

at sea. But more often they are called upon to be close in, supporting operations, supporting political and diplomatic issues. That, too, is recognized here.

So we have legislation that is comprehensive, legislation that recognizes the need to reward our service men and women, legislation that recognizes the need to transform our military services because of our new world, and legislation that I think goes a long way in building those vital programs, such as submarines, but there are others, that are critical to our future national security.

There are several regrets, though, and one regret is that included within the Senate version of the legislation was the hate crimes bill—important legislation that could match our ideals with our legislative intent. We all profess, indeed, would say stoutly and without reservation, our abhorrence for hate crimes, the need to condemn them. Unfortunately, this language which was included in the Senate version, and which the House also favorably supported for at least an instruction of the conferees, could not be included in the final version of the legislation. I regret that.

What it means is that we have to return next January with a commitment to pass this legislation. Hopefully we can pass it standing alone; hopefully, if that is not the case, on some legislative vehicle. But this legislation is necessary. Certainly I will be supporting this legislation because it will make us more capable, it will help us modernize our forces, and will reward those forces who are serving so valiantly.

The PRESIDING OFFICER. The Senator from New Mexico is next to be recognized under the unanimous consent agreement.

Mr. DOMENICI. I believe I have 5 minutes.

Mr. President, I rise today to support for the Defense Authorization Conference Report of 2001. The conferees have worked very hard to achieve consensus or reach compromises on the provisions found in this year's report.

The conference report contains many positive things for ensuring America's continued military dominance; in addition, it also includes several authorizations for defense activities in the state of New Mexico. I thank the Chairman and Ranking Minority Member for their contributions.

I would like to specifically address what has been achieved in this bill with respect to laser programs and directed energy technologies. I strongly believe that lasers, like THEL and Airborne Laser, will offer offensive and defensive military means far beyond our current capabilities. These programs deserve our full support. At the same time, we need better coordination of our nation's efforts in lasers and other directed energy technologies.

I am pleased the Committee accepted my amendment that requires the Secretary of Defense to implement the

High Energy Laser Master Plan and authorizes up to \$30 million for these vital technologies. This amendment also requires selection of a site for the Joint Technology Office (JTO) by the Secretary of Defense. The JTO will perform a critical role in achieving better coordination and execution of our nation's laser programs. The bill also underscores the vital role of the High Energy Laser Test Facility at White Sands Missile Range and the importance of DoD's close coordination with other federal agencies, academia and industry in creating a stable foundation for further progress in these technologies.

Although my original legislation encompassed all directed energy technologies, including microwaves, in this defense-wide effort, the conferees would not support this position. Instead, the legislation will require the Pentagon to take a hard look at integrating all other directed energy technologies into the current structure for High Energy Laser programs. From my perspective this would be a logical next step in the Pentagon's efforts to streamline and better coordinate its research programs. This would also accelerate progress and maximize efficiencies for these related technology areas.

The conferees also addressed shortfalls in some specific ongoing laser weapons programs. They authorized \$85 million to restore the most of the Airborne Laser (ABL) program funding. The Air Force's ABL program is the only missile defense system currently contemplated that would strike and kill missiles in their boost phase.

In addition, the conferees reached a reasonable compromise on the control of funding for Airborne Laser after the Air Force radically cut that program's budget. The Air Force will retain funding control for ABL; however, it must have the Ballistic Missile Defense Organization's (BMDO) approval before making any changes to any aspect of the program, including its budget.

The Tactical High Energy Laser (THEL) was authorized at \$15 million for FY2001. THEL represents one of the first weapons systems being tested that utilizes high energy lasers for the purposes of missile defense. I led the charge to obtain an additional \$5.7 million in FY00 funding for continued testing of this weapon system this year. Since the passage of the Senate bill earlier this year, THEL has shown that lasers can provide effective, speed of light defenses against Katyusha rockets. In the coming months, THEL will be tested against other targets and will provide us additional insights into the lethality of this particular type of system.

I am committed to addressing the shortfalls in the science and technology funding to ensure more rapid development and fielding of high energy laser weapons. However, I am also committed to expanding these efforts to all directed energy technologies.

While I appreciate the Committee's attention to these vital programs, more must be done to ensure the directed energy science and technology is fully streamlined and sufficiently funded. These technologies can assist in countering some of the most prevalent threats confronting us.

This long-awaited conference report will have a positive impact on the day-to-day concerns confronting our military. For example, quality of life received much needed attention. I applaud the 3.7 percent pay raise for military personnel and the comprehensive health care for Medicare-eligible military retirees. The conference report also retained the extension of the TRICARE Prime benefit to families of service members assigned to remote locations and the elimination of co-payments for services received under TRICARE Prime.

This legislation contains landmark provisions with respect to healthcare for our military retirees. Many complicated and situation-specific problems currently exist with the health care programs for active and retired military members as well as for veterans. It will take more than one year of fixes to find the right combination of policies and ensure that the funding for military health care is not forced to compete with other defense priorities.

These will aid in addressing the health care crisis within our military and provide proof of our desire to keep our promise. I applaud the conferees for enacting sweeping reform to a broken system.

Military Construction and family housing is authorized at \$8.8 billion, an increase of \$788 million over the Administration's request. I am pleased that projects critical to the operational effectiveness and well being of the service members and military families residing in New Mexico were addressed in this bill. These are not glamorous projects. These authorizations will replace critical crumbling infrastructure, such as repair of the Bonito pipeline between La Luz and Holloman Air Force Base.

Five additional Weapons of Mass Destruction Civil Support Teams were included at a cost of \$15.7 million. This will provide us with a total of 32 Civil Support Teams by the end of fiscal year 2001. These teams are comprised of full-time National Guard personnel trained and equipped to deploy and assess suspected nuclear, biological, chemical, or radiological events in support of local first responders. One such team is currently being trained and fielded in New Mexico, ensuring that New Mexico constituents and its vital assets have better protection against such attacks.

The bill authorizes a total of \$13 billion for Atomic Energy Defense activities of the Department of Energy. A total of \$6.4 billion of this funding is for the National Nuclear Security Administration.

Over \$1.0 billion is authorized for the nonproliferation and threat reduction

programs of the Departments of Defense and Energy. These programs continue to make great strides in the critical process of securing weapons of mass destruction and retaining scientific expertise in the former Soviet Union. To further ensure that these threat reduction programs achieve their goals, the committee has also included several initiatives to obtain greater commitment and necessary access from Russia.

Earlier this year I introduced a bill to improve the structure and signal a meaningful U.S. commitment to DOE's nuclear cities initiative. I strongly believe that without significant restructuring in nuclear weapons production complex of Russia the progress in strategic arms reductions could readily be reversed. Further, the proliferation threat of underemployed and underpaid Russian weapons scientists could create a direct, negative impact on international security. I thank the Committee for focusing efforts on this issue.

While I am pleased with the authorization levels to support stockpile stewardship and nonproliferation, I am dismayed that the conferees took it upon themselves to adopt additional provisions on polygraphs. These new requirements will entail polygraphs for an estimated 5,000 additional persons working in our nuclear complex. I find it astounding—especially in light of the findings in the Baker/Hamilton Report—that the conferees included these provisions. That report stated unequivocally that “(t)he current negative climate is incompatible with the performance of good science. A perfect security system at a national laboratory is of no use if the laboratory can no longer generate the cutting-edge technology that needs to be protected . . .”

There is little evidence that polygraphs administered as a screening technique is an effective use of security resources. The Conferees apparently view mass polygraphs of everyone at the Labs as a silver bullet that will ensure no future security breaches. That is a naive view of security that fails to recognize that polygraphs are simply one tool among many, that must be wisely and judiciously used to ensure a strong security culture that will allow science to thrive. Otherwise, the silver bullet of mass polygraph will end up killing the labs, not protecting them.

In sum, security is a moot point if our national laboratories fail to achieve scientific advances worth protecting. The Baker/Hamilton Report clearly indicated that we should avoid further “made in Washington” rules that frustrate scientific pursuits and only serve to further demoralize laboratory personnel. I believe these provisions will only make a bad situation worse.

Finally, \$38.9 billion is provided for the defense research, development, test and evaluation programs—an increase

of \$1.1 billion over the President's budget. This funding will focus on the revolutionary technologies to address emerging threats and ensure that America's military remains dominant in the future.

In years past I have repeatedly emphasized the need to stop the ebbing tide and end the lengthy decline in defense budgets. We must not tire in our efforts to maintain a strong, ready and professional military. Quality of life is central to recruitment and retention. Combat readiness of our armed forces must never be at risk. And we must ensure that we are developing and leveraging new technologies to the maximum extent. Our soldiers, sailors, airmen and marines require the means necessary to respond to international uncertainty and address different and diffuse security threats. We must not fail them or U.S. citizens in rising to this challenge.

One of the most dangerous things confronting the United States of America is the current situation of morale at the three nuclear laboratories of the United States. These are the three labs that for three generations we have sent the greatest scientists in America, the best young scientists who wanted to go because it was a great place to work. We used to get the top graduate Ph.D.s from Texas A&M in physics. They would cherish going to one of the nuclear laboratories for 10 or 12 years. From MIT, from Harvard, from Cal Tech, everywhere.

We were being told about a current report available to this committee, while it was in conference, the committee that produced this bill, called a Baker-Hamilton report, named after Senator Baker and Representative Hamilton. It is about 6 weeks old. They were asked to check the current situation in our laboratories. They are more worried about the morale of the scientists there than any other single thing. They have concluded that the recruitment of young, bright scientists is off in excess of 50 percent because of the constant bombardment of those laboratories over the last 18 months with references to security, some of which has been corrected.

They also concluded that a laboratory which is perfectly secure but cannot maintain the highest degree of science in the world is not a very good laboratory. They maintain that we should do less polygraphs, not more, be more targeted, and more efficient and more effective.

Guess what the bill does. This bill permits 5,000 additional laboratory employees. This may even permit them to go down to a janitor, I don't know, and submit polygraph tests to them. And believe it or not, they provide a waiver for the Secretary of Energy. Then they say you cannot use the waiver if, in fact, the reason for it is that the laboratory is having morale problems and cannot keep its personnel to stay alive. That is paraphrasing.

I read the exact words: This amendment would prohibit the Secretary

from using the waiver to maintain the scientific viability of a DOE laboratory. That is the precise reason you should be able to use a waiver, the viability of the laboratories.

Frankly, I am not at all sure everyone who signed this conference report and produced the bill that they really think is a great bill knows that provision is in there.

I say to my good friend, the chairman of the committee, I worked hard and fast and side by side with the Senator from Virginia to get a new law to create a new, semiautonomous agency with which he helped so much. It is now known as the National Nuclear Security Administration, headed by a great general whom you know, General Gordon. If you asked him, Can these laboratories work under these kinds of conditions? he would tell you: Please don't do that. He would say: Please don't do that. That is the wrong thing to do.

Frankly, all I am asking is that the Senate take heed of what I am saying. I am not asking for anything more. I am not even asking the distinguished chairman for anything today. I only hope he is listening and next year, early on, when the Senator from New Mexico tries to change this provision consistent with the Baker-Hamilton report—and almost everybody who has looked at our National Laboratories since the Wen Ho Lee case would agree, too—I hope the distinguished chairman and the chairman's staff will consider, early in the year of the next Congress, something that will fix this provision; 5,000 additional polygraph employees is not the way to go with the laboratories in the position they are in now.

There is no evidence that polygraphs of the type they are talking about have anything to do with security, veracity, or anything else. I know the people who work there. It is somewhat of an insult to consider the average employee, some of whom have been there 30 years, has to be subject to a polygraph because security has gone awry in the laboratories.

I really wish I had had a chance to present this issue. I think it is exactly the kind of thing we should not be doing. I am going to do everything I can, starting next year with the first legislation that is around, to change this. In the meantime, I am glad the Secretary does not have to go next month and start immediately imposing these polygraphs. He has a little bit of time. I hope he squeezes the time so next year we can fix it. That is all I have on this subject.

I say to the distinguished chairman, thank you for yielding me time.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, on my time I thank my colleague for bringing this to our attention. I commend him for the fervor with which he has taken the interest of these very vital laboratories, some of which are in his State, and spent inordinate amounts of time