

INOUE) was added as a cosponsor of S. 1909, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 2088

At the request of Mr. KENNEDY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2088, a bill to restore, reaffirm, and reconcile legal rights and remedies under civil rights statutes.

S. 2249

At the request of Mr. LIEBERMAN, the names of the Senator from Minnesota (Mr. DAYTON) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2249, a bill to amend the Stewart. B. McKinney Homeless Assistance Act to provide for emergency food and shelter.

S. 2351

At the request of Mr. FEINGOLD, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2351, a bill to establish a Federal Interagency Committee on Emergency Medical Services and a Federal Interagency Committee on Emergency Medical Services Advisory Council, and for other purposes.

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2351, *supra*.

S. 2352

At the request of Mr. ENSIGN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2352, a bill to prevent the slaughter of horses in and from the United States for human consumption by prohibiting the slaughter of horses for human consumption and by prohibiting the trade and transport of horseflesh and live horses intended for human consumption, and for other purposes.

S. 2363

At the request of Mr. HATCH, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 2363, a bill to revise and extend the Boys and Girls Clubs of America.

S. 2370

At the request of Mr. KENNEDY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2370, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S. 2372

At the request of Mr. CORZINE, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2372, a bill to amend the Trade Act of 1974 regarding identifying trade expansion priorities.

S. 2383

At the request of Mr. DAYTON, his name was added as a cosponsor of S. 2383, a bill to amend title 10, United States Code, to require the registration of contractors' taxpayer identification numbers in the Central Contractor Registry database of the Department of Defense, and for other purposes.

S.J. RES. 36

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S.J. Res. 36, a joint resolution approving the renewal of import restrictions contained in Burmese Freedom and Democracy Act of 2003.

S. RES. 324

At the request of Mr. SARBANES, his name was added as a cosponsor of S. Res. 324, a resolution expressing the sense of the Senate relating to the extraordinary contributions resulting from the Hubble Space Telescope to scientific research and education, and to the need to reconsider future service missions to the Hubble Space Telescope.

AMENDMENT NO. 3120

At the request of Mr. LEVIN, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of amendment No. 3120 proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

AMENDMENT NO. 3123

At the request of Ms. LANDRIEU, the names of the Senator from Washington (Mrs. MURRAY), the Senator from South Dakota (Mr. JOHNSON), the Senator from Washington (Ms. CANTWELL), the Senator from New Jersey (Mr. CORZINE), the Senator from Massachusetts (Mr. KERRY), the Senator from Illinois (Mr. DURBIN) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of amendment No. 3123 proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

AMENDMENT NO. 3129

At the request of Mr. GREGG, his name was added as a cosponsor of amendment No. 3129 proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

At the request of Mr. SUNUNU, his name was added as a cosponsor of amendment No. 3129 proposed to S. 1637, *supra*.

At the request of Mr. GRAHAM of Florida, his name was added as a cosponsor of amendment No. 3129 proposed to S. 1637, *supra*.

AMENDMENT NO. 3138

At the request of Mr. SMITH, his name was added as a cosponsor of

amendment No. 3138 proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 3138 proposed to S. 1637, *supra*.

At the request of Mr. GRASSLEY, the names of the Senator from Utah (Mr. HATCH) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of amendment No. 3138 proposed to S. 1637, *supra*.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. CLINTON:

S. 2406. A bill to promote the reliability of the electric transmission grid through the Cross-Sound Cable; to the Committee on Energy and Natural Resources.

Mrs. CLINTON. Mr. President, I rise to introduce a legislation to restore operation of the Cross Sound Cable.

I was dismayed to learn last Friday that the Secretary of Energy had issued an order that effectively shut down the Cross Sound Cable. The cable had been operating since Secretary Abraham issued an order directing that the cable be turned on almost immediately after the August 14, 2003 blackout.

I believe that last Friday's decision is shortsighted, and I am extremely concerned that it will put Long Island at immediate risk of power failures as we enter the summer peak demand months.

The Cross Sound Cable has provided proven reliability benefits at a time when a shortage of generation and transmission facilities continues to exist on Long Island and in Southern New England. The Cross Sound Cable transmitted 300 MW of power over the Blackout weekend, enough to turn on the power in about 300,000 homes on Long Island. Since beginning full-time operation on September 1, 2003, the Cross Sound Cable has transmitted nearly one-half million megawatt-hours of electricity to help provide sufficient power to prevent more blackouts or brownouts on the island.

Additionally, the extra power from the Cable makes more power available on Long Island to export over another submarine cable into Southwestern Connecticut when needed, thereby making the regional power grid more resilient. The independent grid operators have successfully tested sending power over the Cross Sound Cable to Long Island and then simultaneously sending power from Western Long Island over another submarine cable to Southwest Connecticut. During a severe cold spell in January, Long Island

Power Authority was prepared to send 200 mw of power over Cross Sound Cable to help Connecticut if needed. Over the short- to long-term, the Cable thus allows excess New York-generated power to be transmitted to Connecticut to help prevent blackouts and brownouts.

In addition, the vital role of the Cross Sound Cable was confirmed in the final report of the U.S.-Canada Task Force on the Blackout. The blackout report concludes that “[r]eactive power problems were a significant factor in the August 14 outage, and they were also important elements in several of the earlier outages . . .” During the August 14 blackout, the Cross Sound Cable provided critical reactive power to Long Island and Connecticut to help stabilize the system. Cross Sound has responded to and corrected 17 unanticipated reactive power problems such as lightning strikes and equipment failures. CONVEX, the Connecticut arm of the independent transmission system operator, ISO-New England, has relied on Cross Sound to provide reactive power for voltage support on a preventive basis 84 times. Cross Sound Cable is currently the only operating cable system in Connecticut and Long Island capable of providing dynamic reactive power support during sensitive energy demand periods.

Nearly every day now, the Cable operates under the direction of CONVEX to provide voltage support to Connecticut.

In summary, the Cross Sound Cable has provided reliability benefits at a time when a transmission and generation shortage persists in the region. I strongly believe that this critical energy link between New England and New York should remain operational until all reliability studies required by the Blackout Task Force are completed and all of the resulting recommendations are implemented to prevent further large-scale blackouts in this region. Until all of these steps occur, I believe that an emergency situation clearly continues to exist.

That is why I am introducing this legislation today. In essence, the legislation overrides the order issue by Secretary Abraham on May 7, 2004, reinstates his order of August 28, 2003, and provides that that later order shall remain in effect unless rescinded by an Act of Congress. This would turn the cable back on and leave it on until Congress determines it is appropriate to shut it down. That day may indeed come, but for now, we are facing the prospect of power outages on Long Island as we head into the peak-demand months of the summer.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 2406

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. CROSS-SOUND CABLE ORDER.**

Notwithstanding Department of Energy Order No. 202-03-4, issued by the Secretary of Energy on May 7, 2004, or any other provision of law, Department of Energy Order No. 202-03-2, issued by the Secretary of Energy on August 28, 2003, is reinstated effective on the date of enactment of this Act and shall remain in effect unless rescinded by Act of Congress.

By Mr. CAMPBELL:

S. 2407. A bill to clarify the intellectual property rights of the United States Olympic Committee; to the Committee on the Judiciary.

Mr. CAMPBELL. Mr. President, I am introducing an amendment to the Ted Stevens Olympic and Amateur Sports Act that will serve to protect the limited resources available to the United States Olympic Committee (“USOC”) to support America’s Olympic athletes. This amendment would not expand the protections afforded to the USOC under existing law, but would clarify the broad scope of the existing statutory language that guarantees the USOC’s exclusive right to commercial use of Olympic marks and terminology in the United States. Congress originally granted these rights to the USOC so that the USOC, through its licensing and sponsorship program, would have the ability to raise funds privately to support United States athletes and programs. Unauthorized use of Olympic marks and terminology by third parties dilutes the value of these marks and terminology and diminishes the USOC’s ability to fulfill the mission mandated by Congress. This amendment will help ensure that the USOC can devote more of its resources to assisting athletes as opposed to funding legal actions necessary to prevent foreign or domestic entities from circumventing the broad statutory rights granted to the USOC.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2407

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Support Our Olympic Athletes Act of 2004”.

**SEC. 2. CLARIFICATION OF INTELLECTUAL PROPERTY RIGHTS OF UNITED STATES OLYMPIC COMMITTEE.**

Chapter 2205 of title 36, United States Code (commonly referred to as the “Ted Stevens Olympic and Amateur Sports Act”), is amended in section 220506(c)(3) by inserting “the words ‘Olympik’, ‘Olympick’, ‘Olympika’, ‘Olympicka’, ‘Olympica’, or ‘Olympikus,’” after “the words described in subsection (a)(4) of this section.”.

By Mr. BURNS:

S. 2408. A bill to adjust the boundaries of the Helena, Lolo, and Beaver-

head-Deerlodge National Forests in the State of Montana; to the Committee on Energy and Natural Resources.

Mr. BURNS. Mr. President, this bill adjusts the boundaries of the Helena, Lolo, and Beaverhead-Deerlodge National Forests in Montana.

For the Helena and Lolo National Forests, these adjustments are necessary to continue the community-based Blackfoot Community Project. This community-driven project is a collaborative effort supported by local residents, elected officials, State and Federal agencies, and others who care about the future of the Blackfoot River Valley.

The project will eventually result in the future ownership and management of nearly 88,000 acres of land in the Blackfoot River watershed. The project will protect the rural lifestyle of a large, intact landscape that supports agriculture, timber harvesting, recreation, and natural resources that are important both locally and nationally.

The project will provide a model for forest management in the west, by creating a private-public partnership to manage a portion of the Blackfoot watershed as a community forest for sustainable timber products and other natural resources benefits. The local community has requested Forest Service acquisition of certain parcels outside the existing National Forest Boundary to ensure continued public uses of these lands including public access for recreation, hunting, livestock grazing, and watershed protection. The end result of this boundary adjustment Forest service will be consolidated ownership and improved forest management.

The boundary adjustment on the Beaverhead-Deerlodge National Forest reflects changes in the Forest as a result of the Watershed conservation project completed in 2003. About 11,000 acres of the Watershed Property that is currently adjacent to the proclaimed Forest will be more accurately classified as existing within the Forest boundary. The Forest Service purchased the property in partnership with the Rocky Mountain Elk Foundation. The County Commissioners, local public, and conservation and sportsman’s groups supported the project.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 2410. A bill to promote wildland firefighter safety; to the Committee on Energy and Natural Resources.

Ms. CANTWELL. Mr. President, I rise today to introduce the Wildland Firefighter Safety Act of 2004, along with my colleague Senator MURRAY, the senior Senator from Washington State. Earlier today, the Senate Energy and Natural Resources Committee on which I serve held a hearing regarding the outlook for the 2004 fire season. I join many of my colleagues, who are very concerned about what appears to be yet another year of devastating drought throughout the West, and the

hazards this could pose in terms of increased fire risk and threats to public safety.

However, we in Washington State recognize the importance of an issue that is often overlooked in discussions of fire preparedness. This is the topic of wildland firefighter safety, and it's an issue that we care deeply about because a horrible tragedy occurred in our state in July 2001, when four young Washington firefighters lost their lives at the Thirtymile Fire. I come to the floor to introduce this legislation today, because we cannot forget the lives that were lost—and the families that are still grieving—as a result of the Thirtymile tragedy. What's more, we cannot allow the Forest Service and our Federal firefighting agencies to repeat the mistakes that the agencies themselves admit resulted in these avoidable deaths. Unfortunately, the recently-issued findings of the Occupational Safety and Health Administration (OSHA)—stemming from the Cramer Fire that killed two Idaho firefighters just last summer—indicate to me that the lessons of Thirtymile are not being completely heeded. This is simply unacceptable.

Many of my colleagues, particularly those from the West, are probably aware of the fact that every summer, we send thousands of our constituents—many of them brave young men and women, college students on summer break—into harm's way to protect our Nation's rural communities and public lands. These men and women serve our nation bravely. Since 1910, more than 900 wildland firefighters have lost their lives in the line of duty. According to the U.S. Forest Service, a total of 30 firefighters across this Nation perished in the line of duty just last year, during the 2003 fire season.

These firefighters represented a mix of Federal and State employees, volunteers and independent contractors. And they lost their lives for an array of reasons. We all realize that fighting fires on our nation's public lands is an inherently dangerous business. But what we cannot and must not abide are the preventable deaths—losing firefighters because rules were broken, policies ignored and no one was held accountable.

I have already mentioned the Thirtymile tragedy that pushed this issue to the fore in the State of Washington. On July 10, 2001, near Winthrop in Okanogan County, in the midst of the second worst drought in the history of our State, the Thirtymile fire burned out of control.

Four courageous young firefighters were killed. Their names: Tom Craven, 30 years old; Karen FitzPatrick, 18; Jessica Johnson, 19; and Devin Weaver, 21.

Sadly, as subsequent investigations revealed, these young men and women did not have to die. In the words of the Forest Service's own report on the Thirtymile fire, the tragedy "could have been prevented." At that time, I said that I believe we in Congress and

management within the firefighting agencies have a responsibility to ensure that no preventable tragedy like Thirtymile fire ever happened again.

I'd like to thank my colleague Senator BINGAMAN, the distinguished Ranking Member of the Senate Energy Committee, as well as Senator WYDEN, who was then chair of the Subcommittee on Public Lands and Forests. In the wake of the Thirtymile Fire, they agreed to convene hearings on precisely what went wrong that tragic day. We heard from the grief-stricken families.

In particular, the powerful testimony of Ken Weaver—the father of one of the lost firefighters—put into focus precisely what's at stake when we send these men and women into harm's way.

I can think of no worse tragedy that a parent to confronting the loss of a child, especially when that loss could have been prevented by better practices on the part of federal agencies.

At that Senate Energy Committee hearing, we also discussed with experts and the Forest Service itself ways in which we could improve the agency's safety performance. And almost a year to the day after those young people lost their lives, we passed a bill—ensuring an independent review of tragic incidents such as Thirtymile that led to unnecessary fatalities.

Based on subsequent briefings by the Forest Service, revisions to the agency's training and safety protocols, and what I've heard when I have visited with firefighters over the past two years, I do believe the courage of the Thirtymile families to stand up and demand change has had a positive impact on the safety of the young men and women who are preparing to battle blazes as wildland firefighters.

Yet, I'm deeply saddened by the fact that it's clear we haven't done nearly enough.

In July 2003—two years after Thirtymile—two more firefighters perished, this time at the Cramer Fire within Idaho's Salmon-Challis National Forest. Jeff Allen and Shane Heath were killed when the fire burned over an area where they were attempting to construct a landing spot for firefighting helicopters. Certainly some 28 others lost their lives fighting wildfires last year, and we must recognize the sacrifice and grief befalling their families.

After the Thirtymile Fire, however, I told the Weavers and the Cravens, the families of Karen FitzPatrick and Jessica Johnson that I believed we owed it to their children to identify the causes and learn from the mistakes that were made in the Okanogan, to make wildland firefighting safer for those who would follow. That is why the findings associated with the Cramer Fire simply boggle my mind.

We learned at Thirtymile that all ten of the agencies' Standing Fire Orders and many of the 18 Watch Out Situations—the most basic safety rules—were violated or disregarded. The same

thing happened at Cramer, where Heath and Allen lost their lives two years later.

After the Thirtymile Fire, OSHA conducted an investigation and levied against the Forest Service fire citations for Serious and Willful violations of safety rules. It was eerie, then, when just this March OSHA concluded its investigation of Cramer. The result: another five OSHA citations, for Serious, Willful and Repeat violations. Reading through the list of causal and contributing factors for Cramer and putting them next to those associated with the Thirtymile fire, my colleagues would be struck by the many disturbing similarities. Even more haunting are the parallels between these lists and the factors cited in the investigation of 1994's South Canyon Fire on Storm King Mountain in Colorado. It's been 10 years since those 14 firefighters lost their lives on Storm King Mountain—and yet, the same mistakes are being made over and over again.

Let me repeat: This is not acceptable. The firefighters we send into harm's way this year—and the ones we've already lost—deserve better.

Training, leadership and management problems have been cited in all of the incidents I've discussed. Frankly, I have believed since the Thirtymile tragedy that the Forest Service has on its hands a cultural problem. What can we do, from the legislative branch, to provide this agency with enough motivation to change? I believe the first step we can take is to equip ourselves with improved oversight tools, so these agencies know that Congress is paying attention. Today I'm introducing legislation—the Wildland Firefighter Safety Act of 2004—that would do just that.

I believe this is a modest yet important proposal. It was already passed once by the Senate, as an amendment to last year's Healthy Forests legislation. However, I was disappointed that it was not included in the conference version of the bill. But it is absolutely clear to me—particularly in light of OSHA's review of the Cramer Fire—that these provisions are needed now more than ever.

First, the Wildland Firefighter Safety Act of 2004 will require the Secretaries of Agriculture and Interior to track the funds the agencies expend for firefighter safety and training.

Today, these sums are lumped into the agencies' "wildfire preparedness" account. But as I have discussed with various officials in hearings before the Senate Energy and Natural Resources Committee, it is difficult for Congress to play its rightful oversight role—ensuring that these programs are funded in times of wildfire emergency, and measuring the agencies' commitment to these programs over time—without a separate break-down of these funds.

Second, this legislation will require the Secretaries to report to Congress annually on the implementation and effectiveness of its safety and training programs.

I assure my colleagues who have not spent time dwelling on this issue that the maze of policy statements, management directives and curricula changes associated with federal firefighter training is dizzying and complicated. The agencies have a responsibility to continually revise their policies in the face of new science and lessons learned on the fire line. Meanwhile, Congress has the responsibility to ensure needed reforms are implemented. As such, I believe that Congress and the agencies alike would benefit from an annual check-in on these programs. I would also hope that this would serve as a vehicle for an ongoing and healthy dialogue between the Senate and agencies on these issues.

Third, my bill would stipulate that Federal contracts with private firefighting crews require training consistent with the training of Federal wildland firefighters. It would also direct those agencies to monitor compliance with this requirement. This is important not just for the private contractor employees' themselves—but for the Federal, State and tribal employees who stand shoulder-to-shoulder with them on the fire line.

This is actually quite a complex issue about which many of us are just beginning to learn. With the severity of fire seasons throughout the country over the past two years—and notwithstanding the Clinton Administration's efforts to hire a significant number of new firefighters as part of the National Fire Plan—the number of private contract crews hired by the agencies to help with fire suppression has tripled since 1998. According to Oregon Department of Forestry estimates, the number of contract crews at work has grown from 88 in 1998 to 300 this year—with 95 percent based in the Pacific Northwest.

In general, these contract crews have grown up in former timber communities and provide important jobs—especially given the fact the agencies themselves do not at this juncture have the resources to fight the fires entirely on their own. And many of these contractors have been in operation for a decade or more and boast stellar safety records.

Nevertheless, as the number of—and need for—contractors has grown, there are more and more tales of unscrupulous employers that take advantage of workers and skirt training and safety requirements. This is a growing concern for U.S. Forest Service employees and State officials. Last summer, the Seattle Times wrote a detailed feature on the issue, quoting internal Forest Service memos as well as evidence from the field.

I ask unanimous consent that this article be printed in the RECORD.

Among the contractor practices cited in the Seattle Times article: breaking safety rules and failing to warn other crews on the fire line; falsifying or forging firefighting credentials and ignoring training requirements; hiring il-

legal immigrants that cannot understand fire line commands—and committing various labor abuses; and rotating a single crew from fire to fire for 50 straight days—while Federal firefighters are not allowed to work more than 14 or 21 days in a row.

The article quoted from a November 2002 memo written by Joseph Ferguson, a deputy incident commander for the Forest Service: "If we don't improve the quality and accountability of this program, we are going to kill a bunch of firefighters . . . Although there were two or three good to excellent crews on each fire, that was offset by 20 to 30 that were hardly worth having," Ferguson added. "It was apparent that training for most of these crews had been done poorly or not at all."

Paul Broyles, who heads a safety committee for the National Interagency Fire Center added that private crews he has seen have varied from "fantastic to a he[ck] of a lot less than good and some were real safety concerns." He noted that while State government and feds were trying to crack down on violations associated with documentation, "the assumption is, where there's one problem, there's probably more."

The Wildland Firefighter Safety Act of 2004 is a modest beginning in addressing the challenges posed by integrating private and Federal contract crews—and doing it in a manner that maximizes everyone's safety on the fire line.

I understand that the Federal and State agencies are already attempting to push contractors in this direction—and this provision will bolster that momentum.

And so, I hope my colleagues will support this simple legislation. Ultimately, the safety of our Federal firefighters is a critical component of how well prepared our agencies are to deal with the threat of catastrophic wildfire.

Congress owes it to the families of those brave firefighters we send into harm's way to provide oversight of these safety and training programs.

We owe it to our Federal wildland firefighters, their families and their State partners—and to future wildland firefighters.

The Wildland Firefighter Safety Act of 2004 will provide this body with the additional tools it needs to do the job. Thank you.

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

[From the Seattle Times, July 20, 1003]

RISKY BUSINESS; GROWTH OF PRIVATE FIRE CREWS WORRIES FOREST OFFICIALS. SOME FEAR TRAINING AND SAFETY ARE COMPROMISED BY BURGEONING USE OF CONTRACT FIREFIGHTERS

(By Craig Welch)

CREWUCH VALLEY, OKANOGAN COUNTY.—While the Forest Service was retooling safety training after the deaths of four firefighters in this rugged valley two years ago, a new danger was quietly mushrooming in the woods.

Private businesses eager to get into the increasingly lucrative wildfire-fighting industry were breaking rules, skirting training and falsifying records to send inexperienced men and women to battle blazes, according to government records. Some churned out crews that fell asleep on the fire line or couldn't understand commands in English. Others arrived hours late to fires that then ballooned out of control.

Private crews are now essential in the West's battle against flames a war once fought primarily by government employees. The number of private 20-person firefighting crews sent by companies that contract with the government to fight fires around the nation more than tripled since 1998, from 88 to 301 this year. About 95 percent of those crews are based in the Northwest.

But some federal officials worry the quality varies dramatically from experienced, well-respected contractors to crews that present significant safety concerns.

And government oversight has struggled to keep pace.

The problem grew so acute last year that Joseph Ferguson, a deputy incident commander for the Forest Service, wrote in an internal memo in November: "If we don't improve the quality and accountability of this program, we are going to kill a bunch of firefighters."

Last year's fire season was a record breaker, scorching 6.9 million acres and costing \$1.6 billion to fight.

With a new fire season under way, officials are still working to weck out contractors and private trainers who cut corners and put employees or other firefighters in harm's way. Several private crew operators are also urging the government to crack down on problem contractors.

In May, in a first-of-a-kind action, a regional firefighting group composed of federal and state agencies suspended a Twisp-based contractor from training any more pacific Northwest firefighters. Employees of Charles "Bill" Hoskin, who has trained hundreds of private firefighters, told investigators that Hoskin put firefighters through a required 32-hour training course in 12 hours.

He was accused of teaching Spanish-speaking firefighters with instructors who spoke only English, of selling red cards the photo ID that shows carriers have met requirements to be a firefighter to people he had not trained, and of giving firefighters bogus fitness tests.

Hoskin, former chief of the Twisp rural volunteer fire department, has denied all charges of improper action and says he will be vindicated.

Last month, Rue Forest Contracting, of Mill City, Ore., agreed to \$25,000 in fines after 23 of its firefighters were found with forged or phony training credentials. Investigators believe some were sent to fires with no training at all. Owner Larry Rue's attorney declined comment.

Last year, the Oregon Department of Forestry, which oversees fire contractors for Oregon and Washington under an interagency agreement, cited 45 private crews for various violations and banned 13 from firefighting for up to a month.

The reason: Firefighters showed up late to fires, skipped safety briefings, drank or used drugs at fire camp, engaged in sexual harassment, had falsified training records or were part of a crew with no English-speaking leaders, according to the department.

Oregon labor officials, meanwhile, said they were investigating 30 private firefighter-training or pay violations at any one time last year.

Ferguson, the Forest Service incident commander who fought fires in Oregon, Utah and Colorado, complained in his November memo

that Northwest private crews in 2002 were "the worst we've ever seen."

"Although there were two or three good to excellent crews on each fire, that was offset by 20 to 30 that were hardly worth having," Ferguson wrote. "It was apparent that training for most of these crews had been done poorly or not at all.

Bill Lafferty, head of Oregon's fire program, oversees most of the country's private 20-person "hand crews." He's beefing up enforcement but admitted that "we really don't know the magnitude of the cheaters in the system."

"We're struggling as best we can," he said. "But we're barely scratching the surface."

On a recent 90-degree day, firefighter Dustin Washburn, 21, rolled a boulder from the charred dirt and saw smoke rise from smoldering embers. He attacked it with a pulaski, an axlike firefighting tool, smothering the fire.

This 20-person private hand crew was trying to douse hotspots on portions of a 34,000-acre blaze that still burns in the Chewuch River high country in Okanogan County.

"Who was working this area?" asked Myron Old Elk, the crew leader for a private unit of Oregon-based Ferguson Management. "Get over here. It's still hot."

Private crews typically dig lines, knock down spot fires or burn areas to reduce fuels. They're supposed to get the same training as government crews.

Many, such as this Ferguson unit, are run by respected, experienced hands. Old Elk has fought fires for a dozen years. Private Ferguson Management crews have battled blazes since 1981.

"Myron's great," said Lonnie Click, a supervisor on this roiling blaze. "If he doesn't understand directions, he'll ask, then double-ask, until he gets it exactly right."

But the industry has grown so quickly that some new companies supply firefighters however they can.

Contractors have hired illegal immigrants and paid them under the table, or deducted so much for food and incidentals that some earned only 50 cents in a two-week pay period, according to Oregon's Bureau of Labor and Industries. Underage firefighters "borrowed" Social Security numbers to fake certification.

#### FEAST OR FAMINE

Firefighters aren't allowed to work more than 14 or 21 days in a row without a rest day, but some private firefighters have rotated from fire to fire for 50 days straight, according to Forest Service memos. A crew removed from one Oregon fire for poor safety ratings last year showed up two weeks later on a nearby fire.

"There's a lot of money to be made here, and when there's a lot of money at stake, people figure out angles," said Scott Coleman, owner of Oregon's Skookum Reforestation, which for decades has provided contract crews.

The nation's private wildfire firms have grown out of Oregon's logging, tree-planting and forestry labor pool. As a result, Oregon now manages the bulk of them.

For years, it was feast or famine. New contractors started after busy fire years, then disbanded during slow ones.

But wildfires had grown increasingly unruly in the 1990s, just as federal agencies had downsized their own crews. So the government increasingly has turned to contractors.

After 2000, when firefighting help was enlisted from as far away as New Zealand, more contractors, including several from Washington, saw opportunity. Contractors typically charge the government \$22 to \$36 an hour per worker. The contractor buys vehicles, equipment and clothing, provides

training and pays firefighters from \$9 to \$18 per hour.

#### NEW EMPHASIS ON TRAINING

Last year, 270 20-person private crews in the Northwest were paid \$91 million. Several companies grossed \$1 million apiece.

"Overhead can be enormous, but if you have a good fire season and get sent out a lot, you bet there's profit in it," said Coleman, vice president of the National Wildfire Association, which has pushed to weed out unscrupulous contractors. "But if you don't train someone well, you're basically endangering his life."

Five federal agencies the Forest Service, National Parks, Bureau of Land Management, Fish and Wildlife Service and Bureau of Indian Affairs fight fires.

The agencies renewed efforts to make safety the top priority after 14 Forest Service firefighters were trapped by flames during the July 2001 Thirty Mile fire in the Chewuch Valley. Jessica Johnson, Karen FitzPatrick, Devin Weaver and Tom Craven were asphyxiated by superheated gases after deploying their shelters.

Investigators determined crew leaders violated all 10 standard safety rules. The agency put new emphasis on training, communication, spotting hazardous situations and handling emergencies.

But among new private crews, training issues can be even more basic. Firefighters have bought fire IDs from former firefighters and spliced in their own photographs.

"Just yesterday, I got a call from a woman who wanted to verify that I'd trained these two guys who had '03 dates on their certification," said Harry Winston, who trains contract firefighters through First Strike Environmental in Oregon. "I hadn't. They'd scratched out '02 on their red cards and put in this year's date."

Don Land, who worked for Hoskin, the suspended contract trainer, was made an "engine boss" a person who operates a wildland firetruck without any training, according to the state Bureau of Labor and Industries.

Land was released from prison after a three-year sentence in 2001. He said that Hoskin hired him for the fire season. Land said he had not completed the required training and lacked even a driver's license, but was given the job of an engine boss.

The state accused Hoskin of giving his students answers to written tests and allowing them to use a 5-pound weight in a fitness test that requires hiking with a 45-pound pack.

Hispanic crews now make up half of the Northwest's private firefighters, and contractors have been disciplined for sending crews with no English speakers to fires a potential hazard when communicating risk.

New rules require crew and squad leaders to speak both English and the language of the crew. But an internal Forest Service memo suggested that bilingual leaders on Oregon's Tiller Complex fires last year appeared to be there mainly for their language skills. Five crew bosses confessed to not understanding their leadership responsibilities.

Paul Broyles, who heads a safety committee for the National Interagency Fire Center, said the private crews he's seen varied from "fantastic to a hell of a lot less than good and some were real safety concerns."

A contract crew on an Oregon fire Broyles worked last year was stationed to make sure a rolling inferno stayed behind a fire line. Instead, the crew watched as flames crossed the line, never informing a nearby elite "hotshot" crew of the danger headed its way, he said.

The state and the federal government are strengthening oversight and tightening con-

trols on documentation, said Broyles. Still, he said, "the assumption is, where there's one problem, there're probably more."

This year, Oregon plans to investigate private crews more heavily. The state now inspects training classes and expects to hire new compliance officers.

But much of the training is designed to be self-policing.

Wildfire contractors form associations, which sign agreements with federal and state agencies. The association then guarantees that contractors meet regulations.

Of eight such associations, some are vastly more qualified than others, said Ed Daniels, who oversees Oregon's certification and training.

Qualifications to form an association: "Thirty-five dollars and a pen to sign a memorandum of understanding," he said.

Hoskin was president of his association.

By Mr. DODD (for himself, Mr. DEWINE, Mr. DASCHLE, Mr. MCCAIN, Mr. HOLLINGS, Mr. WARNER, Mr. LEVIN, Ms. COLLINS, Mr. SARBANES, Mr. SPECTER, Mr. BIDEN, Ms. SNOWE, Mr. KENNEDY, Mr. GRAHAM of South Carolina, Mr. ROCKFELLER, Mr. SMITH, Mr. HARKIN, Mr. GREGG, Mr. LIEBERMAN, Mr. JEFFORDS, Mr. DURBIN, Ms. MIKULSKI, Mr. BAUCUS, Mr. SCHUMER, Mr. REID, Mrs. CLINTON, Mr. INOUE, Mr. LEAHY, Mr. JOHNSON, Mr. KERRY, Mr. BINGAMAN, Mr. LAUTENBERG, Mr. CORZINE, Mr. REED, Mr. CARPER, and Mr. DAYTON):

S. 2411. A bill to amend the Federal Fire Prevention and Control Act of 1974 to provide financial assistance for the improvement of the health and safety of firefighters, promote the use of life saving technologies achieve greater equity for departments serving large jurisdictions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DODD. Mr. President, I rise today with Senator DEWINE and 34 cosponsors to introduce the Assistance to Firefighters Act of 2004, which will revitalize the FIRE Act grant program for an additional six years.

Senator DEWINE and I authored the original FIRE Act four years ago. It has been a tremendous success, helping fire departments throughout our Nation purchase firefighting equipment as well as train firefighters. Nationwide, nearly \$2 billion has been appropriated for FIRE Act grants throughout the country.

A report last year by the Federal Government found that 99 percent of grant recipients were satisfied with the FIRE Act's ability to meet the needs of their department. In addition, 97 percent of the participants reported that it had "a positive impact on their ability to handle fire and fire-related incidents." The report concluded that "overall, the results of our survey and our analysis reflect that the Assistance to Firefighters Grant program was highly effective in improving the readiness and capabilities of firefighters across the Nation." The FIRE Act grant initiative is truly a success story.

It is important to remember that the defenders of our Nation are not dressed only in combat fatigues. They wear firefighter uniforms. They risk their lives to keep us safe just like our troops overseas, and we all appreciate their efforts greatly.

The fire service has men and women who are willing to do whatever it takes to get their jobs done. As a country, we are fortunate to have first-rate firefighters throughout the Nation, but they are underfunded, understaffed, undertrained, and underequipped to deal with many emergencies that may arise. According to a national Needs Assessment study of the U.S. Fire Service published in December 2002, most fire departments lack the necessary resources and training to properly handle terrorist attacks and large-scale emergencies. A June 2003 Council of Foreign Relations report authored by former Senator Warren Rudman further underscored this issue when it concluded that "if the Nation does not take immediate steps to better identify and address the urgent needs of emergency responders, the next terrorist incident could have an even more devastating impact than the September 11 attacks."

The responsibilities of America's firefighters have also changed. They have certainly come a long way from the "bucket brigades" in colonial America, where two rows of people would stretch form the town well to the fire, passing buckets of water back and forth until the fire was extinguished.

Today, firefighters must do more. They still have their traditional responsibilities of extinguishing fires, delivering emergency medical services, and ensuring that fire codes are obeyed. Now the fire service has new homeland security responsibilities, such as responding to biological and chemical threats.

The reality, however, is that cash-strapped States and cities simply do not have the resources needed to single-handedly safeguard their populations. Nor do they have the fiscal reserves necessary to deal with heightened warning levels for any extended period of time.

According to the aforementioned U.S. Fire Service's 2002 national Needs Assessment study, most fire departments lack the necessary resources and training to properly handle terrorist attacks and large-scale emergencies. The study found that: Using local personnel, only 11 percent of fire departments can handle a rescue at a collapse of a building with 50 occupants. Nearly half of all fire departments consider such an incident beyond their scope.

Using local personnel, only 13 percent of fire departments can handle a hazardous material incident involving chemical and/or biological agents with 10 injuries. Only 21 percent have a written agreement to direct the use of non-local resources to handle the situation.

An estimated 40 percent of fire department personnel involved in haz-

ardous material response lack formal training in those duties, most of them serving smaller communities.

Finally, an estimated 60 to 75 percent of fire departments do not have enough fire stations to achieve widely used response time guidelines. Many fire departments often fail to respond to fires with sufficient personnel to safely initiate an interior attack on a structural fire.

These statistics are startling. The threats to which firefighters are expected to respond have far outgrown the ability of local governments to equip firefighters to do what these dangerous times require them to do. This situation demands continued action by the Senate to address these concerns, which is why Senator DEWINE and I are introducing this legislation to further strengthen the FIRE Act grant initiative for the future.

Our bill builds on the recommendations given to us last February by the paid and volunteer fire services. First, we are authorizing \$5.85 billion over the next six years for FIRE Act grant assistance. This amount represents a substantial increase over current law.

Second, we are both increasing the size of the awards and making the grants more equitable. Presently, the maximum amount of an award is \$750,000, regardless of the size and type of department. For a large department, this cap has caused some difficulties because departments in smaller communities get a substantially larger share of the funds per capita. Our legislation will increase the size of the awards for large jurisdictions to \$2.25 million, a threefold increase. For jurisdictions between 500,000 and one million people, the cap will be \$1.5 million. For jurisdictions less than 500,000, the maximum award will be \$1 million. The bill also empowers the Secretary of Homeland Security to waive these caps in instances of extraordinary need.

Third, we have restructured the matching requirements of current law. We have heard from the fire services that the current matching requirement imposed on local jurisdictions in many instances exceeds the funds available in their budgets. Our bill will reduce the non-Federal matching requirement from 30 percent to 20 percent for departments serving populations of more than 50,000 people. It will also cut the match by one-third for departments serving communities between 20,000 and 50,000 people, and by one-half for departments serving 20,000 or fewer residents.

Finally, we have enhanced the fire safety and fire prevention programs under the FIRE Act, and we have made volunteer, non-profit emergency medical service (EMS) providers that serve municipalities with separate fire and EMS departments eligible for FIRE Act grants. In addition, we tackle the leading cause of firefighter death in the line of duty—heart attacks—by creating an incentive for fire departments to acquire life-saving automated

external defibrillator equipment for every first-due emergency vehicle.

These are some of the provisions in the legislation that Senator DEWINE and I are introducing. We look forward to working constructively with the other body in the coming months to fashion legislation that the entire fire service can support.

I am concerned, however, about a provision in the House bill that would seem to disadvantage paid fire departments over volunteer fire departments. This provision would prohibit a paid fire department from receiving FIRE Act assistance if it includes in its collective bargaining agreement a clause prohibiting its firefighters from serving as volunteer firefighters in another jurisdiction.

This provision would needlessly put Congress in the awkward position of dictating to local fire departments not only how to manage themselves, but what issues they can and cannot bargain over in their contract. The consequences of such a provision would be far-reaching. In fact, I am unaware of any other Federal grant initiative that imposes a limitation of such as this on collective agreements.

Of course, there are larger issues also at stake—namely, the fact that the Federal government does not provide for firefighters to bargain collectively. Where bargaining does occur, it exists because firefighters have won the right at the state or local level. In fact, I have strongly supported separate legislation currently pending before Congress that would grant each and every firefighter the right to discuss workplace issues with their employer. It would therefore be inconsistent if firefighters are told what issues over which they can or cannot bargain at the same time that it is the current policy of the Federal Government that it is up to the states whether they can bargain in the first place. How can collective bargaining rights be restricted when they are not even granted?

The legislation that Senator DEWINE and I are introducing does not include the House provision, because we are committed to ensuring that all firefighters are treated fairly, and have an equal opportunity to obtain the assistance they need to do their jobs safely.

In closing, it is important to recall the vital role that firefighters have played in American history since its earliest days. In fact, firefighting can be linked to some of our Nation's most illustrious personages. Benjamin Franklin established the first volunteer fire department in Philadelphia in 1735. George Washington himself was a volunteer firefighter across the Potomac River in Alexandria, Virginia, and he imported the first fire engine from England in 1765.

Of course, on September 11, 2001, 343 members of the New York Fire Department made the ultimate sacrifice in their efforts to save thousands of lives trapped in the World Trade Center. The role played by those firefighters who

died in the line of duty on that tragic day made our Nation proud. We will never allow their noble sacrifice to be forgotten.

On that day and on every other day, they are the first ones in and the last ones out. They risk their own lives to save the lives of others. They stare danger in the face because they know they have a duty to fulfill.

The Congress has a duty to the fire service as well, and to the citizens of our Nation who need the protection of the fire service. I look forward to working with my colleagues in the coming months to ensure that this important bipartisan homeland security legislation is enacted into law.

Mr. DEWINE. Mr. President, each day, we entrust our lives and the safety of our families, friends, and neighbors to the capable hands of the brave men and women in our local police departments. These individuals are willing to risk their lives and safety out of a dedication to their citizens and their commitment to public service.

We ask local firefighters to risk no less than their lives, as well, every time they respond to an emergency fire alarm, a chemical spill, or as we saw on September 11, terrorist attacks. We ask them to risk their lives responding to the nearly 2 million reports of fire that they receive on an annual basis. Every 18 seconds while responding to fires, we expect them to be willing to give their lives in exchange for the lives of our families, neighbors and friends. One hundred firefighters lost their lives in 2002 in the line of duty, and nearly 450 lost their lives in 2001. The unyielding commitment these individuals have made to public safety surely deserves an equally strong commitment from the Federal Government.

In 2000, Congress affirmed the value of having a properly trained, equipped and staffed fire service by passing the Firefighter Investment and Response Enhancement (FIRE) Act—legislation that Senator DODD and I introduced, along with Congressmen PASCRELL, WELDON, and many others, on the House side. In the 4 years since the FIRE Act become law, fire departments have made significant progress in terms of filling the substantial needs outlined in the National Fire Protection Association's "needs assessment." To date, Congress has appropriated nearly \$2 billion for the FIRE Act program. Virtually every penny of that amount has gone directly to local fire departments through FIRE grants to provide firefighter personal protective equipment, training to ensure more effective firefighting practices, breathing apparatus, new firefighting vehicles, emergency medical services supplies, fire prevention programs, and other important uses. The direct nature of the FIRE Act grant program—funds literally go straight from the Federal Government to local fire departments—is an extremely important aspect of the law, particularly in light of the difficulties we are seeing with

other homeland security grant programs getting money to flow directly to the intended recipients.

FIRE Act grants are awarded based on a competitive, peer-review process that helps ensure that the most important needs are filled first and that funding will be used in an effective manner. I am proud to note that 86 of Ohio's 88 counties have received FIRE Act funding up to this point and that the fire service in my home State is much better prepared to respond to emergencies as a result. The bottom line is this: The FIRE Act program has proven to be an extremely valuable tool for fire-based first responders.

The time has come to reauthorize this important legislation—to build upon the successes of the original FIRE Act and to refine the program where improvements can be made. Just as we did in 2000, Senator DODD and I have come together, along with the support of several national fire service organizations, to introduce a bill to reauthorize the FIRE Act. Our bill focuses on four central themes. First, we take steps to make the grant program more accessible for fire departments serving small, rural communities and to eliminate barriers to participation faced by departments serving heavily populated jurisdictions. Second, we codify changes made in program administration since its transfer to the recently created Department of Homeland Security. Third, the bill increases the emphasis within the program on life-saving Emergency Medical Services and technologies. And fourth, we evaluate the program through a series of reports to help ensure that resources are targeted to the areas of greatest need. These priorities have been developed jointly with the fire service, and represent a means to strengthen the FIRE Act program for years to come.

First, our new legislation would help the FIRE act program be more accessible for fire departments serving the very largest and smallest jurisdictions in America. Our experience over the past 4 years has been that a number of features in the program make participation difficult for departments serving these populations. Career fire departments, most of which serve populations well in excess of 50,000, have been receiving only a small percentage of the total grants thus far. After consulting with the fire service organizations, fire chiefs in my home State of Ohio, and officials administering the program at the Department of Homeland Security, we've found that there are two main reasons why this has been the case.

First, matching requirements for large departments, currently fixed at 30 percent, have been particularly difficult to meet. Second, current law dictates that departments—whether they serve a large city, such as Cleveland and have numerous fire stations, or a small town, such as Cedarville, OH and have only one station—are eligible for the exact same level of funding each

year: \$750,000. These two elements of the current program have caused a number of large fire departments to forego applying for FIRE grants. With respect to smaller, often volunteer-based departments serving populations of 20,000 or less, budgets are often so limited that meeting the current match is simply not possible. Many of these departments struggle with even the most basic needs, such as having an adequate number of staff available to respond to a structure fire.

Our bill addresses each of these problems in a simple and straightforward fashion. Specifically, the bill would reduce matching requirements by one third for departments serving communities of 50,000, and by the one half for departments serving 20,000 or fewer residents in order to encourage increased participation by these departments. The bill also would restructure caps on grant amounts to reflect population served, with up to \$2,250,000 for departments serving one million or more, \$1,500,000 for departments serving between 500,000 and one million, and \$1,000,000 for departments serving fewer than 500,000 residents. Together, these two changes would go a long way toward increasing the accessibility of the program for the very largest and smallest departments in the United States.

The second major component of our bill has to do with the transfer of the FIRE Act administration from the Federal Emergency Management Administration (FEMA) to the Department of Homeland Security (DHS). When FEMA's functions were transferred into the DHS, the FIRE grant program, along with the U.S. Fire Administration, also were transferred to DHS. As part of that transfer, formal administration of the FIRE grant program has been delegated to the Department to the Office of Domestic Preparedness (ODP), which oversees all DHS grant programs. While the U.S. Fire Administration—the real fire experts within the Federal Government—remains involved, we need to take steps to formalize the management of the program following the transfer to DHS.

There are a number of reasons for solidifying program administration in law, chief among them being the ability of fire departments across our Nation to plan for the future, and the ability to ensure an ongoing role for fire experts in the process. First, our bill gives the Secretary of Homeland Security overall authority for the program. This just makes sense given the Secretary's current home within ODP. Additionally, the bill would codify in law practices currently in use by ODP—peer review by experts from national fire service organizations, a formal role for the U.S. Fire Administration, and collaborative meetings to recommend grant criteria.

These steps would benefit the program for years to come and would help bring stability to the increasingly mature FIRE grant program. Perhaps

more importantly, formalizing the role of the U.S. Fire Administrator and national fire service organizations would help resolve a fundamental tension between the mission of the FIRE Act program (to improve firefighting and EMS resources nationwide for all hazards) and the mission of its caretaker, ODP (to focus on terrorism prevention and response).

It makes sense for ODP, as the central clearinghouse for grant program within DHS, to manage the FIRE grant program. Equally so, it makes sense to build features into the program which would help ensure that the FIRE grant program will remain dedicated solely to the fire and emergency medical services (EMS) communities and will not be diluted over time into a generic terrorism-prevention program. Our bill carefully strikes this balance.

The third major focus of this reauthorization bill is on finding ways to improve safety and to save lives. We do this in a number of ways. First, we've teamed up with national fire service organizations to incorporate firefighter safety research into the fire prevention and safety set-aside program. This new research, supported by a 20 percent increase in funds for the prevention and safety set-aside, would help reduce the number of firefighter fatalities each year and would dramatically improve the health and welfare of firefighters nationwide.

Second, we place an increased emphasis on Emergency Medical Services. In most communities, the fire department is the chief provider for all emergency services, including EMS. To illustrate this point, a 2002 National Fire Protection Association study indicates that fire departments received more than seven times as many calls for EMS assistance as they did for fires. When our family members, neighbors, and friends need immediate medical help, we turn to EMS providers, and we rely on this help to be as effective and timely as possible. It is our duty in structuring the FIRE grant program, then, to do everything we can to give EMS squads the assistance they need to carry out this important mission.

Despite the overwhelming ratio of EMS calls to fire calls, the FIRE grant program has not adequately reflected the importance of EMS over the past few years, with about 1 percent of all grants going specifically for EMS purposes. While there is no question that a number of other grants have indirectly benefited EMS and that departments do invest their own money into this service, more can and should be done through the FIRE Act to boost our EMS capabilities nationwide. To accomplish this goal, we do a number of things in the reauthorization bill, including specifically including fire-based EMS professionals in the peer review process and allowing EMS grant requests to be combined with those for equipment and training.

Additionally, we include language to incorporate independent, non-profit

EMS squads into the FIRE grant program for the first time. While our work with national fire service organizations on this particular provision has been productive and is ongoing, its intent is clear—and that is to try to bring the emphasis within the FIRE grant program on EMS closer to the level of demand in the field for this life-saving service. I am pleased that we have this language in the bill and believe that through debate here in committee, and perhaps on the Senate floor, we can find an even better solution for increasing support for EMS.

Third, we create a new incentive program within the FIRE Act that encourages departments to invest in life-saving automated external defibrillator (AED) devices. These devices are capable of dramatically reducing the number one cause of firefighter death in the line of duty—heart attacks. Our incentive program essentially says to fire departments that if you equip each of your firefighting vehicles with a defibrillator unit, we'll give you a one-time discount on your matching requirement. Congress has expressed, time and again, strong support for getting these devices out to communities through various grant programs. It is our hope that we can maintain that commitment by extending support for life-saving defibrillator technologies to fire departments across the country.

Fourth, we eliminate a burdensome and unintended matching requirement for fire prevention grants. These grants generally go to non-profit organizations, such as National SAFE KIDS, to provide for fire safety awareness campaigns, smoke detector installations in low-income housing, and other important prevention efforts. Though no match was required in the first few years of the program, a recent legal opinion from the Office of Domestic Preparedness has reversed course and instituted a 10 percent match for grantees. This unanticipated requirement, which is extremely difficult for non-profits with limited capital, has had a debilitating effect on the prevention program and needs to be eliminated. Our bill does just that.

Together, these common-sense features of our reauthorization bill would dramatically improve the safety of our communities, as well as the firefighters who bravely serve them.

The fourth section of this reauthorization bill centers on a comprehensive review of the FIRE grant program. This review, to be conducted in part by the National Fire Protection Association, and in part by the General Accounting Office (GAO), seeks to evaluate the program with an eye toward ensuring that resources are targeted to the areas of greatest need. A similar study by the National Fire Protection Association conducted shortly after passage of the initial FIRE Act was extremely helpful as far as identifying the nature of the fire service needs. Ultimately, this part of the bill is about making sure that the billions of tax-

payer dollars authorized by this legislation are used in the most responsible and effective manner possible.

Our bill is a good bill. It is comprehensive and collaboratively drafted with input from fire and emergency services experts from across the country. The National Safe Kids Campaign, the International Association of Fire Fighters, the International Association of Fire Chiefs, the National Volunteer Fire Council, the International Association of Arson Investigators, the International Society of Fire Service Instructors, and the National Fire Protection Association, among others, all support our legislation. I am proud to introduce this bill with my friend and colleague from Connecticut and look forward to working to ensure that the Federal Government increases its commitment to the men and women who make up our local fire departments. We owe them and their service and dedication nothing less than our full support.

Mr. McCAIN. Mr. President, I am pleased to join Senators DODD and DEWINE and my other colleagues in introducing the Assistance to Firefighters Act of 2004, which will reauthorize the Assistance to Firefighters Grant Program. This program, which is also known as the FIRE Grant program, addresses a critical need by ensuring that our Nation's firefighters have adequate funding for training and equipment to deal with the many hazards that they face.

As Chairman of the authorizing committee of jurisdiction, I am familiar with the success of the Assistance to Firefighters Grant Program. Funding under the FIRE grant program is provided directly to local jurisdictions. Applications undergo a competitive, merit-based process, which helps to ensure that funding is spent responsibly and productively. The grant program includes a matching requirement to ensure that the local community is committed to spending the grant. It also includes a "maintenance of expenditures" provision to ensure that the grant will supplement, not replace, local firefighting funds. In addition, the program ensures that new technology that is bought with FIRE Grant funds meet standards set by voluntary consensus organizations, so that local fire departments will buy effective equipment.

For Fiscal Year 2004, the program received over 20,000 applications from local fire departments across the country. These requests totaled approximately \$2.3 billion. The program also received around 20,000 applications in 2001, 2002, and 2003, which clearly demonstrates the need and importance of this program to the firefighting community.

The Assistance to Firefighters Grant program recipients use such funds to help meet their basic needs. The uses for these grants include: personal protection and firefighting equipment;

training; firefighting vehicles; fire prevention campaigns; fire code enforcement; and arson detection and prevention. I would like to emphasize that these grants are dedicated to improving the local response to "all-hazards," including natural disasters, structural fires, and acts of terrorism.

I thank my colleagues for their leadership on this issue, and urge the Senate to support passage of this legislation this year. As we have witnessed recently, our Nation's fire services face a myriad of threats, and we should work to ensure that they are adequately trained and equipped to meet them.

#### SUBMITTED RESOLUTIONS

#### SENATE CONCURRENT RESOLUTION 106—URGING THE GOVERNMENT OF UKRAINE TO ENSURE A DEMOCRATIC, TRANSPARENT, AND FAIR ELECTION PROCESS FOR THE PRESIDENTIAL ELECTION ON OCTOBER 31, 2004

Mr. CAMPBELL (for himself, Mr. DODD, and Mr. BIDEN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 106

Whereas the establishment of a democratic, transparent, and fair election process for the 2004 presidential election in Ukraine and of a genuinely democratic political system are prerequisites for that country's full integration into the Western community of nations as an equal member, including into organizations such as the North Atlantic Treaty Organization (NATO);

Whereas the Government of Ukraine has accepted numerous specific commitments governing the conduct of elections as a participating State of the Organization for Security and Cooperation in Europe (OSCE), including provisions of the Copenhagen Document;

Whereas the election on October 31, 2004, of Ukraine's next president will provide an unambiguous test of the extent of the Ukrainian authorities' commitment to implement these standards and build a democratic society based on free elections and the rule of law;

Whereas this election takes place against the backdrop of previous elections that did not fully meet international standards and of disturbing trends in the current pre-election environment;

Whereas it is the duty of government and public authorities at all levels to act in a manner consistent with all laws and regulations governing election procedures and to ensure free and fair elections throughout the entire country, including preventing activities aimed at undermining the free exercise of political rights;

Whereas a genuinely free and fair election requires a period of political campaigning conducted in an environment in which neither administrative action nor violence, intimidation, or detention hinder the parties, political associations, and the candidates from presenting their views and qualifications to the citizenry, including organizing supporters, conducting public meetings and events throughout the country, and enjoying unimpeded access to television, radio, print, and Internet media on a non-discriminatory basis;

Whereas a genuinely free and fair election requires that citizens be guaranteed the right and effective opportunity to exercise their civil and political rights, including the right to vote and the right to seek and acquire information upon which to make an informed vote, free from intimidation, undue influence, attempts at vote buying, threats of political retribution, or other forms of coercion by national or local authorities or others;

Whereas a genuinely free and fair election requires government and public authorities to ensure that candidates and political parties enjoy equal treatment before the law and that government resources are not employed to the advantage of individual candidates or political parties;

Whereas a genuinely free and fair election requires the full transparency of laws and regulations governing elections, multiparty representation on election commissions, and unobstructed access by candidates, political parties, and domestic and international observers to all election procedures, including voting and vote-counting in all areas of the country;

Whereas increasing control and manipulation of the media by national and local officials and others acting at their behest raise grave concerns regarding the commitment of the Ukrainian authorities to free and fair elections;

Whereas efforts by the national authorities to limit access to international broadcasting, including Radio Liberty and the Voice of America, represent an unacceptable infringement on the right of the Ukrainian people to independent information;

Whereas efforts by national and local officials and others acting at their behest to impose obstacles to free assembly, free speech, and a free and fair political campaign have taken place in Donetsk, Sumy, and elsewhere in Ukraine without condemnation or remedial action by the Ukrainian Government;

Whereas numerous substantial irregularities have taken place in recent Ukrainian parliamentary by-elections in the Donetsk region and in mayoral elections in Mukacheve, Romny, and Krasniy Luch; and

Whereas the intimidation and violence during the April 18, 2004, mayoral election in Mukacheve, Ukraine, represent a deliberate attack on the democratic process: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) acknowledges and welcomes the strong relationship formed between the United States and Ukraine since the restoration of Ukraine's independence in 1991;

(2) recognizes that a precondition for the full integration of Ukraine into the Western community of nations, including as an equal member in institutions such as the North Atlantic Treaty Organization (NATO), is its establishment of a genuinely democratic political system;

(3) expresses its strong and continuing support for the efforts of the Ukrainian people to establish a full democracy, the rule of law, and respect for human rights in Ukraine;

(4) urges the Government of Ukraine to guarantee freedom of association and assembly, including the right of candidates, members of political parties, and others to freely assemble, to organize and conduct public events, and to exercise these and other rights free from intimidation or harassment by local or national officials or others acting at their behest;

(5) urges the Government of Ukraine to meet its Organization for Security and Cooperation in Europe (OSCE) commitments on democratic elections and to address issues

previously identified by the Office of Democratic Institutions and Human Rights (ODIHR) of the OSCE in its final reports on the 2002 parliamentary elections and the 1999 presidential elections, such as illegal interference by public authorities in the campaign and a high degree of bias in the media;

(6) urges the Ukrainian authorities to ensure—

(A) the full transparency of election procedures before, during, and after the 2004 presidential elections;

(B) free access for Ukrainian and international election observers;

(C) multiparty representation on all election commissions;

(D) unimpeded access by all parties and candidates to print, radio, television, and Internet media on a non-discriminatory basis;

(E) freedom of candidates, members of opposition parties, and independent media organizations from intimidation or harassment by government officials at all levels via selective tax audits and other regulatory procedures, and in the case of media, license revocations and libel suits, among other measures;

(F) a transparent process for complaint and appeals through electoral commissions and within the court system that provides timely and effective remedies; and

(G) vigorous prosecution of any individual or organization responsible for violations of election laws or regulations, including the application of appropriate administrative or criminal penalties;

(7) further calls upon the Government of Ukraine to guarantee election monitors from the ODIHR, other participating States of the OSCE, Ukrainian political parties, candidates' representatives, nongovernmental organizations, and other private institutions and organizations, both foreign and domestic, unobstructed access to all aspects of the election process, including unimpeded access to public campaign events, candidates, news media, voting, and post-election tabulation of results and processing of election challenges and complaints; and

(8) pledges its enduring support and assistance to the Ukrainian people's establishment of a fully free and open democratic system, their creation of a prosperous free market economy, their establishment of a secure independence and freedom from coercion, and their country's assumption of its rightful place as a full and equal member of the Western community of democracies.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3142. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 3140 submitted by Mr. FEINGOLD and intended to be proposed to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes; which was ordered to lie on the table.

SA 3143. Mr. GRASSLEY proposed an amendment to the bill S. 1637, supra.

#### TEXT OF AMENDMENTS

SA 3142. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 3140 submitted by Mr. FEINGOLD and intended to be proposed to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply