the course of the last two and a half decades tell me the Peace Corps is one of the best things America has going for it in our foreign relations.

Also, young people who want to help their country, but not necessarily to do so abroad, ought to be able to do so at home. But, instead, what do we see? The House of Representatives cutting AmeriCorps.

So one of the things we wanted to do last night was to add to the emergency supplemental appropriations bill an additional amount of money so AmeriCorps could stay at least at its present level so it was not cut. That was not done. I am sad it was not done. In the judgment of this Senator, that clearly was not in the best interests of the country.

Indeed, I would like to see a day in which every young person in America

would have an obligation to their country for 1 or 2 years. And that obligation could be their choice of national service. They could go into the military. They could go into the Peace Corps. They could go into AmeriCorps; part of that, the Job Corps. They could go in as teachers' aides. They could do innumerable tasks and, in return, have some financial incentives for their own education, something akin to what we did after the Great War, the GI Bill, where soldiers could come back and go to school.

The politics is not right for that. It would be costly. But that is a goal I think we ought to work toward. Instead, what we are doing is exactly the opposite by cutting AmeriCorps.

#### LIBERIA

Mr. NELSON of Florida. Mr. President, I was looking forward to going right now to a classified briefing on Liberia as part of our Senate Armed Services Committee. It is my understanding that briefing has been canceled because they feel too many of the Senators have already gone back to their States. I am going to still see if we can get that information for those of us on the Armed Services Committee who are still here.

But as we look at Liberia, we cannot keep delaying decisionmaking. I think putting the marines on the boats offshore is clearly a step in the right direction, but this should have been done a couple of weeks ago. Although it wasn't, the marines are in transit, and that is a step in the right direction.

What do we need to do? I think it is clearly in the interest of the United States that we diplomatically—in addition to the military action—make sure the cease-fire we are trying to get in place stays, and to reach out to all sides, including the rebel side. I think they have an interest in having the cease-fire. We need to make sure that cease-fire sticks. Then we need to work out an arrangement whereby the African troops come into place. At that point, once there is a military presence stabilizing the country, I think we should have a simultaneous evacuation of Taylor with our U.S. Marines coming in with a presence for a short period of time, with mainly the peace-keeping burden being put on the ECOWAS or African troops. Clearly, we, the United States, need to be directly involved in order to stabilize that region, with a minimum of involvement of U.S. troops.

It is clearly in our interest that part of Africa be stabilized. We are going to have to help with it. I think the movement of the marines into that region, albeit on the ships offshore, is a step in the right direction. I hope something akin to what I have laid out here will, in fact, be put into place.

So thank you, Mr. President, for the opportunity to share these thoughts. I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

#### ASSOCIATION HEALTH PLANS

Mr. TALENT. Mr. President, it is my pleasure to speak to the Senate today about a subject on which I have risen to speak before, a very important piece of legislation that I think has the potential to solve what is probably the No. 1 problem that small businesspeople and their employees confront today. I am talking about the bill which I have cosponsored along with Senator SNOWE, who is the chairman of the Small Business Committee, and others. It is a bill to allow small businesspeople to create association health plans.

This bill is not a Government program. In a time of great deficits, it does not require us to spend any money. It is going to take a long step toward solving the problems of the uninsured, reducing the number of the uninsured, and getting working people better health insurance at less cost. It does not cost the taxpayers anything because all it does is allow people to work together and do for themselves, as small businesspeople and employees of small businesses, what big companies and employees of big companies can already do.

Most people in the United States who have health insurance are a part of a big national pool—almost everybody is. You are either in Medicaid or Medicare or the Federal Employees Health Benefits Plan or covered by a labor union plan or a multi-employer plan with a labor union or you work for a big company. If you are in any of those situations, you are covered by health insurance, and it is health insurance where you are a part of a big national pool.

The only people who are not in that situation are people who work for small businesses. I define that very broadly. That includes farmers. It includes people who are self-employed consultants operating out of their own home. They are in the small group market. They have to buy insurance. If they own or run a small business or a farm, they are buying insurance for small groups of people, 5 people or 10 people or 20 people or 25 people.

Insurance works better when you spread the risk across as large a pool as possible. It doesn't take an advanced degree to understand that. All association health plans do—and it is very important what they do—is simply allow the employees of small businesses to get the same efficiencies and economies of scale that employees of big business already enjoy. All I would do is allow trade associations—the Farm Bureau, the NFIB, the Chamber of Commerce, the National Restaurant Association—to sponsor health insurance coverage nationally the same way the human resources side of a big company would do.

Let's take a big company such as Emerson Electric, a great company in Missouri, or Sprint, or Anheuser Busch, all headquartered there. They have a human resources side, an employee benefits side. They contract

with insurance companies nationally; they may have a self-insured side. Then their employees all over the country can enjoy an option in different plans as part of pools of 5 or 10 or 20 or 30,000 people. The administrative costs of such plans are much lower because they are spread across a much wider base of employees. They have much greater purchasing power and negotiating power when dealing with the big insurance companies. They have the competitive possibilities of self-insurance. So insurance is better in that situation and it costs less.

It doesn't mean they don't have problems, but you are a lot better off there than you would be and are right now if you are struggling as a small business owner or the employee of a small business.

Of the 44 million people uninsured in the country, about two-thirds either own a small business or work for a small business or are dependents of somebody who owns or works for a small business. I am including farmers. Then there are tens of millions of other people who may have health insurance through a small business, but it is bare-bones health insurance. It is not what it should be because the costs are so high, and they are going up every year.

There is a human side to this. Senators who have not done this—I imagine most Senators have—go out and talk to people who work in small businesses or run small businesses. I guarantee you, they will tell you the No. 1 problem they are confronting, short and long term, is the rising cost of health insurance and increasing unavailability. This hits people where they live.

We have had too many layoffs in Missouri. We have lost more jobs in Missouri in a 1-year period than any other State. There are a lot of bad results connected with the layoff, obviously. But I think maybe the first that hits a family when they lose a job or are concerned about losing a job, particularly if it is a family with kids, is: What about my health insurance? What do I do for that? It is as important as people's wages.

Folks in the small business sector, employees of people in the small business sector have labored too long in a market that does not work. It is dominated by a few companies, and they are acting more and more like monopolists, raising prices higher and higher, providing fewer and fewer services, less and less quality insurance. We need to do something about it. We can do it, if this Senate will pass association health plans. It passed in the House by 100 votes last month—strong bipartisan support. It has passed several years in a row in the House. The President supports it. We in the Senate ought to pass it.

I fought on the floor of the Senate for it. I will continue to do so. It is a great bill. We have great sponsors. We will take up the debate again in the fall. I am very hopeful we can pass it.