

hard-working men and women of our Intelligence Community the tools they need to help prevent such attacks from taking place.

As we reflect on the horrific events that stunned our Nation two and a half years ago, and pay tribute to those who lost their lives, we must recommit ourselves to our responsibility to do everything we can to prevent such events from happening again.

If there is another terrorist attack in our country, the American people will look to their elected leaders and ask us what we learned from September 11, and how that information was used to protect them.

We must be able to tell both those who lived—and those who died—that we did everything we could.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

In Dix Hills, NY, in March 2000, a young man's remains were found in a plastic container in a park in Queens. The teen's social security number and racial and anti-homosexual epithets were written on the skull with a marker.

I believe the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

LOWER OIL PRICES

Mr. LEVIN. Mr. President, last night the Senate voted to accept the amendment I offered with Senator COLLINS to the fiscal year 2005 budget resolution to lower oil prices by placing over 50 million barrels of oil on the open market rather than depositing it in the Strategic Petroleum Reserve—SPR—as the administration had planned. I would like to note for the record that this amendment already is accomplishing its objective of lowering oil prices. At 11:30 a.m. this morning, just hours after the news of this amendment reached the markets, oil prices fell. According to Reuters, "NYMEX crude oil futures fell more than \$1 Friday morning after a U.S. Senate vote seeking to bar more shipments of crude oil to the U.S. emergency stockpile."

This amendment is a win-win for the American people. Low supplies of oil in private inventories are a main reason for high prices. With more oil on the open market, prices for gasoline, heating oil, jet fuel and diesel fuel will de-

cline and consumers will benefit. At the same time, our cities and States will gain from additional funds for homeland security.

The amendment directs the Department of Energy—DOE—to cancel delivery of 53 million barrels of crude oil currently planned for deposit into the SPR and to sell this oil on the open market. By selling oil on the open market, the Federal Government would generate over \$1.7 billion in additional revenues. The amendment would allocate a portion of the \$1.7 billion for deficit reduction and place the remainder in a reserve fund to be used for more homeland security funding for the States.

I will continue to work within the Congress to persuade—or require, if necessary—the Administration to suspend shipments of oil to the SPR to lower prices further.

I ask unanimous consent that the attached article on the drop in oil prices due to the Senate's action last night be printed in the RECORD.

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

[From Reuters News Service, Mar. 12, 2004]
NYMEX OIL FALLS OVER \$1 ON POSSIBLE SPR
SHIPMENTS HALT

NEW YORK.—NYMEX crude oil futures fell more than \$1 Friday morning after a U.S. Senate vote seeking to bar more shipments of crude oil to the U.S. emergency crude stockpile.

The move, which aims to reduce oil prices by keeping more supply in the market, countered, for the moment, fears that oil facilities were once again at risk after Thursday's terror bomb attacks in Madrid killed nearly 200 people and injured more than 1,400 others.

NYMEX crude for April delivery fell as low as \$35.30 a barrel, down \$1.48 on the day, before bouncing back a bit to \$35.40.

NOMINATION OF DR. MARK MCCLELLAN TO BE ADMINIS- TRATOR OF CMS

Mr. KENNEDY. I am pleased to support the nomination of Dr. Mark McClellan to be the Administrator of the Center for Medicare and Medicaid Services. There is no more important agency in providing quality health care for the American people, and Dr. McClellan is superbly qualified for this important post.

Dr. McClellan has served with distinction in the Treasury Department during the Clinton administration and as a health policy advisor and commissioner of FDA in the Bush administration. He has immense intellectual gifts, a distinguished background as an economist and physician, and tremendous energy, commitment, and integrity. I am particularly pleased that he is an adopted son of Massachusetts, having received his M.D. from the Harvard Medical School.

Mark and I have worked closely on a number of issues during his tenure at the White House and the FDA. While we certainly don't always agree, I have

always felt that we were working toward the same goals of quality health care. At the FDA, he was committed to modernizing the agency to assure that it brought the best scientific tools of the new century of the life sciences, to regulating the drug development process, and speeding safe and effective products to market. He made a tough call to protect the health of women in his decision on silicone breast implants, and he has been aggressive in his attempts to remove dangerous dietary supplements, most notably Ephedra, from the market. He has been particularly generous with his time in meeting with the Massachusetts device and biotechnology industries, so that he could understand their concerns and that they could gain a deeper appreciation of the most productive way to work with the FDA.

At CMS, Mark will have to implement the deeply flawed Medicare bill—a challenging task under the best of circumstances. I was encouraged by his comments at his confirmation hearing indicating that, unlike others in the Bush administration, he understands the need to maintain Medicaid as an individuals entitlement guaranteeing health care for the poorest of the poor and to end the pernicious policy of overpaying Medicare HMOs because they enroll the healthiest senior citizens.

In summary, I am pleased to support Dr. McClellan's nomination. He is a superb choice to head a critically important agency.

PRESIDENT BUSH AND THE ASSAULT WEAPONS BAN

Mr. LEVIN. Mr. President, last week, the Senate passed a 10-year extension of the assault weapons ban. We passed the assault weapons ban in 1994 because law enforcement agencies asked for it, and we extended it last week at their urging.

Studies have shown that the assault weapons ban works. According to National Institute of Justice statistics reported by the Brady Campaign to Prevent Gun Violence, gun trace requests for assault weapons declined 20 percent in the first calendar year after the ban took effect, dropping from 4,077 in 1994 to 3,268 in 1995. This statistic indicates that fewer of these weapons were making it onto the streets.

As my colleagues know, the 1994 law banned the production of certain semi-automatic assault weapons and high-capacity ammunition magazines. The 1994 law banned a list of 19 specific weapons as well as a number of other weapons incorporating certain design characteristics such as pistol grips, folding stocks, bayonet mounts, and flash suppressors. This law should not be allowed to sunset on September 13, 2004. This law does not need to sunset. Our Nation's law enforcement officers support this legislation, the President even has expressed his support, and the Senate passed an extension.

If the law is not reauthorized, the production of assault weapons can legally resume. Restarting production of these weapons will increase their number and availability and inevitably lead to a rise in gun crimes committed with assault weapons. The Senate has shown bipartisan majorities for renewing the assault weapons ban. President Bush should demand that Congress act this year to extend the ban.

GAO FEBRUARY COMPETITIVE SOURCING REPORT

Mr. AKAKA. Mr. President, I have repeatedly voiced my opposition to the Administration's aggressive outsourcing agenda which I believe comes at too high a cost to Federal workers and to Government accountability and cost-effectiveness. My concerns are confirmed by a February 2004 General Accounting Office, GAO, report entitled, "Competitive Sourcing: Greater Emphasis Needed on Increasing Efficiency and Improving Performance," GAO-04-367. I highly recommend this report to my colleagues.

The GAO reviewed the Federal outsourcing agenda at seven agencies: the Departments of Defense, Health and Human Services, Interior, Agriculture, Education, and Veteran's Affairs. These agencies contain 84 percent of Federal jobs eligible for outsourcing. The administration has identified 304,800 Federal jobs for outsourcing at the Departments of Defense, Health and Human Services, and Interior alone, which represent nearly 42 percent of the total workforce of these agencies.

GAO found that the examined Federal agencies are focusing more on implementing Office of Management and Budget, OMB, mandates on the number of competitions at the expense of cost-efficiency. In 2001, the administration had established the goal of privatizing up to 50 percent of federal jobs. However on July 23, 2003, the OMB's Administrator for Procurement Policy, Angela Styles, testified before the Governmental Affairs Committee that contracting quotas would be terminated and replaced by agency-specific plans.

This shift in policy came after repeated criticisms from both sides of the aisle in the Senate and the House of Representatives. For example, the FY03 Transportation, Treasury, and General Government Appropriations Act severely restricted the use of contracting quotas as a result of strong bipartisan opposition.

There are important steps we can take now to improve the cost-effectiveness and fairness of public-private competitions. As ranking member of the Governmental Affairs Financial Management Subcommittee and the Senate Armed Services Readiness Subcommittee, I am working to improve the financial transparency and cost-savings of Federal outsourcing policies. Federal contracts should be required to generate at least 10 percent savings

over agency costs. The Federal Procurement Data System, FPDS, reports that the Federal Government spent approximately \$250 billion on Federal contracts in 2002. The Senate passed FY04 Omnibus Appropriations Act would have required a minimum of 10 percent cost-savings before Federal jobs are contracted out. Unfortunately, this measure was stripped from the FY04 Omnibus Appropriation Act.

The GAO report reaffirms the need for a minimum cost-savings in Federal procurement policies. By law, the Department of Defense, DOD, is required to achieve cost-savings before jobs are contracted out. DOD is the largest buyer of contracted services and according to recent FPDS data spent over \$164 billion in 2002.

We can also improve fairness in public-private competitions. Before decisions are made to contract out Federal work, agencies need the personnel, funding, and technology to ensure that the work is performed in a timely and cost-effective manner. We cannot expect Federal employees to oversee billions of dollars of contracts without these resources, which is why I was disappointed to learn that GAO found that six out of the seven agencies examined had only one or two employees overseeing outsourcing activities.

Moreover, we should level the playing field so that Federal workers have the right to appeal the loss of a competition just as contractors do today. Fair competition must ensure that affected employees have proper appeals and protest rights. Unlike Federal employees, Federal contractors have the right to protest OMB Circular A-76 decisions before the GAO. I am disappointed that the FY04 Omnibus Appropriation Act stripped a provision that would have provided Federal workers the same appeal rights as contractors.

I look forward to continuing to work with my colleagues to ensure that Federal procurement policies offer the best return on the dollar and are fair to Federal workers. The results of this GAO review reaffirms that there is more work to be done in this area.

WISCONSIN'S ACQUISITION OF A WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAM

Mr. FEINGOLD. Mr. President, I was very happy to learn this week that Wisconsin will be one of 12 new States to receive funding for a full-time Weapon of Mass Destruction Civil Support Team—WMD-CST—this year and I want to congratulate the Wisconsin National Guard for their efforts to secure a full-time team. These teams, made up of members of the National Guard, play a vital role in assisting local first responders in investigating and combating the new threat we face in the 21st century. During the 2002 Baseball All-Star Game in Milwaukee, WI had to call in Minnesota's civil support team because Wisconsin did not

yet have a full-time team. I am pleased that Wisconsin will now have its own capability to quickly respond and protect its citizens from possible terrorist threats.

I have worked for years now to assure that all states and territories have at least one of these teams and I want to thank my colleagues on both sides of the aisle for helping me in this endeavor. We have had great success. The Bob Stump National Defense Authorization Act for Fiscal Year 2003 made it law that all states and territories have at least one WMD-CST and Congress authorized and appropriated the funds to establish 12 of the 23 teams during fiscal year 2004. Now we must make sure that the last 11 teams are funded in fiscal year 2005.

ADDITIONAL STATEMENTS

SALUTING DELTA SIGMA THETA SORORITY, INC.

• Mr. CORZINE. Mr. President, I rise today to recognize the women of Delta Sigma Theta Sorority, Inc., a service sorority dedicated to promoting sisterhood, scholarship and service, for their efforts in the battle against HIV/AIDS.

According to statistics from the U.S. Department of Health and Human Services, as of the end of 2002, an estimated 42 million people worldwide—38.6 million adults and 3.2 million children younger than 15 years of age—were living with HIV/AIDS. Approximately 70 percent of these people, 29.4 million, live in Sub-Saharan Africa; another 17 percent, 7.2 million, live in Asia. Of the estimated 15,603 AIDS-related deaths in the United States in the year 2001, approximately 52 percent were among African Americans and Hispanics. Racial and ethnic minority populations constitute more than 57 percent of the more than 800,000 cases of AIDS reported in the United States since the epidemic was discovered in 1981. Further, the Centers for Disease Control reports that as of December 2001, African Americans and Hispanics represented 52 percent of AIDS cases reported among males and 78 percent of those in females. Fifty-eight percent of all women reported living with AIDS that year were African Americans and 20 percent were Hispanic. African American children represented 58 percent of all pediatric cases. Of the 175 pediatric AIDS cases reported in 2001, 139, 79 percent, were African Americans and Hispanic. AIDS is one of the leading cause of death among African-American men ages 24 to 44. Recognizing the urgency of the issue, Delta Sigma Theta Sorority, Inc. has taken a leadership role in educating the global community on how to decrease the AIDS pandemic, thus promoting health and wellness.

Delta Sigma Theta's effort focuses on an intense HIV/AIDS Education Campaign beginning with encouraging local Delta chapters to implement internal