

the PATRIOT Act became law. As a result, the American people have no idea how often the FBI is using this controversial power to obtain their sensitive personal records, including library records.

I commend our Nation's librarians for defending our Constitution and leading the fight to reform the PATRIOT Act. Unfortunately in the past this Justice Department has criticized librarians for exercising their first amendment rights. Now they have gone even further—preventing a librarian from speaking publicly about a legal challenge to the national security letter power.

In our democracy, the government is supposed to be open and accountable to the people and the people have a right to keep their personal lives private. This Justice Department seems to want to reverse this order, keeping their activity secret and prying into the private lives of innocent American citizens.

The President has asked Congress to reauthorize the PATRIOT Act. In order to have a fully informed public debate, the American people should know how often the national security letter authority has been used and they should be able to hear from librarians and others who are concerned about this power.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On June 1, 2004, a man was attacked and stabbed by three men in the downtown area of Seattle, WA. The apparent motivation for the attack was sexual orientation.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local 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.

U.S. GRAIN STANDARDS ACT

Mr. CHAMBLISS. Mr. President, I am pleased that the Senate passed S.1752, a bill to reauthorize the U.S. Grain Standards Act. I understand that the House of Representatives is scheduled to consider this legislation today and look forward to its swift approval, as the act expires September 30, 2005.

This reauthorization bill is identical to the administration's requested lan-

guage provided to the committee earlier this year, a simple 10-year extension of current law.

The Agriculture, Nutrition, and Forestry Committee held a hearing to review the U.S. Grain Standards Act on May 25, 2005. Testimony provided on behalf of the National Grain and Feed Association and the North American Export Grain Association highlighted industry's desire to be cost-competitive and remain viable for bulk exports of U.S. grains and oilseeds in the future. Specifically, these organizations proposed the U.S. Department of Agriculture's, USDA, utilization of third-party entities to provide inspection and weighing activities at export facilities with 100-percent USDA oversight using USDA-approved standards and procedures. Support for this proposal in the hearing was provided by the American Farm Bureau Federation, American Soybean Association, National Association of Wheat Growers, National Corn Growers Association, National Grain Sorghum Producers, and the American Association of Grain Inspection and Weighing Agencies. Testimony provided by USDA stated that the "proposal of the industry establishes a framework for changing the delivery of services without compromising the integrity of the official system."

During the hearing, the Committee also learned of workforce challenges currently facing the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration, GIPSA. The majority of official grain inspectors will be eligible for retirement over the next several years. Testimony presented explained that transitioning the delivery of services through attrition would minimize the impact on Federal employees.

Since the hearing, I have extensively reviewed legislative proposals and discussed the issue of improved competitiveness with various Senators, organizations, and USDA. Chairman BOB GOODLATTE of the House Agriculture Committee and I wrote to USDA to determine if they had existing authority to use private entities at export port locations for grain inspection and weighing services, and if they did, how they would implement this authority.

Accompanying this statement is a copy of the letter we received from USDA responding to our questions. The letter clearly states that the U.S. Grain Standards Act "currently authorizes the Secretary of Agriculture to contract with private persons or entities for the performance of inspection and weighing services at export port locations." The letter further explains that GIPSA considers the use of this authority as an option to address future attrition within the Agency and to address expanded service demand. I fully expect USDA to use this authority in a manner that improves competitiveness of the U.S. grain industry, that maintains the integrity of the Federal grain inspection system, and

that provides benefits to employees who may be impacted.

The committee greatly appreciates the work provided by GIPSA, and we are pleased to extend the authorization of current law for 10 years.

I ask unanimous consent that the letter to which I referred be printed in the RECORD.

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

THE SECRETARY OF AGRICULTURE,
Washington, DC, September 21, 2005.

Hon. SAXBY CHAMBLISS,
Chairman, Committee on Agriculture, Nutrition,
and Forestry, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This is in response to your letter of this date, also signed by Bob Goodlatte, Chairman of the U.S. House of Representatives Committee on Agriculture, posing two questions regarding legislation which is currently pending before the Congress. The legislation would reauthorize, for an additional period of years, the United States Grain Standards Act, 7 U.S.C. §§71 et seq. (Act), which is presently scheduled to expire on September 30, 2005. Your questions and our responses are as follows:

1. Would existing authority under the U.S. Grain Standards Act allow USDA to use private entities at export port locations for grain inspection and weighing services?

Response. The Act currently authorizes the Secretary of Agriculture to contract with private persons or entities for the performance of inspection and weighing services at export port locations. See 7 U.S.C. §§79(e)(1), 84(a)(3).

2. If so, how would USDA implement this authority?

Response. The Act currently authorizes the Secretary to contract with a person to provide export grain inspection and weighing services at export port locations. The Grain Inspection, Packers and Stockyards Administration (GIPSA) has reserved this authority to supplement the current Federal workforce if the workload demand exceeded the capability of current staffing. GIPSA has also considered use of this authority as one of several options to address future attrition within the Agency and to address expanded service demand as several delegated States have decided or are considering to cancel their Delegation of Authority with GIPSA.

In accordance with federal contracting requirements, GIPSA would contract with a person(s) (defined as any individual, partnership, corporation, association, or other business entity) to provide inspection and weighing services to the export grain industry. The person(s) awarded the contract would adhere to all applicable provisions of the Act to ensure the integrity of the official inspection system during the delivery of services to the export grain industry. The person(s) would charge a fee directly to the export grain customer to cover the cost of service delivery and the cost of GIPSA supervision. Contract terms would require reimbursement to GIPSA for the cost of supervising the contractor's delivery of official inspection and weighing services.

GIPSA would comply with OMB Circular No. A-76 for any contracting activity that may replace or displace federal employees. The Circular would not apply if the contract for outsourcing services intends to fill workforce gaps, not affect Federal employees, or supplement rather than replace the federal workforce. The A-76 process typically takes two years and involves an initial cost-benefits analysis, an open competitive process, and an implementation period.

I hope that the explanations provided above are fully responsive to the questions

you have asked. A similar letter is being sent to Chairman Goodlatte.

Sincerely,

MIKE JOHANNIS,
Secretary.

BREAST CANCER RESEARCH
STAMP REAUTHORIZATION ACT
OF 2005

Mrs. FEINSTEIN. Mr. President, I rise today to thank very much all of my colleagues for their support in extending the Breast Cancer Research Stamp for another 2 years.

This bill has the strong bipartisan support of Senator HUTCHISON and 68 other Senators from both sides of the aisle.

Without congressional action, this extraordinary stamp is set to expire on December 31 of this year.

During the past 7 years, the U.S. Postal Service has sold over 650 million semipostal breast cancer stamps—raising \$47.4 million for breast cancer research.

These dollars allow the National Institutes of Health, NIH, and the Department of Defense, DOD, to conduct new and innovative breast cancer research.

So far the NIH has received approximately \$31 million and the DOD about \$13 million for breast cancer research—helping more people become cancer survivors rather than cancer victims.

In addition to raising much needed funds, this wonderful stamp has also focused public awareness on this devastating disease and provided hope to breast cancer survivors to help find a cure.

The breast cancer research stamp is the first stamp of its kind dedicated to raising funds for a special cause and remains just as necessary today as ever. For example: breast cancer is considered the most commonly diagnosed cancer among women in every major ethnic group in this country; over 2 million women in the U.S. are living with breast cancer, 1 million of whom have yet to be diagnosed; this year, approximately 211,240 women in this country will get breast cancer and about 40,410 women will die from this dreadful disease; and about 1,300 men in America are diagnosed with breast cancer each year though much less common.

Extending the life of this remarkable stamp is crucial so that we can continue to reach out to our women and men who do not know of their cancer and to those who are living with it.

This bill would permit the sale of the breast cancer research stamp for 2 more years—until December 31, 2007.

The stamp would continue to have a surcharge of up to 25 percent above the value of a first-class stamp.

Surplus revenues would continue to go to breast cancer research programs at the National Institutes of Health, 70 percent of proceeds, and the Department of Defense, 30 percent of proceeds.

This bill does not affect any other semipostal proposals under consideration by the Postal Service.

With this stamp every dollar we continue to raise will help save lives until a cure is found.

Again, I thank my colleagues for supporting this important legislation to extend the breast cancer research stamp for 2 more years.

THE 2005 BRAC PROCESS

Mr. GRASSLEY. Mr. President, I rise to speak on the Base Realignment and Closure, or BRAC, process that occurred this year. I have always voted to authorize base closure rounds in deference to the Department of Defense's stated need to restructure our military facilities to meet current and future needs. Nevertheless, the ceding of significant authority by Congress to an independent commission is an extraordinary step that should not be undertaken frequently or lightly. When Congress does lend its power to an independent commission, we retain the responsibility to closely monitor the commission's deliberations and actions. I have done so with respect to the 2005 BRAC Commission, naturally paying the closest attention to the issues before the Commission that affect Iowans.

My observation of the Commission's final deliberations raised some concerns about the information and reasoning used in making its decisions. I followed up with a letter to the Commission to clarify these concerns and have recently received a response that did nothing to allay my concerns. As a result, I have now concluded that I do not have full confidence that this was a thorough and fair process.

A joint resolution to disapprove the 2005 BRAC recommendations has been introduced in the House and has just been marked up by the House Armed Services Committee. It will now be considered under expedited procedures. I would urge my colleagues in the House to approve this resolution. Obviously, if this resolution is not approved by the House, Senate action will be meaningless. But, if the Senate does take up such a resolution, I will vote to disapprove the 2005 BRAC recommendations.

The BRAC Commission is charged with reviewing the recommendations of the Department of Defense and altering those recommendations if they are found to deviate substantially from the BRAC criteria. On that basis, the Quad Cities community in Iowa and Illinois challenged some recommendations for the Rock Island Arsenal and did not challenge others.

One issue on which I thought we had a clear-cut case of a substantial deviation of the BRAC criteria was the proposed move of the U.S. Army Tank-Automotive and Armaments Command, or TACOM, organization at the Rock Island Arsenal to the Detroit Arsenal. This proposal was essentially a footnote to a consolidation of what is called inventory control point functions from 11 separate organizations

around the country that would now report to the Defense Logistics Agency. The consolidation of inventory control point functions would affect 52 people at TACOM Rock Island and was not challenged by the community. However, the DOD recommendation then, puzzlingly, proposed to move the rest of the approximately 1,000 employees of TACOM Rock Island to the TACOM Headquarters at the Detroit Arsenal in Michigan.

The facilities at the Detroit Arsenal are already strained to capacity. The base is encroached on all sides and has no room to grow. In fact, the Detroit Arsenal is rated far lower in military value than the Rock Island Arsenal. Moving in 1,000 new employees will require major military construction. That includes building two parking garages to replace the already limited parking space that would be used up. What's more, because of higher locality pay in the area, it will cost significantly more in the long term to pay those employees at the new location. You also lose some unique facilities currently used by TACOM Rock Island, like a machine shop and live fire range. In addition, there will be no space to house the outside contractors currently embedded with TACOM Rock Island, who would also need to move but aren't counted in the BRAC data.

The Quad Cities community challenged this proposed move on the basis of military value, and the enormous costs both up front and in the long run. In fact, the move would cost the taxpayers millions of dollars more out into the future. This point was made clear when Commissioner Skinner visited the Rock Island Arsenal. It featured prominently in my testimony before three BRAC Commissioners at the regional hearing in St. Louis. My colleagues, Senators DURBIN, OBAMA, and HARKIN and Representative EVANS also made this point at the regional hearing. This was followed by a detailed presentation by community representatives. Members of our bistate congressional delegation reinforced this point in follow-up phone calls to commissioners. Finally, community representatives and congressional staff met with the BRAC Commission staff to make sure they knew about the costs.

When it came time for the final deliberations, the Commission considered the TACOM move with the consolidation of inventory control point functions. I question this approach to start with since the TACOM move was completely unrelated to the other moves in the recommendation. It was obvious by Commissioner Skinner's questions to the BRAC staff that considering these unrelated moves in one recommendation confused the commissioners. Commissioner Skinner asked twice how the move being considered would affect another move from the Rock Island Arsenal to the Detroit Arsenal that he believed would be considered separately. He had to be corrected twice by staff who explained that it was all part of one recommendation.