

been adequate analysis of the performance of private airport screeners prior to allowing privatization.

In a November 16, 2004, press release announcing the commencement of its Screener Partnership Program, TSA stated, "An evaluation earlier this year concluded there was little difference in the performance or cost of the private and federal screening forces."

TSA is relying on a study that both the DHS IG and GAO found to be inconclusive. Given the high stakes involved in airport security, I am concerned that the decision to begin this program is being made without sufficient data.

In addition, I have concerns about TSA's ability to award and administer contracts with private screening companies based on a September 2004 DHS IG report that found TSA mismanaged a contract with Boeing to install Explosive Detection Systems, EDS, and overpaid Boeing by approximately \$49 million. According to the IG report, contractor performance was not evaluated for each year of the contract until approximately a full calendar year later. Most troubling is that TSA rejected some of the IG's key criticisms, which makes me question the manner in which it will manage future contracts. Moreover, I believe we must also consider whether contractual mismanagement could lead to lapses in security. Are the right standards and policies in place to ensure that private screeners will provide the same security as federalized screeners, and is TSA equipped to enforce them?

As the ranking member of the Financial Management Subcommittee and the Armed Services Readiness Subcommittee, I have long worked on the challenges of Federal acquisitions. I want to make sure that DHS, which is a composite of 22 legacy agencies, has the people and tools needed to solicit and manage the Screener Partnership Program. Just this week I contacted Secretary Ridge to express my concern about the \$49 million overrun of the Boeing EDS installation contract. That wasted money could have gone a long way towards helping Honolulu International Airport in my home State of Hawaii install inline EDS machines.

My interest is to improve the management of contracts and the collection of timely and accurate information and to stop erroneous and improper payments to contractors. For that reason I was pleased to work with my good friend, Senator FITZGERALD, in passing legislation to bring the Department of Homeland Security under the Chief Financial Officers Act, CFO. The Department runs the risk of becoming a morass of hidden contract costs and poorly managed programs without a strong CFO to ensure accountability and transparency.

I would, however, like to commend TSA for honoring a commitment made by Admiral Stone at his confirmation hearing before the Governmental Affairs Committee that Federal screeners

at airports which chose to use a private workforce give TSA screeners the right of first refusal for jobs. It is important that the substantial investment made by the Federal Government in the hiring, the training, and the deployment of Federal screeners not go to waste.

I plan to monitor very carefully how this plan develops, both in terms of the level of security provided to the traveling public and the level of transparency and accountability of the contracts.

PROPOSED CONSOLIDATION OF FLIGHT SERVICE STATIONS

• Mr. JOHNSON. Mr. President, today I express my concerns regarding Federal Aviation Administration proposals to consolidate and outsource the actions currently executed by our Nation's Flight Service Stations.

Flight Service Stations are staffed by highly trained specialists and play an important role in providing pilots with valuable weather briefings and enroute communications, as well as facilitating search and rescue services. Each air traffic specialist is trained to understand the rapidly changing weather and geographic patterns of their area. Their expertise has kept flights running smoothly and has literally saved lives.

In 1997, the Federal Aviation Administration completed a 16-year effort to consolidate Flight Service Stations, reducing their total number from 318 sites to 61 sites. Since July 2002, the FAA has been developing studies regarding the outsourcing and further consolidation of 58 of the remaining 61 stations, excluding the three stations in Alaska. The FAA has announced that a final decision regarding the fate of these 58 Flight Service Stations will be made before March 17, 2005, possibly as soon as January.

I have received letters, phone calls, e-mails, and visits from South Dakotans concerned about the FAA's proposed actions. After the first consolidation in 1997, Flight Service Station sites in Aberdeen, Rapid City, Watertown, and Pierre, SD, were closed. Closure of the Flight Service Station in Huron, the last in South Dakota, would leave pilots isolated from weather updates, emergency assistance, and other vital notices. Weather is the leading cause of aviation accidents and the greatest contributor to fatalities. South Dakota cannot afford the loss of this crucial site.

My concerns and the concerns of South Dakotans are echoed in our State's legislature. In February 2004, the South Dakota Legislature approved a concurrent resolution supporting the Flight Service Station in Huron, SD, and encouraging efforts to preserve its functions. Additionally, our Governor has publicly expressed his opposition to the possible outsourcing of operations conducted at the Flight Service Station.

Flight safety is paramount and must be the most important factor in any

decision that is made. However, it is the concern of many in my State that the proposed action will be detrimental to flight safety. I strongly urge the FAA to reevaluate their plans to allow for the continued effectiveness of Flight Service Stations. •

HOUSE PASSAGE OF THE INTERNET TAX NON-DISCRIMINATION ACT

Mr. LEAHY. Mr. President, I am pleased that the House of Representatives passed today the Internet Tax Non-Discrimination Act, S. 150, clearing this bipartisan bill for its signature into law by the President. This bipartisan legislation will continue to support electronic commerce by keeping it free from discriminatory and multiple State and local taxes and from Internet access taxes.

I am proud to be a cosponsor and strong supporter of this compromise legislation to extend for the next 3 years the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce. In addition, our bipartisan bill will safeguard fees for universal service and 911 or E-911 services and does not affect the emerging technology of Voice Over Internet Protocol, VOIP. I thank Senator WYDEN, Senator ALLEN, Senator MCCAIN, Representative COX, Representative SENSENBRENNER, Representative CONYERS, and others for their leadership on this legislation.

The Internet has changed the way we do business. Today businesses can sell their goods and services all over the world in the blink of an eye. E-commerce has created new markets, new efficiencies and new products.

The growth of electronic commerce is everywhere, and it has been important to the businesses and the economy of my home State of Vermont. For example, the Vermont Teddy Bear Company, which employs more than 300 Vermonters, sells online 60 percent of its bears during its two busiest times of the year for Valentine's Day and Mother's Day. That is 60 percent of all Vermont Teddy Bears sold online during this busy time.

Hundreds of Vermont businesses are selling online, ranging from Al's Snowmobile Parts Warehouse to Ben & Jerry's Homemade Ice Cream. These Vermont cybersellers are of all sizes and customer bases, from Main Street merchants to boutique entrepreneurs to a couple of famous ex-hippies who make great ice cream.

What Vermont online sellers have in common is that Internet commerce allows them to erase the geographic barriers that historically limited our access to major markets. With the power of the Internet, Vermonters can sell their products and services anywhere and at any time.

Although electronic commerce is beginning to blossom, it is still in its infancy. Stability is the key to reaching its full potential, and carving out new

tax categories for the Internet is exactly the wrong thing to do.

E-commerce should not be subject to new taxes that do not apply to other commerce. Indeed, without a moratorium, there are 30,000 different jurisdictions around the country that could levy discriminatory or multiple Internet taxes on E-commerce.

Let's not allow the future of electronic commerce—with its great potential to expand the markets of Main Street businesses—to be crushed by the weight of discriminatory or multiple taxes.

Extending the bar on Internet access taxes will help Vermonters end the digital divide and help Vermonters compete for better jobs. Earlier this year, the University of Vermont released a study that found only 39 percent of Vermonters who earn less than \$20,000 a year have personal computers, while 67 percent of Vermonters who earn more than \$35,000 a year own personal computers. And 92 percent of Vermonters who do own a computer are connected to the Internet. We have to close this digital divide for Vermonters to have the skills for the good-paying jobs of the 21st century.

The Internet Tax Nondiscrimination Act will bar Internet access taxes and multiple or discriminatory taxes on goods and services sold over the Internet to provide the stability necessary for electronic commerce to flourish, and to help close the digital divide for all Americans.

PERMANENT NORMAL TRADE RELATIONS FOR ARMENIA

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for the Miscellaneous Tariff bill, in particular a provision granting Permanent Normal Trade Relations to Armenia.

Armenia is a critical U.S. ally in the Caucasus region and PNTR will significantly strengthen bilateral relations and spur economic growth and prosperity in Armenia. It allows Armenian products continued access to the U.S. market at low tariff rates and will go a long ways towards offsetting the impact of Turkish and Azeri blockades that cost Armenia as much as \$720 million annually.

Simply put, this means jobs and rising living standards for Armenians who want to stay in their country and create a better tomorrow for their children. Armenians have worked so hard to overcome the horrors of the past to build a country based on values Americans and Armenians both share: freedom, democracy, open markets, respect for human rights and the rule of law. We should stand behind those efforts.

I am proud to represent over a half million Armenian Americans in California. They are a strong, vibrant community who have enriched the culture of our State and participated in every aspect of its civic life.

I urge my colleagues to join me in supporting PNTR for Armenia.

RETIREMENT OF CLARE COTTON

Mr. KENNEDY. Mr. President, I welcome this opportunity to pay tribute to the outstanding contributions made to the Commonwealth of Massachusetts by Clare Cotton, president of the Association of Independent Colleges and Universities in Massachusetts. Next month, Clare will retire after 17 years of impressive service and advocacy on behalf of 55 Massachusetts colleges and universities, their students, and faculty.

In fact, Clare's contributions to higher education reach far beyond our State. His dedication, knowledge, and passion for education have improved the lives of countless students in communities across America. It is difficult to consider any aspect of policy in higher education without thinking of Clare and calling upon his expertise. All of us who know him will miss him greatly.

Clare's leadership in higher education is based on his brilliant intellect, his love of learning, and his sound political instincts. In conversation, he could call up specifics of accounting regulations governing private colleges and universities, refer to undergraduate enrollment trends in science and math, and discuss the impact of both on a pending piece of legislation.

His work in 1997 as a member of the National Commission on the Cost of Higher Education is still cited by leaders of all sectors in the field. Need-based aid never had a better advocate than Clare, when he served first as a member and then as chairman of the congressionally authorized Advisory Committee on Student Financial Assistance during 2002 and 2003.

Whatever the issue, Clare is adept at assessing its political and economic cost to students and institutions, and he has championed colleges and universities and their students for nearly all of his professional life.

His impressive contributions have earned him distinguished status in the national associations of Colleges and Universities, and he has served in leadership positions in two of these organizations. Almost no policy decision could be made without Clare's wise counsel and support.

Clare's brilliant career was very much honed at the local level. From 1977 to 1987, he was president of the Boston-Fenway Program, an urban planning group of 12 non-profit educational, cultural and medical institutions. Long before it became fashionable, Clare helped build an educational consortium that was able to maximize scarce financial resources and enhance both the quality and depth of these landmark institutions in Boston. Community policing in Boston was born through Clare's work with the Fenway consortium.

Earlier in his career, Clare had also been a writer and a journalist. He was director of European Securities Publications in London during the 1960s, and he also served as a correspondent for The Wall Street Journal.

Anyone in our nation who hopes for a better life and sees college education as the means for achieving it owes Clare Cotton a tremendous debt of gratitude. Our colleges and universities and Congress alike have benefited from his wise counsel, gentle humor, tireless dedication, and skillful advocacy. I wish him a long and happy retirement with his wonderful wife Helen, their four remarkable children, and their nine grandchildren, and I salute him for all he has done so well for Massachusetts and our country.

INTERNET ACCESS TAX MORATORIUM

Mr. ENZI. Mr. President, the Internet plays a critical role in today's global economy. It allows us to work harder, faster, and more efficiently. With the click of a mouse, we can seal business deals, send birthday cards, and buy cars. We have come to rely on its ability to connect us with people and places around the world. Today Congress cleared an important piece of legislation that will help keep the internet affordable and accessible for all Americans.

Today's passage in the House of S. Con. Res. 146, which amends S. 150, signals the end of months of long and difficult negotiations. I would like to commend my colleagues, Senators ALLEN, WYDEN, ALEXANDER, CARPER, VOINOVICH and MCCAIN for their commitment to this issue. Their hard work has allowed us to pass a fair and reasonable moratorium on internet access taxes. The moratorium will protect all Internet users, regardless of connection platform, while ensuring that states and localities do not lose billions in tax revenue.

The moratorium on internet access taxes is necessary now because broadband technology is still in its infancy in many parts of the country. In Wyoming, we have a number of small towns where Internet service is limited to 14.4 Kbps dial-up service. At that speed, it takes all day to download one song—a song that was legally obtained, of course. The only way we are going to improve the availability of broadband services in places like rural Wyoming is by eliminating unnecessary and burdensome taxation and regulation. Consumers in every part of the country want and deserve internet access. The internet access tax moratorium will make sure they can afford to subscribe to whatever service is available. I am confident that as more consumers spend their hard-earned money on Internet services, the cable companies, telephone carriers, satellite providers and other Internet service providers, ISPs, will invest more of their money in deploying high-speed broadband services.

Renewing the Internet tax moratorium is important for consumers, but it is also a major issue for states and local communities that rely on certain tax revenue from telecommunications.