

million rather than the President's requested \$500 million. I thank the committee for their wisdom in this matter.

Although this bill does a lot to help our first responders, it does not do enough. As my colleagues know, the Council on Foreign Relations recently released the report of an independent task force chaired by former Senator Warren B. Rudman. The title of this report says it all: "Emergency Responders: Drastically Underfunded, Dangerously Unprepared." I supported Senator BYRD and others in trying to address the drastic underfunding of our first responders pointed out in the Rudman Report and am disappointed that we in the Senate were unable to do more.

I point out to my colleagues that I do not take lightly my decision to vote in favor of spending more money. Fiscal responsibility is one of my highest priorities and I constantly look for ways to limit government spending. I am honored that the Concord Coalition and others have recognized me for my efforts in this regard. Although fiscal responsibility remains one of my highest priorities, the fight against terrorism is also a high priority. I regret that the Republican budget resolution did not provide adequate funding for homeland security, choosing instead to place tax cuts as its highest priority. I agree with the distinguished Senators from Connecticut and Michigan that we ought to pay for increased funding in this bill by reviewing tax breaks for those making over a million dollars. This is a reasonable way to approach the current underfunding of this top priority.

I would like to draw attention to the fact that local first responders, emergency preparedness professional associations, and others have responded to the tragic events of 9/11 by re-examining emergency response procedures, compiling lessons learned, and developing new and innovative practices to best deal with possible terrorist attacks. Unfortunately, the Rudman Report found that "(T)he task Force found insufficient national coordination of efforts to systematically capture and disseminate best practices for emergency responders." First responders in Wisconsin back up this finding.

The Department of Homeland Security is supposed to be gathering and disseminating first responder best practices to all relevant parties. I am concerned that they are not adequately fulfilling their responsibility in this area. I understand that the newly formed Department of Homeland Security has many important responsibilities and is being pulled in many different directions. I am concerned, however, that the Department is wasting an important opportunity to increase the efficiency of our first responders. The Rudman Report recommends establishing a national institute to collect and disseminate best practices for first responders. This would "allow all emergency responders to learn from

past experiences and improve the quality of their efforts, thereby assuring taxpayers the maximum return on their investment in homeland security."

I offered an amendment directing the Department to report on its efforts to assess and disseminate best practices and its plans for improving the coordination and sharing of such information. This amendment was designed to prompt the Department into action so that all of us can reap the benefits of shared best practices. I am pleased that the Senate adopted this amendment.

I am also concerned that in our hasty efforts to protect the homeland we may be sacrificing some of our civil liberties. One item of particular concern to me is the use of data-mining by the Department of Homeland Security. Such programs give the Government the ability to peer into virtually every facet of an individual's life, including credit card use, bank statements, health records, and on and on. Congress must make sure that civil liberties are being protected and so must carefully monitor Government entities that may try to use data-mining technology. I am pleased that the Senate adopted my amendment requiring the Comptroller General to conduct a review and report to Congress on the development and use of data-mining by the Department of Homeland Security.

I will vote for this bill. This legislation includes many good elements, such as the funds available for first responders. However, I must also express my disappointment that funding for homeland security, one of our highest priorities, is being forced to play second fiddle to tax cuts. This is unacceptable and I hope we in Congress will soon rectify this situation.

#### HONORING CLAY SELL

Mr. DOMENICI. Mr. President, I rise to honor a remarkable and talented young man who will be sorely missed as he moves to the administration to become the special assistant on energy to the President of the United States. Clay Sell has been working for me as chief clerk for the Senate Appropriations Subcommittee on Energy and Water Development for the past 4 years and while I am extremely proud of his accomplishments, I am sad to see him go.

When Clay first came to the Senate, he impressed us all with his quick uptake of his new position and we were pleasantly surprised with his negotiation skills. It has been said of Clay that even when he negotiated a victory for his position, all parties involved left the negotiation table happy. His keen understanding of people and his genuine attitude are just a few of the great personality traits that Clay possesses.

Clay's hard work and dedication began at an early age. Growing up in greater West Texas, he learned the value of hard work and perseverance.

The Sell family settled in Petersburg, TX in the early 1900's, a small farming community that has changed very little over the past century. Clay's father George grew up to become the first person in the family to receive a college degree. The hard work that drove George to succeed was prevalent in his son Clay.

Clay graduated from Tascosa High in Amarillo, TX where after he went on to receive his undergraduate degree in finance from Texas Tech University at Lubbock. Immediately following his graduation from college, Clay moved to Austin to attend the University of Texas Law School where he met and married his lovely wife Alisa.

After a short stint in Amarillo, Clay and Alisa moved to Washington, DC, where Clay began his political career working as a legislative assistant for a newly elected Representative from Texas, MAC THORNBERRY. While working in the House of Representatives, Clay spent a great deal of time working with energy policy. He worked in all aspects of energy legislation and played a key role in formulating and drafting the legislation which set up the National Nuclear Security Agency, NNSA. This experience made Clay a prime candidate for the position he would eventually assume upon his move to the Senate. Clay's work in the House of Representatives prepared him a great deal for his new job, but his new position required a greater understanding of national energy policy.

Over the past 4 years, I have gotten to know Clay and his wonderful family very well. Alisa and their two sons, Jack and Robert, have been Clay's stabilizing force. With another child on the way, that force will no doubt grow even stronger.

It has been my privilege to know and work with Mr. Clay Sell, but my words today are bittersweet. I do not feel that words alone can properly show my admiration for all that Clay has done for me, but I am confident that he understands how greatly he will be missed.

#### VOTE EXPLANATION

Mr. DAYTON. Mr. President, yesterday, I was absent from the Senate, attending the funeral of Kenneth N. Dayton, my uncle. If I had been present, I would have voted "aye" on the motion to waive the Budget Act for Senator DODD's amendment No. 1363, rollcall vote No. 299. I also would have voted "aye" on the motion to waive the Budget Act for Senator SPECTER's amendment No. 1368, rollcall vote No. 301.

#### MARTIN BAILEY PIERCE

Mr. SESSIONS. Mr. President, it is with a tremendous amount of pride that I take to the floor today to discuss the accomplishments of one of Alabama's native sons, 2LT Martin Bailey Pierce. This remarkable young

man has achieved a truly auspicious honor: he has been named the valedictorian of West Point's class of 2003. In both word and deed, this is a young man who truly has lived up to the Army's challenge to "be all that you can be."

When the selection committee I have established to review potential service academy nominations forwarded Martin Pierce's name to me, I knew that he had the potential to be a fine selection. After all, he had been the 1999 valedictorian at UMS-Wright, formerly known as University Military School, which is a prestigious school in Mobile, AL. Additionally, he had the full support of his two loving parents, Bailey and Susann, who had obviously instilled a sense of duty, honor and commitment in their son. There was little doubt in my mind that the traits 2LT Pierce had exhibited up to that point in time would serve him well at West Point.

However, the same could be said of most of the 846 cadets who graduated alongside Martin in the class of 2003. The service academy's attract a special kind of applicant, and those that are accepted tend to be individuals of great capabilities. Therefore when someone achieves the kind of academic success that 2LT Pierce has, there is a special satisfaction that he has done so while placed among the best and brightest.

I would like to take a few moments to place Mr. Pierce's West Point record in perspective. He became valedictorian by posting a GPA of 4.086 in the field of electrical/chemical engineering, and he was a dean's list member throughout his time at the academy. He also was one of only 144 recipients of the Gold Star and Wreath. This honor required Martin to achieve distinguished cadet status and to also become a Superintendent's Individual Award winner. In order to qualify for the God Star, Martin had to not only maintain a GPA of 3.67 or greater, but he also had to excel in West Point's academic, military and physical programs.

And excel in these programs he did. In addition to his exceptional work in the classroom, 2LT Pierce was a 4 year member of the Army's Black Knights football team, where he lettered as an outside linebacker. His accomplishments on the field and in the classroom also led him to be recognized nationally when he was awarded the Home Depot Scholar Athlete Award during the December 7, 2002 telecast of the Army/Navy game.

If these achievements, weren't enough, Martin saved his best for last. On June 1, 2LT Pierce married the former Michelle Ann Czyz in a ceremony in West Point, NY. Who knows? Perhaps this union foreshadows another valedictorian in a future West Point class.

And so 2LT Martin Bailey Pierce has left a mark upon the U.S. Military Academy as indelible as the mark the service academy has left on him. In

doing so, he has come to exemplify the West Point's mission "to educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country; professional growth throughout a career as an officer in the United States Army; and a lifetime of selfless service to the nation." I am proud he is an Alabamian, and proud to know that he will continue and add to our State's remarkable record of producing outstanding cadets and soldiers. I congratulate 2LT Pierce for his accomplishments, and look forward to what I am sure will be a career that will make all members of the long gray line proud.

#### LAO-HMONG DAY OF RECOGNITION

Mr. KOHL. Mr. President, I rise today on National Lao-Hmong Recognition Day to commemorate those who served alongside the United States to protect democracy in Southeast Asia. Since 1995, the day of July 22nd has been celebrated as the Nation's official day recognizing the commitment and sacrifice of the Lao-Hmong people.

Beginning in the 1960s the United States recruited thousands of the Lao-Hmong citizens to fight against the Communist North Vietnamese Army. The United States relied heavily on support from the Lao-Hmong units to engage in direct combat with the adversary from 1960 to 1975. Although heavily outnumbered, the Lao-Hmong courageously battled to disrupt supply flows which ran along the Ho Chi Minh Trail.

In the name of democracy, the Lao-Hmong protected U.S. personnel, defended U.S. Air Force radar installations, collected critical intelligence about enemy operations, and undertook rescue missions to save the lives of downed U.S. pilots. In doing so, the Lao-Hmong lost more than 35,000 lives and many more were seriously injured and disabled.

Decades of war separated the Lao-Hmong from their native land. Now the Lao-Hmong in these United States can call America their home. The great State of Wisconsin has over many years become a population center for the Lao-Hmong community. Now citizens of the United States, the Lao-Hmong contribute richly to our Wisconsin communities.

On July 22, 1995, the first National Lao-Hmong Recognition Day was celebrated in Denver, CO. This year, in my home State of Wisconsin, the city of Milwaukee has been chosen to host the 2003 celebration. The purpose of celebrating this historic day is to memorialize the departed and to honor the living for their valor in defense of freedom and democracy. While acknowledging and respecting the commitment the Lao-Hmong people gave the United States during the Vietnam War, we are honored to celebrate their lives today.

#### ADDITIONAL STATEMENTS

##### LOCAL LAW ENFORCEMENT ACT OF 2003

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

I would like to describe a terrible crime that occurred in Reedley, CA. On September 21, 2001, Abdo Ali Ahmed was killed after receiving a death threat and a hate note deriding his ethnicity. Ahmed was a 51-year-old Yemeni shopkeeper and father of eight. Before his murder, Ahmed had lived in California for 35 years.

I believe that 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. •

##### HONORING THE OWYHEE CATTLEMEN'S ASSOCIATION ON ITS 125TH ANNIVERSARY

• Mr. CRAPO. Mr. President, I rise today to offer congratulations to the Owyhee Cattlemen's Association on its 125th year celebration. This makes this organization the oldest cattle group in my home State of Idaho. From the original Owyhee Cattle and Horse Growers Association, which formed in 1878 to protect livestock from rustlers and Indians, to the association's present influential position on property rights, water rights, and grazing matters, it has been an effectively involved force in Idaho.

The Owyhee Cattlemen's Association has benefited from a long line of top-notch leaders, and it continues to be instrumental in representing the cattle industry in a variety of issue areas including rangeland monitoring, species issues, and environmental concerns. These are all far different from cattle rustling activities, but perhaps similar in economic effects on the cattle industry.

The association has also played a leading and pioneering role in negotiating agreements and initiatives that work towards the future viability and profitability of the entire grazing community. I particularly appreciate that it has recognized the strength of collaborative efforts in dealing with the multiple interest groups that are becoming stakeholders and hopefully partners in public land stewardship.

The past strength and resolve of the Owyhee Cattlemen's Association has served the cattle industry well, and will continue to ensure its place at the