

Linda is a living example of how a person can turn her grief into action and help others.

On June 29, 1993, Linda's son Paul took his own life. He was 25 years old. In addition to having to accept the loss of her son, Linda had to accept the way she lost him.

First, Linda attended suicide survivors meetings. She transformed herself from being a victim to a survivor. She could have stopped there but she did not.

Even when she was able to accept her son's suicide, Linda realized it affected other people. All she had to do was look at her own family. Paul had left behind many relatives and friends. Unfortunately, for every family like Linda's, there are many more in Nevada and nationwide.

Linda educated herself about the problem of suicide. Eventually she linked up with the Suicide Prevention Action Network and came to Washington for a National Awareness Event. This marked the beginning of Linda Flatt's transformation from suicide survivor to community activist.

Since 1998, Linda Flatt has made it her business, as a private citizen, to educate people in Nevada about suicide. She has not just told them it is a problem; she has told them there is a solution. Prevention is the solution.

On the national front, we have developed a strategy for suicide prevention. But Nevada, which had the highest rate of suicide in the country until this year, did not. Linda Flatt did not think that was right.

Linda took the national model, and started presenting it to the Nevada Legislature. She learned about State government and the legislative process. She contacted the press and the media. She lined up witnesses for hearings. She proposed resolutions and budgets. And finally, this year, the Nevada Legislature passed SB 49, which creates a State Office of Suicide Prevention in Nevada.

On behalf of the citizens of the State of Nevada, I wish to thank Linda Flatt for her tireless efforts and unwavering faith. To say that Linda Flatt is a model citizen does not really do her justice. She has already made a difference in the lives of countless people and will, no doubt, continue to do so. I feel great pride in knowing and recognizing the accomplishments of Linda Flatt.

PROTECT ACT OF 2003 TECHNICAL AMENDMENT

Mr. HATCH. Mr. President, I rise to commend my colleagues in the House of Representatives for passing S. 1280, the PROTECT Act of 2003 Technical Amendment. This bill is directed to that portion of the PROTECT Act authorizing a pilot program to study the feasibility of instituting a national background check for volunteers who work with children. The National Center for Missing and Exploited Children

will provide their expertise by evaluating criminal records of volunteers provided by the Federal Bureau of Investigation to determine if the volunteers are fit to interact and work with children.

When authorizing the pilot program, Congress immunized the National Center for its operation of the child abuse cyber-tip line but neglected to extend it to their activities connected to their operation of the background check pilot program. In order for the Center to fully implement the pilot program, this bill immunizes the Center for decisions it makes based on the criminal records provided to them in any one of the following instances: 1. a decision that the records indicate that a volunteer is not fit to work with children; 2. a decision that an individual is fit to serve as a volunteer based on the government providing incomplete or inaccurate criminal history records; or, 3. a decision that an individual is fit to serve as a volunteer where the Center is provided no criminal history records.

Chairman SENSENBRENNER, Senator BIDEN, and I have been the principal authors of this bill. We all agree that this is the proper interpretation of this technical amendment. I commend Chairman SENSENBRENNER in the House of Representatives for moving this time-sensitive bill through the House of Representatives so quickly.

Mr. BIDEN. Mr. President, I rise to commend the other body for its prompt action on S. 1280, legislation introduced by Chairman HATCH and myself and passed unanimously by the Senate on July 14. Enactment of S. 1280 will clear the way for the commencement of the Child Safety Pilot Program created by the Protect Act, a program designed to keep our kids safe from pedophiles and other criminals.

S. 1280 builds upon language included in the Protect Act at section 108 which authorized a pilot program to study the feasibility of national criminal history background checks for volunteers with organizations that work with children. In section 108, the National Center for Missing and Exploited Children is authorized to assist child-serving organizations in evaluating criminal history records to determine whether potential volunteers are fit to work with children.

We need to do all that we can to keep pedophiles and other convicted felons away from our kids. That was the intent of the background check provisions Senator HATCH, Chairman SENSENBRENNER, and I worked to include in the Protect Act. Instead of giving volunteer organizations raw criminal history data, the National Center for Missing and Exploited Children, "NCMEC", agreed to review the FBI's data to determine whether it reveals a criminal history rendering someone unfit to work with children.

Under section 108 of the Protect Act, NCMEC will evaluate FBI-provided criminal history records, make a determination whether these records render

a potential volunteer unfit to work with children, and pass this resulting fitness determination on to the requesting volunteer organization. Unfortunately, the Protect Act did not limit NCMEC's civil liability in this area. NCMEC volunteered to take on this task, but they indicated they would be unable to make fitness determinations if they are subject to civil suits by aggrieved volunteers. And while the Protect Act provided NCMEC with a shield from civil liability for operating its cyber tip line, so long as NCMEC does so consistent with the purpose of the tip line, no similar protection was provided with respect to NCMEC's activities under the pilot background check program.

S. 1280 extends NCMEC's immunity from civil liability to actions they take pursuant to the pilot program. NCMEC will still be subject to suit for any criminal actions they take, and liable civilly if a plaintiff can show actual malice or intentional misconduct on NCMEC's part. Specifically, S. 1280 immunizes NCMEC for decisions it makes based on the criminal records provided to them by the FBI in any of the following instances: 1. When NCMEC provides a volunteer organization with a fitness determination indicating that a volunteer is not fit to work with children; 2. When NCMEC provides a volunteer organization with a fitness determination that an individual is fit to serve as a volunteer based on incomplete or inaccurate criminal history records provided by the FBI; or 3. When NCMEC provides a volunteer organization with a fitness determination that an individual is fit to serve as a volunteer based on a lack of criminal history records from the FBI. As an author of S. 1280, I understand my interpretation of the legislation is consistent with that of Chairman HATCH and SENSENBRENNER.

Enactment of S. 1280 will permit the pilot programs authorized in the Protect Act to begin on the date called for in the legislation, July 29, 2003. I thank my colleagues in the other body for taking prompt action on S. 1280. I thank Chairman HATCH for his continued devotion to child safety issues, and I look forward to the commencement of the Child Safety Pilot Program next week.

CANADIAN HARP SEAL HUNT

Mr. LEVIN. Mr. President, the Humane Society of the United States, HSUS, has recently brought to my attention a matter that I want to share with my colleagues. According to this prestigious organization, the Canadian government provides millions of dollars of subsidies to the sealing industry every year. These subsidies facilitate the slaughter of innocent animals and artificially extend the life of an industry which has ceased to exist in most developed countries.

In 2001, a group of independent veterinarians traveled to observe the seal

hunt. What they witnessed was shocking to all who are concerned about the humane treatment of animals. The images are difficult to envision but harder to believe: skinning of live animals and the dragging of live seals across the ice using steel hooks.

Few would argue that this industry still serves a legitimate purpose. A number of years ago, an economic analysis of the Canadian sealing industry concluded that it provided the equivalent of only 100 to 150 full-time jobs each year. In addition, the analysis found that these jobs cost Canadian taxpayers nearly \$30,000 each. The report concluded that when the cost of government subsidies provided to the industry was weighed against the landed value of the seals each year, the net value of the sealing industry was close to zero.

There is little about the Canadian sealing industry that is self-sustaining. The operating budget of the Canadian Sealers Association continues to be paid by the Canadian government; their rent each month is paid by the provincial government of Newfoundland and Labrador; seal processing companies continue to receive subsidies through the Atlantic Canada Opportunities Agency; Human Resources Development Canada, and other federal funding programs for staffing and capital costs. The sealing industry, through the Sealing Industry Development Council and other bodies, receives assistance for product research and development, and for product marketing initiatives, both overseas and domestically. All the costs of the seal hunt for ice breaking services and for search and rescue, provided by the Canadian Coast Guard, are underwritten by Canadian taxpayers.

Many believe that subsidizing an industry that only operates for a few weeks a year and employs only a few hundred people on a seasonal, part-time basis is simply a bad investment on the part of the Canadian government. The HSUS has already called upon the Canadian government to end these archaic subsidies and instead work to diversify the economy in the Atlantic region by facilitating long-term jobs and livelihoods.

The clubbing of baby seals can't be defended or justified, and Canada should end it just as we ended the Alaska baby seal massacre 20 years ago.

FBI CHALLENGES

Mr. GRASSLEY. Mr. President, the Federal Bureau of Investigation faces tremendous challenges in the war on terrorism, particularly with its internal operations, where a culture of fear, retaliation, and coverup demoralize agents and weaken the organizations.

Director Mueller has taken at least two important steps to address this culture. First, he has recognized it, making him one of the first Directors in recent memory to acknowledge the problem. His appointment of Judge

Griffin Bell and Dr. Lee Colwell to study the Office of Professional Responsibility, OPR, is an excellent example of his recognizing the seriousness of the problem.

Second, Director Mueller has translated this attitude into action. For example, earlier this year, he justly and fairly punished a senior manager, which was especially noteworthy because he had been handpicked by the Director for the job. Just a few years ago, I could not have imagined an FBI Director taking action against a top official the way he did with Robert Jordan, the Assistant Director of OPR. By implementing the recommended punishment of the Justice Department Inspector General (DOJ OIG), Director Mueller fairly applied high standards to a senior-level FBI official.

I commend the Director for these positive developments, and that is why I feel the following issues are important.

Specifically, I am concerned about the FBI recently awarding contracts to several former senior officials involved in wrongdoing during their careers. The former top officials are Charles Mathews III, who recently retired from the position of Special Agent in Charge of the Portland, OR, Division; Thomas Coyle, who held the position of Assistant Director, Personnel Division; and Special Agent in Charge of the Buffalo, NY, Division; and Joseph Wolfinger, who retired in the late 1990s from the position of Assistant Director of the Training Division in Quantico, VA.

First, it is my understanding that Mr. Mathews recently was selected to accompany several current FBI officials on a trip to Jakarta, Indonesia, to conduct training for law enforcement and security officials.

Second, it is my understanding that MPRI, an Alexandria VA, defense and security contracting company, was awarded a contract worth between \$500,000 and \$1.5 million to conduct counter-intelligence training for FBI agents. Mr. Wolfinger, who holds the title of Senior Vice President and General Manager, heads MPRI's "Alexandria Group," which "will provide the highest quality education, training, and organizational expertise, to law enforcement and corporations around the world," according to the company's Web site. Mr. Coyle is listed as "Senior Law Enforcement Affiliate" for the company.

One reason I have questions about these former officials and/or their companies obtaining contracts is that they were involved in the Ruby Ridge scandal (Mathews) and the "Pottsgate" scandal (Wolfinger). Mr. Coyle was involved with both Ruby Ridge and Pottsgate.

Ruby Ridge refers not only the deadly 1992 standoff at the Idaho home of Randall Weaver, but also the ensuring coverups of misconduct and lying by senior FBI officials. The Pottsgate scandal refers to the sham conference held in 1997 so friends and co-workers

of then-Deputy Director Larry Potts could fly to Washington for his retirement party on the taxpayers' dime, rather than their own personal money.

It is not worth repeating the long and sorry history of the misconduct of all the senior-level officials involved in the Ruby Ridge standoff; Pottsgate; the ensuing investigations, re-investigations, and reviews of investigations; and the failure to take appropriate disciplinary action in both matters. A full recounting covering more than a dozen officials who were involved in wrongdoing would take hundreds of pages.

The most comprehensive, public details of these two scandals are outlined in the DOJ OIG's report, entitled "A Review of Allegations of a Double Standard of Discipline at the FBI," issued in November 2002.

The FBI's reputation and integrity suffered enough when these men escaped any appropriate discipline for wrongdoing during their careers. Not only did they avoid accountability, but recent developments indicate that their former colleagues and friends are rewarding them with lucrative contracts. I am sure this is not the lesson Director Mueller wants agents and the public to learn about the FBI and the way it handles misconduct in its top ranks.

Before I explain my other concerns about Mr. Mathews, Mr. Wolfinger/MPRI, and Mr. Coyle/MPRI profiting—either directly or indirectly—from these contracts, a brief explanation of their involvement in misconduct is necessary. The following is based on the DOJ OIG's report on the double standard in discipline.

Mr. Mathews, in June 1994, led an internal inquiry into the findings of a previous criminal investigation regarding allegations of FBI misconduct during the Ruby Ridge standoff. Danny Coulson, for whom Mr. Mathews worked from 1988 to 1990 in Portland, OR, was one subject of the criminal probes and Mr. Mathews' inquiry.

Mr. Mathews' probe led to discipline for several agents and officials at the scene of the standoff, but not for any headquarters officials—including Mr. Coulson and his boss, Mr. Potts. Later, the Justice Department, DOJ, conducted criminal and administrative investigations into new allegations, including that Mr. Mathews and his investigation covered up misconduct. While under investigation for those issues, Mr. Mathews was promoted twice, and shortly after that DOJ investigation ended in 2001, he was promoted a third time to head the Portland, OR, Division. After contradictory conclusions at the senior levels of the DOJ under former Attorney General Janet Reno, Mr. Mathews, like other senior officials, escaped any discipline.

However, the November 2002 DOJ OIG report later determined that:

Mathews should have been disciplined for failure to carry out [his] assigned duties—completing thorough and impartial inquiries—regardless of whether there was evidence of improper motivation. Moreover,