fighting now, those two laboratories combined in expertise, if not the paramount source of evidence, are the paramount source of definition about these spores. That happens to be a program they have in place, and they are being called upon now to be some of the experts to resolve some of these unknown issues. We have to help put all of those together to work in unison under our new manager of domestic problems, a wonderful former Governor, Governor Ridge.

I close by saying to the Senators from both sides of the aisle, House Members and those who are in close contact with our Members, let's get back to where we were and seek unity; let's try to lock arms and get our basic job done, the extraordinary work done, and do it in such a way that Americans can continue to feel what they feel about this Government. They totally support our President. They think we are better than we have ever been. I don't think we need to fight when we have an enemy that will just capitalize on anything going on in our country that is tearing at us. They think they are going to cause that. We ought to do just the opposite.

Thank you for the privilege of speaking today. I yield the floor.

FOREIGN OPERATIONS EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS ACT, 2002—Continued

Mr. LEAHY. Madam President, is there an amendment pending?

The PRESIDING OFFICER. There are two amendments that have been set aside.

Mr. LEAHY. Madam President, I know the distinguished Senator from Kentucky is off the floor. So I will not move any action while he is gone.

I wish to urge Senators who have amendments to come forward. There is no reason this bill cannot be finished. Even if we finish it fairly soon, I hope Members of the Senate will realize the importance of this bill.

I remember coming to the Senate at a time when so many would talk about foreign aid as some kind of a massive giveaway. People would ask, What have these countries done to help us? Why are we sending money there? Fortunately, at that time we had people such as Senator Mike Mansfield, a happy memory in the Senate, and people who preceded the Presiding Officer, Senator Jacob Javits on the Republican side who knew how important these programs were.

Of course, you can argue that there are a whole number of reasons. We are the wealthiest, most powerful nation history has ever known. You could speak to the moral reasons we should be helping other countries. We could talk about what it does for our security interests. If we bring about stability in other parts of the world, we help democracy flourish. We would help the middle class build up in areas that otherwise were prone to overthrows of governments, instability, rebellions.

I think of some of the programs that Members of this body have proposed—not necessarily on this bill but others—the School Lunch Program for Africa that former Senator Dole and former Senator McGovern proposed.

I recall last year being down at the White House when they discussed this with President Clinton, and the interesting points brought out. They were talking about countries where families could not feed their children any way, not mentioning anything about educating them.

But if we help those countries have a school lunch program, something that costs us a tiny fraction of what we spend on foreign aid, then children could go to school and learn. But also in a lot of these countries where girls do not go to school, where only the boys go to school, some of the families said: Wait a minute. If we can feed our daughters as well as our sons, we will be able to do that.

Now, what has happened in doing that is we not only benefit those countries, but we can benefit the people there. We carry out the moral aspects of our foreign aid bill. But then we also have money in this bill for health care, not only the health care of the people in these other countries, but there is a provision which would allow us to build up the medical infrastructure of other nations to get rid of possibly another Ebola plague, to have an early warning system when one is existing so the country can act to stop it.

Now, this is not just altruism. There is no disease anywhere in the world that is more than an airplane trip or a postage stamp away from our own country. If we can help countries fight these diseases within their own borders, not only do they help those people but they help all the rest of us.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. STABENOW). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1942 THROUGH 1948, EN BLOC

Mr. LEAHY. Madam President, I have discussed this with Senator MCCONNELL. We have a number of amendments I will just briefly describe.

There is one by Senator HELMS on Venezuela, one by Senator MCCONNELL and myself on development credit authority, another Leahy-McConnell amendment on MDB authorizations, a McConnell-Leahy amendment on documentation center, an amendment by Senator MCCONNELL on nuclear safety, a Mikulski amendment on small business, and a Gordon Smith amendment on religious freedom. Also, there are two previously offered amendments by Senator BOXER; one is on Afghan reconstruction and one is on suicide bombings.

I ask unanimous consent that it be in order to send all the amendments to the desk; that they be considered to be in order; that they be considered en bloc, and they be adopted en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments (Nos. 1942 through 1948), en bloc, were agreed to, as follows:

AMENDMENT NO. 1942

On page 142, line 21, after the colon, insert the following: ''*Provided further,* That of the amount appropriated under this heading, up to $2,000,000 should be made available to support democracy-building activities in Venezuela:''.

AMENDMENT NO. 1943

On page 130, line 4, strike ''September 30, 2003'', and insert in lieu thereof: ''expended''.

AMENDMENT NO. 1944

At the appropriate place in the bill, insert the following new section:

AUTHORIZATIONS

SEC. . The Secretary of the Treasury may, to fullfill commitments of the United States, contribute on behalf of the United States to the seventh replenishment of the resources of the Asian Development Fund, a special fund of the Asian Development Bank, and to the fifth replenishment of the resources of the International Fund for Agriculture Development. The following amounts are authorized to be appropriated without fiscal year limitation for payment by the Secretary of the Treasury: $412,000,000 for the Asian Development Fund and $30,000,000 for the International Fund for Agricultural Development.

AMENDMENT NO. 1945

On page 133, line 8 insert before the period: '': *Provided further*, That of the funds appropriated under this heading, not less than $250,000 should be made available for assistance for the Documentation Center of Cambodia: *Provided further*, That no later than 60 days after the enactment of this Act, the Secretary of State shall report to the Committees on Appropriations on a 3-year funding strategy for the Documentation Center of Cambodia''.

AMENDMENT NO. 1946

(Purpose: Technical amendment)

On page 136, line 24 strike ''$25,000,000'' and insert in lieu thereof: ''$35,000,000''.

AMENDMENT NO. 1947

On page 190, between line 14 and 15, insert the following new subsection:

(f) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

AMENDMENT NO. 1948

(Purpose: To restrict the availability of funds for the Government of the Russian Federation unless certain conditions are met)

On page 232, between lines 23 and 24, insert the following:

DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION

SEC. 581. None of the funds appropriated or otherwise made available by this Act may be made available for the Government of the Russian Federation after the date that is 180 days after the date of the enactment of this Act, unless the President determines and certifies in writing to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives that the Government of the Russian Federation has not implemented any statute, executive order, regulation, or other similar government action that would discriminate, or would have as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party.

Mr. SMITH of Oregon. Mr. President, as a freshman Senator in 1997, I offered an amendment to the foreign operations bill that predicated foreign aid to the Russian Federation on the implementation of a new law restricting religious freedom in Russia. That law, passed by the Russian Duma on July 4, 1997, had the potential of severely restricting freedom of religion in Russia. The bill was ironically titled ''on freedom of conscience and on religious associations.''

That bill was eventually signed into law—a law that required religious groups to register with the State and submit their religious doctrines and practices to scrutiny by a commission of experts with the power to deny religious status. Without this status, these groups would lose the rights to rent or own property, employ religious workers or conduct charitable and educational activities. Clearly that law in Russia and its implementation would have a grave impact on religious freedom in that country.

I am happy to report that my 1997 amendment passed the Senate 95 to 4. I would also note that both the bill managers, Senators LEAHY and MCCONNELL, voted in favor of this amendment and I thank them for their support.

In following years this amendment was included as part of the foreign operations bill. This year it was not. I rise today to offer this same amendment again and understand that it will be accepted by the managers of this bill sometime today during its consideration.

In my years in the Senate I have remained vigilant on the issue of religious freedom. The Foreign Relations Committee has held yearly hearings on religious freedom abroad—especially what is going on in the Russian Federation. I also host, with the Department of State, a series of yearly roundtable discussions on religious freedom.

These roundtable discussions are attended by members of each religious community impacted by this new law in Russia and by various State Department and NSC officials that are responsible for religious freedom abroad.

As the years went by and the registration period closed regarding religions, it was felt by all those interested in religious freedom in that country that this amendment was a positive influence on how the new Russian law was implemented.

It let the Russian Government know that Americans cared about freedom of religion in Russia—that the eyes of the world were upon the Russian Government as it implemented the law on religions.

Although the amendment has never been implemented—and each year aid has gone out to the Russian Federation—the amendment's influence and impact has been positive and undeniable according to those religions ''on the ground'' in Russia.

In general many of the problems initially have worked themselves out under this new law. Many of the problems with denials of registration or persecution have occurred in the far reaches of the Russian Federation. The conventional wisdom regarding implementation of that law is that persecution occurs abroad—the farther away from Moscow and the centralized government, the greater the risk is for religious intolerance.

But even in Moscow there is a requirement of vigilance. And I am happy to report that this body has been vigilant on this issue—especially regarding the old problem of anti-Semitism in Russia. Some might say that we shouldn't single out Russia regarding this issue. I would agree—we should fight anti-Semitism in every nation including our own.

Because I believe that how a nation treats the sons and daughters of Israel is a bellweather for tolerance.

I would like to submit for the RECORD letters from years past that almost all of my colleagues signed regarding their concerns over the rise in anti-Semitism in Russia. Each of these letters contain 98 to 99 signatures—virtually all of the Senate was united on this issue.

I firmly believe that this language is needed again this year. I would also like to submit for the RECORD a letter from NCSJ—advocates on behalf of Jews in Russia, Ukraine, the Baltic States and Eurasia. NCSJ is the leading advocate for the plight and well-being of the Jewish community in Russia.

NCSJ's executive director, Mark Levin, writes:

> We wish to underline NCSJ's support for your amendment to condition certain assistance to the Russian Federation on verification by President Bush that the Russian Government has no way acted to restrict freedom of religion as guaranteed by international commitments and treaties.
>
> . . . the 1997 law on religion, under which ''non-traditional'' groups must register with government authorities, has continued to generate misunderstandings, difficulties and intimidation.

The Russian law, among other things, limits the activities of foreign missionaries and grants unregistered ''religious groups'' fewer rights than accredited Russian religious organizations such as the Russian Orthodox Church, Islam, Judaism and Buddhism. This law if poorly implemented, could also sharply restrict the activities of foreign missionaries in Russia.

The Russian Government should permit foreign missionaries to enter and reside in Russia—within the framework of Russian law—and work with fellow believers.

Furthermore, foreign missionaries should be allowed to enjoy the religious freedom guaranteed Russian citizens and legal residents by the Russian constitution, OSCE commitments, and other international agreements to which Russia is signatory.

One of my own constituents, Pastor Dan Pollard, is a missionary with a church in the Russian far east—in a town called Vanino. Pastor Pollard has been continually harassed by local officials, many who cite the 1997 law as an official reason for barring Pollard from ministering.

I thank the managers again for accepting this amendment as part of the foreign operations bill and hope that this legislation sends a strong signal to President Putin that human rights and religious freedom are core American values and we seek to share them with all our friends and allies. However it must be understood that American dollars will not find their way to support a country that treats freedom of religion in such a manner.

Mr. President, I ask unanimous consent to have printed in the RECORD the letters to which I previously referred.

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

NATIONAL CONFERENCE ON SOVIET JEWRY,
Washington, DC, October 8, 2001.

Hon. GORDON SMITH,
U.S. Senate,
Washington, DC.

DEAR SENATOR SMITH: We wish to underline NCSJ's support for your amendment to condition certain assistance to the Russian Federation on verification by President Bush that the Russian government has in no way acted to restrict freedom of religion as guaranteed by international commitments and treaties.

We are encouraged that President Putin continues to express public support for tolerance and pluralism. Nevertheless, some disturbing trends toward intolerance and oppression remain of concern. In particular, the 1997 Law on Relation, under which ''non-traditional'' groups must register with government authorities, has continued to generate misunderstandings, difficulties and intimidation. Groups such as Jehovah's Witnesses and Evangelical Christians have had financial assets and membership rolls confiscated, and some have been subject to outright violence.

In addition, new incidents of anti-Semitism have also arisen, affecting the Jewish community. Judaism is, under Russian law, a sanctioned (''traditional'') religion. Unfortunately, at times local police response to acts of hate against schools and synagogues has been delayed. And, in October 2000, the federal Interior Ministry conducted an illegal, prolonged search of the Moscow Choral Synagogue.

We write in a spirit of cooperation and concern for the fabric of Russian society. We believe Russia can and should be a country that embraces and celebrates religious differences. By monitoring progress toward unrestricted religious liberty, we can help ensure that it will come to pass.

Thank you for your continuous leadership in this cause.

Respectfully,

MARK B. LEVIN,
Executive Director.

U.S. SENATE,
Washington, DC, June 18, 1999.

President BORIS YELTSIN,
Russian Federation, The Kremlin, Moscow, Russia.

DEAR PRESIDENT YELTSIN: We are writing to you to express our serious concerns over the rise in anti-Semitic rhetoric heard at both the national and local levels of Russian society and politics. We strongly believe that the first line of defense against the growth of anti-Semitism in your country is exposing and condemning the hate-filled rhetoric at all levels of contact between our two governments.

As you know, recent events and remarks in Russia have marred this decade's re-emergence of Jewish life in post-communist Russia. The Russian Jewish community now numbers upwards of one million, and the opening of synagogues, schools and community centers has been a bright counterpoint to the centuries of violence and anti-Semitic laws against the Russian Jewish community. We strongly feel that the recent spate of anti-Semitic rhetoric, in particular those comments from Russian communist and extremist/nationalist political groups, should be disavowed. In particular, the fascist extremism exhibited by Alexander Barkashov's Russia National Unity Party is alarming in its use of slanderous stereotyping and crude scapegoating.

Recently, the Senate Foreign Relations Committee's Subcommittee on European Affairs held a hearing on the rise of anti-Semitism in Russia. This was not the first hearing on this subject—in fact, the Senate held hearings and considered resolutions regarding the treatment of Jews in Tsarist Russia as early as 1879. Over the years it has not been unusual for the United States to act on this subject, linking American foreign policy with what should now be regarded as a cornerstone of human rights policies in Russia.

While we support a strong effort to address the economic difficulties in Russia and encourage the development of a strong, market-oriented economy, we want you to know that the United States also expects from Russia a strong commitment to human rights and religious freedom. As your country enters an election cycle, there may well be temptations to sound ultra-nationalist themes that attempt to blame the small Jewish community for Russia's problems.

President Yeltsin, we believe it is imperative that you demonstrate, through your emphatic disagreement with those who espouse anti-Semitism in Russia, your understanding of the importance the Russian government places upon religious freedom. The United States predicates its support for democratic institutions in Russia upon unwavering opposition to anti-Semitism at any level, in any form. While we are pleased by your administration's statements against anti-Semitism, the horrific explosions near two of Moscow's largest synagogues on May 1st and the recent attacks on the only synagogue in Birobidzhan, are reason enough for further vigorous and more public condemnation.

We hope you share our deep concern for this issue and look forward to receiving your response.

Sincerely,

Craig Thomas, Sam Brownback, Charles Schumer, Joe Lieberman, Wayne Allard, Paul D. Wellstone, Harry Reid, Barbara Boxer, Peter G. Fitzgerald, John Edwards, Bob Smith, Mike Crapo, Rick Santorum, Chuck Robb, Susan Collins, Ted Kennedy, Carl Levin, Jim Inhofe.

Mitch McConnell, Jeff Bingaman, Barbara A. Mikulski. Richard Shelby, Tim Hutchinson, Jeff Sessions, Paul Coverdell, Arlen Specter, Russ Feingold, Olympia Snowe, Richard H. Byron, Strom Thurmond, Ben Nighthorse Campbell, Jim Jeffords, Spencer Abraham, George V. Voinovich, Blanche L. Lincoln, Patty Murray, Patrick Leahy, Mike DeWine, Mary L. Landrieu, Jim Bunning, Pete V. Domenici, Herb Kohl, Jack Reed, Frank H. Murkowski, Bob Kerrey, John Breaux, Larry E. Craig, Rod Grams.

Jesse Helms, Daniel K. Inouye, Dick Durbin, John Warner, Kent Conrad, Tom Daschle, Jon Kyl, Bill Roth, John F. Kerry, Orrin Hatch, Chris Dodd, Slade Gorton, Paul Sarbanes, Byron L. Dorgan, Robert Torricelli, Ron Wyden, Michael B. Enzi, Kit Bond, John Ashcroft, John McCain, Evan Bayh, Connie Mack, Max Baucus, Frank R. Lautenberg, Dick Lugar, Chuck Grassley, Jay Rockefeller, Daniel K. Akaka, Dianne Feinstein, Max Cleland.

Phil Gramm, Conrad Burns, Kay Bailey Hutchison, Robert F. Bennett, Bob Graham, Fritz Hollings, Daniel P. Moynihan, Tim Johnson, Don Nickles, Trent Lott, Bill Frist, Fred Thompson, Ted Stevens, Tom Harkin, Thad Cochran, Pat Roberts, John Chafee, Judd Gregg, Robert C. Byrd.

U.S. SENATE
Washington, DC, March 9, 2000.

Hon. VLADIMIR PUTIN,
Acting President, Russian Federation, The Kremlin, Moscow, Russia.

DEAR PRESIDENT PUTIN: As you assume your new leadership position, we write to you with hope for your success in leading Russia through a newly prosperous and democratic millennium. We are writing to you, as we have to other Russian leaders, to express our repeated concerns over the risk in anti-Semitic rhetoric heard at both the national and local levels of Russian society and politics.

We strongly encourage you to make fighting anti-Semitism one of the priorities of your new administration. President Putin, we believe it is imperative that you demonstrate, through your emphatic disagreement with those who espouse anti-Semitism in Russia, your understanding of the importance the Russian government places upon religious freedom. We understand that in past discussions with both Russian and American Jewish leaders you have expressed your concern about anti-Semitism. We applaud your past comments and efforts and urge you to take corresponding action in keeping with your new position as acting president.

The Russian Jewish community represents a vibrant and active portion of the Russian population. Though emigration has reduced the community size in the past ten years, the birth of democracy in the Russian Federation has also resulted in the opening of new synagogues, schools and community centers in Moscow, St. Petersburg and beyond. Currently there are almost 200 Jewish organizations, institutions, and religious communities in 75 cities and towns throughout Russia. One hundred and fifteen schools serve over 7,000 students, and Jewish organizations publish 18 newspapers and journals. This open and free blossoming of culture and community will only benefit the Russian nation and her people.

Anti-Semitism in Russia must not become a weapon in the struggle for power by political parties. Indecisive actions on the part of the Russian government only further feed the belief that hate is an allowable and integral component of political life. The hate-filled rhetoric of a number of Communist Party leaders, some of whom retain important parliamentary positions, must be condemned by your strong deed and word. Further, it is our belief, that the violence that follows such hate, for example the May, 1999 Moscow synagogue bombings, must always be strongly and loudly condemned in order to avoid further violence in the future.

President Putin, last year ninety-nine out of 100 United states Senators signed a letter to President Yeltsin similar to this one. Few issues in politics unite the United States Senate more. As we wrote your predecessor, we believe it is imperative that you demonstrate, through your emphatic disagreement with those who espouse anti-Semitism in Russia, your understanding of the importance the Russian government places upon religious freedom. The United States predicates its support for democratic institutions in Russia upon unwavering opposition to anti-Semitism at any level, in any form.

We hope you share our deep concern for this issue and look forward to receiving your response.

Sincerely,

Gordon H. Smith, Joe Biden, Jr., Sam Brownback, Frank R. Lautenberg, Craig Thomas, Chuck Robb, Rod Grams, Daniel P. Moynahan, Phil Gramm, Carl Levin, Bill Frist, Patty Murray, Jim Inhofe, Mike Crapo, Rick Santorum, Fritz Hollings, Orrin Hatch, Mike DeWine, Ben Nighthorse Campbell, Jeff Sessions, Mitch McConnell, Dick Durbin.

Jay Rockefeller, Kent Conrad, Larry E. Craig, Harry Reid, Robert F. Bennett, Jesse Helms, Max Cleland, Blanche L. Lincoln, Bob Smith, Spencer Abraham, Tim Hutchinson, Conrad Burns, Robert Torricelli, Paul Sarbanes, Charles Schumer, Dick Lugar, Pat Roberts, Dianne Feinstein, Herb Kohl, Pete V. Domenici, Tim Johnson, Frank H. Murkowski, Jack Reed, George V. Voinovich, John Ashcroft, Chris Dodd, Susan Collins, Fred Thompson, Patrick Leahy, Judd Gregg, Bill Roth, Bob Kerrey.

Thad Cochran, Ted Kennedy, Michael B. Enzi, Kit Bond, Kay Bailey Hutchison, Richard H. Byran, Olympia Snowe, John McCain, John Warner, Strom Thurmond, John F. Kerry, Jon Kyl, Daniel K. Inouye, Daniel K. Akaka, Russ Feingold, Byron L. Dorgan, Arlen Spector, Barbara A. Mikulski, Joe Lieberman, Jeff Bingaman, Tom Harkin, Slade Gorton, Jim Jeffords, Ted Stevens, Connie Mack, Bob Graham, Wayne Allard, Ron Wyden, Max Baucus, Tom Daschle, John Breaux, Jim Bunning.

Paul D. Wellstone, Don Nickles, Chuck Grassley, Richard Shelby, Lincoln Chafee, Barbara Boxer, Peter G. Fitzgerald, Evan Bayh, Mary L. Landrieu, John Edwards, Paul D. Coverdell, Trent Lott.

U.S. SENATE,
Washington, DC, August 3, 2001.

His Excellency VLADIMIR PUTIN,
President, Russian Federation, The Kremlin, Moscow, Russia.

DEAR PRESIDENT PUTIN: We are writing to you, as members of the United States Senate to again express our concerns over the anti-Semitic rhetoric heard at both the national and local levels of Russian society and politics.

In years past, the U.S. Senate has been united in its condemnation of such virulent anti-Semitism, which, unfortunately, has been present during much of Russia's history. Your remarks last year publicly condemning anti-Semitism assume special significance against a backdrop of centuries of tsarist and Stalinist persecution. We strongly encourage you to continue to publicly condemn anti-Semitism whenever it manifests itself in the Russian Federation.

We also believe that it is important to back up the rhetoric of condemnation with the substance of action. Sad to say, physical violence against Jews still occurs in the Russian Federation. In Ryazan last year, youths attacked a Jewish Sunday school, threatening teachers and children and later intimidated school officials into revoking the Jewish community's use of a classroom. Rhetorical anti-Semitism also continues. In July anti-Semitism played a minor role in the gubernatorial race in Ryazan and has also played a role in gubernatorial elections in Krasnodar.

Radical extremists continue to operate openly in more than half of Russia's 89 regions. While most of these organizations are small, there is also little social or governmental opposition to them. There are at least ten ultra-nationalist groups in Russia with memberships between 100 and 5,000 members each. Anti-Semitism is a staple of most ultra-nationalist groups and is evident in the publication of the groups' periodicals. At least 37 newspapers and magazines of ultra-nationalist bent published anti-Semitic materials in 2000.

The year 2000 witnessed increasing cooperation between Russian extremists and their ideological counterparts abroad. The most notorious example of such cooperation was that of David Duke, the U.S. white supremacist, who visited Russia twice during the year. Duke's most recent anti-Semitic tract was prepared exclusively for the Russian market.

We recognize that you have made important statements in response to manifestations of anti-Semitism, and that law enforcement has in some cases been effective in investigating and prosecuting the perpetrators of anti-Semitic violence and crimes. More consistent and comprehensive implementation of your government's policies and of Russian laws would represent a significant improvement in this area. The United States Senate supports efforts to promote public awareness and training programs within the Russian Federation. We would welcome additional ways for the American involvement and cooperation in these efforts.

As members of the Senate we have sent you or your predecessor a similar letter for the past three years. We continue to believe it vital that you continue to demonstrate, through your emphatic disagreement with those who espouse anti-Semitism in Russia, the importance the Russian government places upon religious freedom. The United States predicates its support for democratic institutions in Russia upon unwavering opposition to anti-Semitism at any level, in any form.

We hope you share our deep concern for this issue and look forward to receiving your response.

Sincerely,

Joe Biden, Gordon H. Smith, Evan Bayh, Bob Smith, Mitch McConnell, Charles Schumer, John McCain, Herb Kohl, John Warner, Barbara Boxer, Jesse Helms, Debbie Stabenow, Orrin Hatch, Olympia Snowe, Don Nickles, Joe Lieberman, Arlen Specter, Mike Crapo.

Max Cleland, Zell Miller, Ted Kennedy, Chris Dodd, Robert G. Torricelli, John Edwards, Daniel K. Akaka, Byron L. Dorgan, Paul Sarbanes, Dianne Feinstein, Jack Reed, Jon S. Corzine, George V. Voinovich, Tim Johnson, Kent Conrad, Tim Hutchinson, Peter G. Fitzgerald, Dick Durbin, Patty Murray, Hillary Rodham Clinton, Carl Levin, Jeff Bingaman, Daniel K. Inouye, Russ Feingold, Dick Lugar, Rick Santorum, Blanche L. Lincoln, John F. Kerry, Mike DeWine, Larry E. Craig.

Bill Frist, Patrick Leahy, Mark Dayton, Fritz Hollings, Max Baucus, Robert C. Byrd, Jean Carnahan, Tom Carper, Ron Wyden, Harry Reid, Jay Rockefeller, John Breaux, Mary L. Landrieu, E. Benjamin Nelson, Maria Cantwell, Bill Nelson, Barbara A. Mikulski, Tom Harkin, Bob Graham, James M. Jeffords, Paul D. Wellstone, Tom Daschle, John Ensign, Jeff Sessions, Richard Shelby, Conrad Burns, Craig Thomas, Pete V. Domenici, Chuck Grassley, Sam Brownback.

Jim Bunning, Frank H. Murkowski, Robert F. Bennett, Wayne Allard, George Allen, Strom Thurmond, Michael B. Enzi, Susan Collins, Kit Bond, Phil Gramm, Lincoln Chafee, Trent Lott, Jim Inhofe, Ben Nighthorse Campbell, Kay Bailey Hutchison, Thad Cochran, Pat Roberts, Jon Kyle, Ted Stevens, Judd Gregg.

The amendments (Nos. 1940 and 1941) were agreed to.

Mr. LEAHY. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Madam President, I see the distinguished senior Senator from Florida, the chairman of the Senate Intelligence Committee, in the Chamber. He would be recognized next, but while he is preparing his papers, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1949

Mr. SPECTER. Madam President, earlier today I came to this Chamber and notified the manager on the Republican side and staff for Senator LEAHY that I intended to offer a resolution as an amendment. I believe I saw Senator LEAHY in this Chamber a moment ago. At this time, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 1949.

Mr. SPECTER. Madam President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To urge the Senate, prior to the end of the first session of the 107th Congress, to vote on at least the judicial nominations sent to the Senate by the President prior to August 4, 2001)

At the appropriate place, insert the following:

The Senate finds that:

Currently 106 Federal judgeships are vacant, representing 12.3 percent of the Federal judiciary;

40 of those vacancies have been declared ''judicial emergencies'' by the Administrative Office of the Courts;

Last year, at the adjournment of the 106th Congress, 67 vacancies existed, representing 7.9 percent of the judiciary;

In May 2000, when there were 76 Federal judicial vacancies, Senator Daschle stated, ''The failure to fill these vacancies is straining our Federal court system and delaying justice for people all across this country'';

In January 1998, when there were 82 Federal judicial vacancies, Senator Leahy stated, ''Any week in which the Senate does not confirm three judges is a week in which the Senate is failing to address the vacancy crisis'';

The events of September 11, 2001, make it more important than ever that the branches of the Federal Government should operate at maximum efficiency which requires the Federal judiciary to be as close to full strength as possible;

100 percent of President Reagan's judicial nominees sent to the Senate prior to the 1981 August recess were confirmed during his first year in office;

100 percent of President George H.W. Bush's judicial nominees sent to the Senate prior to the 1989 August recess were confirmed during his first year in office;

93 percent of President Clinton's judicial nominees sent to the Senate prior to the 1993 August recess were confirmed during his first year in office;

President George W. Bush nominated and sent to the Senate 44 judicial nominees prior to the 2001 August recess;

21 of all pending nominees have been nominated to fill ''judicial emergencies''; and

The Senate has confirmed only 8 judicial nominees to date, which represents 18 percent of President Bush's judicial nominations sent to the Senate prior to the 2001 August recess;

It is the sense of the Senate that (1) prior to the end of the first session of the 107th Congress, the Committee on the Judiciary shall hold hearings on, and the Committee on the Judiciary and the full Senate shall have votes on, at a minimum, the judicial nominations sent to the Senate by the President prior to August 4, 2001, and (2) the standard for approving pre-August recess judicial nominations for past administrations should be the standard for this and future administrations regardless of political party.

Mr. SPECTER. Madam President, the resolution calls for a sense of the Senate that all of the nominations submitted by President Bush to the Senate for the Federal judiciary prior to August 4, which was the start of the August recess, be considered by the Senate before the close of the first session of the 107th Congress.

There has been considerable concern and controversy over the number of judges which have been confirmed. And there had been a form of a filibuster engaged in on opposing the motion to proceed to the foreign operations appropriations bill last week and again yesterday.

That effort has not been pursued. It is my view that in the long run it is not productive to stop legislation as a pressure tactic, although that is a longstanding practice in the Senate by both parties. But in any event, that is not being pursued.

This resolution seeks to establish a standard which would be applicable not only to the occasions when a Republican President submits nominations to a Senate controlled by Democrats, but also to situations where there is a President who is a Democrat who submits nominations to a Senate which is controlled by Republicans.

I had written to the chairman of the Judiciary Committee, Senator LEAHY, on October 12, enclosing for him a first draft of this resolution and advising him in his capacity as chairman of the Judiciary Committee that I intended to raise it at the Judiciary Committee meeting first in order to give the Judiciary Committee the first opportunity to act on it. It was on the agenda for last Thursday, October 18, when it was considered and, on a party-line vote, voted down.

This is the first opportunity there has been to submit the resolution for consideration by the full Senate, which I am doing at this time.

Before proceeding to the merits of the resolution, I am going to yield the floor and wait for the arrival of the Senator from Vermont, who is also chairman of the Foreign Operations Subcommittee and is the manager for the Democrats.

Mr. REID. Will the Senator yield?

Mr. SPECTER. I will.

Mr. REID. I say to my friend, the Senator from Pennsylvania, he need not wait for Senator LEAHY. He is aware that the Senator has offered this amendment. The Senator should say whatever he has to say.

Mr. SPECTER. I thank the Senator from Nevada for saying that. I wanted to give him the courtesy of awaiting his arrival. I did see him momentarily, just about a minute and a half before I took the floor. With the comment by the assistant majority leader, I shall proceed to make an argument.

The resolution recites the facts that there are currently 106 Federal judicial vacancies, representing more than 12 percent of the Federal judiciary. Forty of these vacancies have been declared judicial emergencies by the Administrative Office of the Federal Courts. What that means is that there is an urgent need for judges to be sitting in those courts.

Last year at the adjournment of the 107th Congress, there were 67 vacancies, representing 7.9 percent of the Federal judiciary. It is obvious that the vacancies now are more than 50-percent higher than they were when the 106th Congress adjourned.

When Senator DASCHLE was the Democratic leader and not in the majority in May of 2000, when there were 76 Federal judicial vacancies, Senator DASCHLE said, as set forth in this resolution:

> The failure to fill these vacancies is straining our Federal court system and delaying justice for people all across the country.

In January of 1998, when there were 82 Federal judicial vacancies, Senator LEAHY stated—again set forth in the body of the resolution:

> Any week in which the Senate does not confirm three judges is a week in which the Senate is failing to address the vacancy crisis.

The events of September 11 of this year, when the terrorists attacked New York City, the Pentagon, and Somerset County, PA, make it all the more imperative that all branches of the Federal Government shall operate at maximum efficiency, which requires the Federal judiciary to be as close to full strength as possible.

As analogous here, the first year of President Reagan's administration, 100 percent of all judicial nominees sent to the Senate prior to the August 1981 recess were confirmed during his first year in office. During the first year in office of President George H.W. Bush, 1989, again, 100 percent of the nominations sent prior to the August recess were confirmed. During President Clinton's first year in office, in 1993, 93 percent of the vacancies were filled during the first year in office. President George W. Bush this year has nominated and sent to the Senate 44 judicial nominees prior to the August 2001 recess. Twenty-one of all pending nominees have been nominated to fill ''judicial emergencies.''

The Senate has confirmed only twelve judicial nominees to date, which represent 27 percent of President Bush's judicial nominees sent to the Senate prior to the August 4 recess.

The resolution calls for the sense of the Senate that prior to the end of the first session of the 107th Congress, which will be sometime before the end of 2001, that all of the nominees sent prior to August 4 be acted upon by the Judiciary Committee, sent to the Senate, and voted on one way or another, up or down, further that the standard for approving all of the nominees submitted prior to the August recess be a standard policy of the U.S. Senate which would apply in future years and apply in future circumstances where there was a President who was a Democrat and a Senate controlled by Republicans.

During the course of our discussion during the Judiciary Committee meeting last Thursday, the issue was raised by one of the Senators who was a Democrat that this position was taken contrary to what it was in prior years. I said that I would modify the resolution to apply equally to times when there was a Democrat who was President and a Republican-controlled Senate.

It is a rather straightforward resolution. That is the essence of the argument.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, this matter was raised in the Judiciary Committee. It was tabled. We have for 3 weeks been experiencing a filibuster in the Senate based on these same issues. That ended yesterday. Thankfully, we are now on this legislation.

The record is replete about Chairman LEAHY doing the very best he can under extremely difficult circumstances. We are going to move judges as quickly as we can under the direction of the chairman of the Judiciary Committee.

Based upon that, I raise a point of order against the amendment that the amendment is not germane under rule XVI.

The PRESIDING OFFICER. The point of order is sustained.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Madam President, I am informed that there was a typographical error in the resolution and that the figure 8 judicial nominees should have been 12, which represents 27 percent of President Bush's judicial nominees sent to the President prior to August 4, 2001. I wanted to make sure the record was accurate in that respect.

I yield the floor.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Madam President, I do not intend to appeal the ruling of the Chair because I do not wish to establish a precedent for nongermane amendments to be heard on appropriations bills. This has been a procedural quagmire which has been very problemsome for the Senate for a very long time and has a special impact on my own views, since I am a member of the Appropriations Committee. I regret that the issue of germaneness was raised and a point of order was raised, but I thought it was important to put this resolution before the body. I do believe it is the appropriate way to establish a standard—much preferable to having a filibuster and trying to block

the work of the Senate to establish a standard which would apply to both parties or both sides that a very reasonable cutoff date is the August recess. This year it started on August 4. Now the matter was considered in the Judiciary Committee. It was not tabled. There was a vote on the merits; not that that makes a lot of difference, it was 10–9.

But with the point of order having been raised by the assistant majority leader, there may be some political evaluation by the electorate of the position taken by the Democrats on this issue. It is not an unusual practice to have amendments offered on the Senate floor, and those who oppose them will have to explain them to their constituencies. It is my hope that those who have opposed this standard that all judges be voted on when submitted prior to the August recess, that they will have to explain that to their constituency.

The point of order having been raised by the assistant majority leader for the Democrats, not being considered on the merits, being defeated, we will just take it to the electorate for whatever consideration they may wish to give.

I thank the Chair and yield the floor.

Mr. REID. First of all, I express my appreciation to the Senator from Pennsylvania for not appealing the ruling of the Chair. The Senator, as has been indicated, is a senior member of the Appropriations Committee, and the precedent this would set if the Chair would overrule makes appropriations bills almost unmanageable. So the Senator from Pennsylvania has knowledge of the needs of the Senate compared to the issue he feels strongly about—and I know how strongly he feels about it. I appreciate the Senator not appealing the ruling of the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Madam President, it is my intention to send to the desk an amendment that will restore the funding recommended by the President for the Andean Regional Counterdrug Initiative. I consider this to be a central issue in the U.S. relationship with our neighbors in Latin America, but maybe even at this time a more important statement as to our commitment to the war against terrorism.

To develop these points, I want to first give a brief resume of the history of this region over the past several years. By the late 1990s, Colombia and the Andean region were nations in peril and at risk. Colombia had been one of the most stable countries in Latin America during most of the 20th century. It had a phenomenal economic record, with some 50 years of unbroken increases in its rate of gross domestic product growth. It also was the oldest democracy on the continent of South America, with a long tradition of transition of power from one political party to the other without violence.

Unfortunately, it was also a region which had been infected by strong guerrilla groups. These guerrilla groups had their origin in various nuances of Marxism. They were guerrillas who represented Soviet Marxism, guerrillas who represented East German Marxism, Chinese Marxism, North Korean Marxism, Cuban Marxism. They were ideologically oriented.

Over time, they had become less political and more economic. They had made the transition from being Lenin to being Al Capone in their orientation.

Something else was developing in the countries in the Andean region during the last half of the 20th century, and that was a surge of illicit drug production, starting with marijuana and then moving to cocaine, with a very high percentage of the world's cocaine being produced in this region.

The drug traffickers who were producing cocaine were of the General Motors format: They were highly centralized. They had a CEO. They had a vertically integrated process that started by financing the farmers who grow the raw coca to the ultimate distribution and financing of that system in the United States and Europe.

We made a major effort—we, the civilized world, with the United States playing a key role—to take down these highly centralized drug organizations—the Medellin cartel, the Cali cartel. After a long period of significant investment and loss of life, we were successful. We thought that by taking off the head of the snake of the drug cartels we would kill the rest of the body.

In fact, what we found in the late 1990s was that these decapitated snakes were beginning to reconstitute themselves, and they were moving away from the General Motors model towards a more entrepreneurial model; whereas they used to have vertically integrated parts of the drug trafficking chain, now they have multiple small drug traffickers doing each phase, from the growing in the field, to the transporting, to the financing of the drug trade.

For a period of time, these new entrepreneurial drug traffickers found themselves at risk because they did not have the kind of security protection that the old centralized system had, and so they turned to these now economic guerrillas, the Al Capones of Colombia, and made a pact with them. The pact was: We will pay you well if you will provide us security so that we can conduct our illicit activities.

For a while, that was the relationship, but then the Al Capones figured out: We are providing the reason and the capability of these drug traffickers to do their business. They are making a lot more money in drug trafficking than we are providing the security for the drug traffickers; why don't we become the drug traffickers ourselves?

By the end of the nineties, the drug trade, in particular in Colombia, had been largely taken over by the former ideological guerrillas who had become Al Capones and now were becoming drug traffickers.

In addition to the two things I have indicated were occurring, the change in the way in which the drug trade was organized and, second, the role of the guerrillas in the drug trade, a third thing was occurring in the late 1990s, and that was, after this long unbroken period of economic progress and the benefits that was providing for the people of the Andean region, particularly Colombia, they started to go into economic decline.

The two previous events were a principal reason for that decline: Both domestic and outside investors became leery about investing in Colombia and other Andean pact countries because of their concern about the level of violence and the influence the drug trade was gaining over those countries.

Just 18 months ago, unemployment in Colombia exceeded 20 percent as many of its traditional legal businesses went out of business.

Into this very difficult environment came a new leader for Colombia: President Pastrana. President Pastrana was not a person who was unknowing or immune from these forces that were shaping his country. He himself had been kidnapped by the guerrillas and held for a considerable period of time. Members of his family had been kidnapped and assassinated by the guerrillas. He was elected on a reform platform that he was going to, as the hallmark of his administration, lean toward a resolution of all three of these issues: The guerrillas, the drug trafficking, and begin to build a base for a new period of economic expansion.

The key to this became Plan Colombia which President Pastrana developed early in his administration. Plan Colombia is a very misunderstood concept, particularly from the perspective of the United States. I like to present it as being a jigsaw puzzle with 10 pieces. That total puzzle, once assembled, was a comprehensive plan to rid Colombia of the influence of the guerrillas, to suppress the drug trafficking and large-scale production of cocaine, and to engage in social and economic and political reform within Colombia, to transform Colombia into a fully functioning, modern, democratic, capitalistic nation state.

Of those 10 pieces that made up that total picture of Plan Colombia, the Colombians were going to be responsible for 5 of those 10 pieces.

The total cost of Plan Colombia was estimated at $8 billion, and the Colombian Government was going to pay for $4 billion. They raised taxes, made adjustments in their budget, and did other things to get prepared to accept their 50-percent share of this plan.

The other 50 percent was going to be divided between the United States, which would assume approximately 20 percent of the cost of Plan Colombia, and the rest of the international community, which was to assume 30 percent of the cost.

When the decisions were being made as to what parts of that international

effort should be the U.S. component, the decision was made that most of our responsibility was going to be on the military side.

Why was that? The reason was, because a key part of a successful attack against the drug traffickers and since, in many instances, drug traffickers and guerrillas were the same people in the same uniform, the United States had the best ability to provide the intelligence the Colombian military would need to use its forces as effectively as possible.

We had the ability to provide the training that the Colombian military needed to increase its professionalism, and particularly to deal with issues such as the long history of human rights abuses within the military of Colombia, and we also could provide some of the equipment the Colombian military needed, specifically helicopters, to give the Colombian military greater mobility so that when they identified through intelligence where there was a drug activity that was susceptible to being attacked, they would be able to deliver the troops and the materials necessary to successfully carry out that attack.

I go into this in some detail because, for Americans, there has been a tendency to assume that since our component of Plan Colombia was heavily oriented toward military activities, that described the totality of Plan Colombia. That is not quite the fact.

The fact is the totality of Plan Colombia was a balanced plan that had social, economic, political components, as well as law enforcement and military components. It just happened that because we were in the best position to provide the military components, that was where most of our part of Plan Colombia happened to fall.

Plan Colombia was presented to the Congress in 2000, and in the summer of 2000 the Congress voted to provide as the first installment towards our commitment to Plan Colombia $1.3 billion. We also committed we would have follow-on commitments to Plan Colombia as the progress of this effort to fight the three ills of Colombia: The guerrillas, the drug traffickers, and the economic decline.

President Bush has continued the Plan Colombia commitment which had been made by President Clinton. He has recommended to us that we appropriate $731 million. His plan substantially broadens the commitment from a primary focus on Colombia, which was the focus of the first year of the plan under President Clinton's leadership, to a regional focus.

The funds, as proposed by President Bush, are roughly evenly divided between Colombia on the one hand and the other Andean pact countries that are beneficiaries, which are Ecuador, Peru, and Bolivia. President Bush also recommended that of the 50 percent to go to Colombia, that should also be divided roughly 50/50 between law enforcement and military on the one side and economic and social development on the other.

Part of the reason for that recommendation was the fact it has been thus far difficult to get the other components of the international community, with a few major exceptions, Spain and Great Britain being two of those exceptions, to fully participate as had been anticipated in Plan Colombia. So we are now, in addition to our original area of principal responsibility, becoming more engaged in the social and economic development aspects of this now Andean legislative initiative.

The reason I am speaking this afternoon is the Foreign Operations Subcommittee rejected much of what President Bush had recommended, and they recommended the $731 million be cut by 22 percent, or to $567 million. That cut will have serious implications on the United States and our relationship with this region and the future of this region, and our commitments we are making today towards the fight against terrorism around the world.

To be specific, what are some of the implications of a 22-percent cut in the now Andean Regional Counterdrug Initiative? Let me start with the country that has been our principal focus and would be the recipient of half of these funds: The Republic of Colombia. Support for the Colombian National Police interdiction and eradication effort would be reduced because there would be less funding for spare parts for the equipment we provided and fuel to operate the equipment. This would make coca reduction targets less likely to be attained. The failure to attain those coca reduction targets means there will be more cocaine in the streets of the United States of America, afflicting the people of this Nation.

A second result will be security for government officials, which the military provides in high conflict areas, will also be reduced, making the police and alternative development workers even more vulnerable.

Last week there was a meeting held in Washington of an organization in which several members of this body participate called the Inter-American Legislative Network. The purpose of this organization is to encourage the full development of the parliaments and congresses of the nations of the Western Hemisphere on the belief if they are truly going to have a democratic society, the institution in which we serve is a critical component of that society.

We started our meeting last Tuesday with a period of silence. That period of silence was in recognition of the fact two legislators from Colombia had been assassinated the week before we met, illustrative of the level of violence which is being directed towards the democratic institutions by the assassination of the members of democratic institutions in Colombia.

A third effect of this cut will be the Colombian alternative development program will be restricted, and the success we have had to date of signing up farmers who have been producing illicit coca to start producing legal crops will be substantially hampered, and our ability to comply with commitments we have already made will be restricted.

Next, programs to strengthen democratic institutions such as the judiciary and witness protection will also be reduced because of less funds available to support those programs. Lowered support for the police and military would also call into question our political support for Colombia, which might undermine the progress that has been made to date in human rights.

Finally, in the next year a new President will be elected in Colombia. They have a one-term limit on their Presidents. So President Pastrana could not run for reelection. There is an active campaign underway to elect his successors, and the candidates for the Presidential election which will occur next spring might raise questions as to the reliability of United States support, particularly during this difficult and significant period in the history of Colombia.

The consequences both within Colombia and on the U.S.-Colombian relationship of this proposed reduction are dire, but the implications are not limited to Colombia because, as I indicated, half of this money will now go to the other countries, Ecuador, Peru and Bolivia.

Speaking of Peru, where there has been a very aggressive alternative development program which has been enormously successful, 15 years ago most of the coca produced in the world was produced in either Peru or Bolivia and then was transported to Colombia for processing into cocaine. That level of production in Peru and Bolivia has been dramatically reduced. That reduction has, in large part, been because we have been encouraging the farmers to do the same thing we hoped to accomplish in Colombia, which is to transition to legal crops.

We had no funding for that alternative development program in either fiscal year 2000 or 2001 because of our concerns about President Fujimori. As we know, President Fujimori was forced out of the country. He is now living in exile. A new President, President Toledo, has been elected and had been anticipating we would resume the level of support we have been giving to Peru. That support is now at risk. Failure to support Peru in this area of alternative development will undermine the hopeful reflourishing of democracy that will come to Peru under the leadership of President Toledo.

Similarly, Brazil's success is also being challenged as a new President takes office. Planting of coca is beginning to occur in the Champara region, which was the principal area of coca production in Bolivia. We need to help the new Government continue to enforce the coca ban and to offer further

alternative development assistance, not to retreat as this subcommittee recommendation would have us do.

Ecuador is also vulnerable to cuts as we seek to maintain enforcement and foster community development, particularly in the northern border region adjacent to Colombia's major coca cultivation zones. Ecuador, which is one of the poorer countries of Latin America, has a long border with Colombia which is immediately adjacent to the area where the principal guerilla group called the FARC in Colombia operates, and the area where we have been putting the principal focus of our coca eradication.

There has been a great deal of cross-border activity, and Ecuador has been looking to us to give them some assistance in maintaining the sanctity of their borders so they can maintain what has been a surprisingly effective effort to avoid substantial coca production in Ecuador. Brazil, Panama, and Venezuela also have modest enforcement programs which need support to have a chance to overcome the efforts of traffickers to transit drugs and corrupt local governments.

The whole Andean region is a region at risk. I suggest we are sending exactly the wrong signal of our awareness of that risk and our willingness to be a good partner at a time of need by this 22-percent cut in our program of assistance to the Andean region.

The proposed Andean Regional Counterdrug Initiative, in my opinion, is an integrated, balanced package. There are proposals now, even with those funds that are left, to earmark those funds in ways that will not be consistent with an integrated effort in the Andean region. Earmarking funds for non-Colombian programs will increase the likelihood of failure and increased violence in Colombia, the largest coca producer in the world. As indicated, we are already proposing—the administration is proposing—to allocate these funds on a 50/50 basis between Colombia and the other Andean countries. The earmarking would change that rational balance.

Finally, following September 11, U.S. law enforcement and military resources which had been placed in the Andean region were withdrawn. Significant numbers of law enforcement personnel were withdrawn back to the United States to assist in homeland security. Many of the military personnel are now in central Asia. This regional effort, funded by foreign assistance, the effort we are considering today, represents the most significant remaining activity in the world to stem the flow of drugs into the United States. For those who say they want to fight drugs, this is the drug program in terms of reducing the supply into the United States. To cut it by almost a quarter will seriously curtail a program on the verge of success, with no alternative supply reduction strategy available. The consequences of this action are serious, immediate, but also with very long-range implications.

I close by asking this question: What is the message the United States of America is sending to our own citizens, what is the message we are sending to the world, when on October 24, 2001, we come before the Senate with a proposal to cut back on the only effective program we have in the world to reduce the flow of cocaine into the United States and one of the most important programs we have in the world to attack terrorists?

These are some of the messages. We are saying we are prepared to give up on the international effort to strengthen the forces of democracy, lawfulness, and future economic growth in a very important region for the United States. How do we ask a European country to make a commitment to support this region if we, who have much more immediate interests and so much more at risk, take the action being recommended today?

Second, are we giving up on Latin America? President Bush, when he came into office, and previously as Governor of Texas and as a candidate for the Presidency, emphasized the importance of the United States relations with Latin America. Unfortunately, we have yet to move forward on an effective program to influence our closest neighbors in the Western Hemisphere.

The one next to this program that is most important is to increase our trade relations. We have a 10-year program with the countries of the Andean region, called the Andean trade pact, whereby we have provided beneficial trade relations. That program will expire in early December. As of today, less than 60 days to expiration day, we have not moved in either the House Ways and Means Committee or the Senate Finance Committee the legislation even to renew that program which is a vital part of the economic capacity of that region and particularly critical now as we are trying, for instance in the case of Colombia, to disemploy 400,000 people who are now working in illicit drug activities, and give them some opportunity to work in a legal, productive area of the economy. Yet we are about to see an important part of the pillar of that legal economy eroded.

The irony is that much of the funding that has been stripped out of the Andean region has been diverted to, as I understand it, providing additional funds to the Export-Import Bank, the purpose of which is to increase our trade. Here we are with some of the best self-trading partners the United States has, a region of the world in which we have a positive trade balance, and we are undercutting its capacity so we can fund the Export-Import Bank whose purpose is to promote trade. That is ironic.

Third, I am concerned we are returning to neo-isolationism, and doing so at the very time when we need to be building strong international coalitions to prepare for the long-range war against terrorism.

That brings me to my final point. What is the message we are sending? A number of Members earlier today were asked to go to the White House to meet with the President, the Vice President, and other leaders of the administration and the newly appointed head of the Homeland Security Agency, Gov. Tom Ridge. At the end of the meeting, President Bush gave us a final challenge. I would like, to the best of my ability, to quote what he said in that final challenge. He asked this question: Do we really want to win the war against terrorism? His answer: Absolutely, and that it will require unity, that we must be prepared to act in different ways in order to win this war. We must be prepared to win it at home, and we must be prepared to win it at the source.

I agree with all of those challenges the President has given to the American people. But what is it going to say if, today, on October 24, some 6 weeks and 1 day after the tragedy of September 11, we strip away a substantial amount of the resources that are being used to fight one of the most virulent terrorist operations extant in the world? The FARC terrorists of Colombia.

In the year 2000 alone there were 423 terrorist attacks against U.S. interests by guerrillas in Colombia. Tell me that we are not fighting terrorism as we fight the source of funding for those terrorists, which is the drug trade in Colombia.

Of those 423 international terrorist acts against U.S. interests, over a third were in Colombia. Mr. President, 44 percent of all attacks against American interests in 2000 were conducted in the country of Colombia.

We have a war against terrorists. An important component of that war is not just 6 weeks old but now is several years old. We have made representations to the people of the United States, the people of Colombia, the people of the Andean region, that we were going to be a full partner in the successful pursuit of that war.

More recently, we have made similar representations to the people of Pakistan and to its leadership and to other countries around the world as we ask them to join the coalition for a long, protracted, difficult war to root out global terrorism wherever it exists in the world. I suggest our true commitment is not going to be judged by the words we speak but by the actions we take.

If we, today, accept a budget which strips 22 percent of the funds we have committed to an area which has become in many ways the global testing ground for our commitment against terrorism, I believe we will be sending a signal that will reverberate around the world, and one that will potentially substantially erode our credibility.

We have only had Plan Colombia now for a few days more than 12 months. It went into effect October 1 of 2000. Today is October 24 of 2001. Yet hardly

more than a year into this battle we are beginning to sound the trumpet of retreat and run up the white flag of surrender. That is not what America wants this Senate to say on its behalf. We want to say, as President Bush asked us: Are we really in this war to win? Absolutely. We will have a chance later today to decide whether we want to put an exclamation point behind the President's statement and commitment.

The PRESIDING OFFICER (Mr. REED). The Senator from Minnesota.

Mr. GRAHAM. Will the Senator from Minnesota yield for a moment?

Mr. WELLSTONE. As long as I can regain the floor.

AMENDMENT NO. 1950

Mr. GRAHAM. I sought the floor for the purpose of submitting the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Florida [Mr. GRAHAM] for himself, Mr. HAGEL, and Mr. DODD, proposes an amendment numbered 1950.

On page 142, line 17, strike ''$567,000,000'' and insert ''$731,000,000, of which, $164,000,000 shall be derived from reductions in amounts otherwise appropriated in this act.''

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

Mr. WELLSTONE. Mr. President, I will be relatively brief. I want to respond to my colleague from Florida.

First of all, the Senator from Florida is about as committed to this region of the world, and to the country of Colombia, as anybody in the Senate. I understand that. This is just a respectful difference of opinion we have.

The two members of the Colombian Congress my colleague spoke about were killed by paramilitaries, the AUC, not by the FARC or ELN, the guerrillas. Although I agree that the FARC and ELN are terrorist organizations and should be listed as such, so is the AUC, which is now listed as a terrorist organization. I will go into this in a moment because I think it is an important point.

There are reasons we do not want to put an additional $71 million into this package without much more accountability when it comes to human rights and who is committing the violence.

I also want to point out that of the money we are talking about, the $71 million, a lot of that money in this package goes to disaster relief, goes to refugees, goes to combating HIV/AIDS, goes to public health, goes to education. I think we are probably a lot better off in a foreign operations bill with these priorities than we are putting an additional $71 million into this package.

I also have, which I think is very relevant to this debate, an EFE News, Spain piece, the headline of which is ''Colombian Paramilitaries Kidnap 70 Farmers to Pick Coca Leaves.''

The truth is, the FARC and ELN, these are not Robin Hood organizations; they are into narcotrafficking up to their eyeballs. But so is the AUC and the paramilitary.

The problem is this effort, Plan Colombia, has been all too one-sided. If it was truly counternarcotics, we would see just as much effort by the Government and by the military focused on the AUC and their involvement in drug trafficking as we see vis-a-vis ELN and FARC. But we don't see that.

There are other reasons we can make better use of this $71 million. Since we started funding Plan Colombia, unfortunately we have seen a dramatic increase in paramilitary participation.

By the way, let me also point out that on the whole question of the war against drugs, not only do I think we would be much better off spending money on reducing demand in our own country—there is a reason why Colombia exports 300 metric tons of cocaine to the United States every year or more, and that is because of the demand. We ought to get serious about reducing the demand in our own country. As long as there is demand, somebody is going to grow it and somebody is going to make money and you can fumigate here and fumigate there and it will just move from one place to another.

My colleague from Florida talked about this effective effort, but the United Nations, with a conservative methodology, pointed out that although 123,000 acres of coca plants have been fumigated under Plan Colombia, cultivation increased 11 percent last year. Cultivation increased 11 percent last year.

Senator FEINGOLD and I will have an amendment and we will talk about the fumigation and we will see where the social development money is that was supposed to come with the fumigation. That was supposed to be part of Plan Colombia. We are also going to be saying we ought to involve the local people who live in these communities in decisions that are made about this aerial spraying.

There are health and safety effects. We can raise those questions. But it is a little naive to believe these campesinos are not going to continue to grow coca if they are not given alternatives, and the social development money has just not been there.

What I want to focus on, which is why I am opposed to the Graham amendment, is the human rights issues. The ranks of the AUC and paramilitary groups continue to swell. The prime targets are human rights workers, trade unionists, drug prosecutors, journalists, and unfortunately two prominent legislators, murdered not by FARC or ELN but murdered by AUC, with the military having way too many ties—the military that we support —with the paramilitary at the brigade level.

I objected to such a huge infusion of military assistance to the Colombian security forces when civilian management remained weak, and the ties between the military and paramilitaries were so notorious and strong.

Since Plan Colombia funding began pouring into Colombia, we have seen a massive increase in paramilitary participation and its incumbent violence. The ranks of the United Self-Defense Forces of Colombia (AUC) and other paramilitary groups continue to swell. Their prime targets: human rights workers, trade unionists, judges, prosecutors, journalists, and myriad other civilians.

The linkages between Colombia's security forces and paramilitary organizations are long and historic. Everybody agrees, including the Colombian Ministry of Defense, that the paramilitaries account for 75 percent of the killings in Colombia.

The media and international human rights groups continue to show evidence of tight links between the military and human rights violators within paramilitary groups.

The U.S. State Department, the U.N. High Commission on Human Rights, Amnesty International, and Human Rights Watch are among the organizations who have documented that the official Colombian military remains linked closely with paramilitaries and collaborates in the atrocities.

According to the Colombian Committee of Jurists (CCJ), ''[i]n the case of the paramilitaries, one cannot underestimate the collaboration of government forces.''

According to the International Labor Organization (ILO), the offical Colombian military has in some cases created paramilitary units to carry out assassinations.

The State Department's September 2000 report itself mentions ''credible allegations of cooperation with paramilitary groups, including instances of both silent support and direct collaboration by members of the armed forces.''

Likewise, in its Country Reports on Human Rights Practices, released in February 2001, the State Department reported that ''the number of victims of paramilitary attacks during the year increased.'' It goes on to say: ''members of the security forces sometimes illegally collaborated with paramilitary forces. The armed forces and the police committed serious violations of human rights throughout the year.''

More from State Department Reports:

The Government's human rights record remained poor; there were some improvements in the legal framework and in institutional mechanisms, but implementation lagged, and serious problems remain in many areas. Government security forces continued to commit serious abuses, including extrajudical killings. Despite some prosecutions and convictions, the authorities rarely brought higher-ranking officers of the security forces and the police charged with human rights offenses to justice, and impunity remains a problem. Members of the security forces collaborated with paramilitary groups that committed abuses, in some instances allowing such groups to pass through roadbacks, sharing information, or providing them with supplies or ammunition. Despite

increased government efforts to combat and capture members of paramilitary groups, often security forces failed to take action to prevent paramilitary attacks. Paramilitary forces find a ready support base within the military and police, as well as among local civilian elites in many areas.

Two weeks ago, Human Rights Watch released a report titled ''The 'Sixth Division': Military-Paramilitary Ties and U.S. Policy in Colombia.'' It contains charges that Colombian military and police detachments continue to promote, work with, support, profit from, and tolerate paramilitary groups, treating them as a force allied to and compatible with their own.

The ''Sixth Division'' is a phrase Colombians use to refer to paramilitary groups, seen to act as simply another part of the Colombian military. The Colombian Army has five divisions.

In the report, Human Rights Watch focuses on three Colombian Army brigades: the Twenty-Fourth, Third, and Fifth Brigades.

At their most brazen, the relationships described in this report involve active coordination during military operations between government and paramilitary units; communication via radios, cellular telephones, and beepers; the sharing of intelligence, including the names of suspected guerrilla collaborators; the sharing of fighters, including active-duty soldiers serving in paramilitary units and paramilitary commanders lodging on military bases; the sharing of vehicles, including army trucks used to transport paramilitary fighters; coordination of army roadblocks, which routinely let heavily-armed paramilitary fighters pass; and payments made from paramilitaries to military officers for their support.

President Andrés Pastrana has publicly deplored paramilitary atrocities. But the armed forces have yet to take the critical steps necessary to prevent future killings by suspending high ranking security force members suspected of supporting these abuses.

This failure has serious implications for Colombia's international military donors, especially the United States. So far, however, the United States has failed to fully acknowledge this situation, meaning that military units implicated in abuses continue to receive U.S. aid. Human Rights Watch contends that the United States has violated the spirit of its own laws and in some cases downplayed or ignored evidence of continuing ties between the Colombian military and paramilitary groups in order to fund Colombia's military and lobby for more aid, including to a unit implicated in a serious abuse.

Although some members of the military have been dismissed by President Pastrana, it appears that many military personnel responsible for egregious human rights violations continue to serve and receive promotions in the Colombian military.

For example, according to a Washington Office on Latin America, Amnesty International and Human Rights Watch joint report, General Rodrigo Quinones, Commander of the Navy's First Brigade was linked to 57 murders of trade unionists, human rights workers and community leaders in 1991 and 1992. He also played a significant role in a February 2000 massacre. A civilian judge reviewing the case of one of his subordinates stated that Quinones' guilt was ''irrefutable'' and the judge could not understand how Quinones was acquitted in a military court. Nevertheless, he was promoted to General in June 2000.

According to the Colombian Attorney General's office, another general, Carlos Ospina Ovalle, commander of the Fourth Brigade, had extensive ties to military groups. He and his brigade were involved in the October 1997 El Aro massacre, wherein Colombian troops surrounded and maintained a perimeter around the village while residents were rounded up and four were executed. General Ospina Ovalle also was promoted.

In the State Department's January 2001 report Major Jesus Maria Clavijo was touted as an example of a successful detention of a military officer associated with the paramilitaries. Yet, by several NGO accounts he ''remains on active duty and is working in military intelligence, an area that has often been used to maintain links to paramilitary groups.''

Colombian and international human rights defenders are under increased surveillance, intimidation, and threats of attack by paramilitary groups.

According to a recent Amnesty International press release, two men identifying themselves as members of a paramilitary group approached members of Peace Brigades International, threatened them with a gun and declared PBI to be a ''military target.''

Members of Colombian human rights groups such as the Association of Family Members of the Detained and Disappeared and the Regional Corporation for the Defense of Human Rights have been ''disappeared,'' murdered in their homes and harassed with death threats. Despite reports to the military and requests for help, Colombian authorities seemingly have failed to take significant steps on behalf of the human rights groups.

The systematic, mass killing of union leaders and their members by paramilitaries in Colombia can only be described as genocide. There has been a dramatic escalation in violations against them—kidnapping, torture, and murder—and the response by the Colombian authorities in the face of this crisis has been negligible.

These attacks are an affront to the universally recognized right to organize.

One hundred and thirty-five trade unionists, both leaders and members, were assassinated during the year, bringing the total number of trade unionists killed since 1991 to several thousand. At least another 1,600 others have received death threats over the last three years, including 180 in 2000; 37 were unfairly arrested and 155 had to flee their home region. A further 24 were abducted, 17 disappeared and 14 were the victims of physical attacks. (International Confederation of Free Trade Unions—10 October 2001. Colombia: Annual Survey of Violations of Trade Union Rights—2001).

I would like to share this quote with my colleagues; it will reveal the true nature of the situation in Colombia. The quote is attributed to Carlo Castaño, head of the AUC, the largest paramilitary group in Colombia): ''We have reasons for killing all those we do. In the case of trade unionists, we kill them because they prevent others from working.''

Most of the union killings have been carried out by Castano's AUC, because they view union organizers as subversives. One of the most recent killings occurred on June 21, when the leader of Sinaltrainal—the union that represents Colombia Coca-Cola workers—Oscar Dario Soto Polo was gunned down. His murder brings to seven the number of unionists who worked for Coca-Cola and were targeted and killed by paramilitaries.

I recently met with the new leader of Sinaltrainal, Javier Correa. In our meeting, he described the daily threats to his life, and the extremely dangerous conditions he and his family are forced to endure. In his quiet, gentle manner he told me about the kidnaping of his 3-year-old son and his mother, both at the hands of the paramilitaries. Frankly, I fear for his life and that of his family. In the wake of this meeting, I dread news from the Colombian press, mainly out of fear of what I may read.

In response to these threats, the United Steelworkers of America recently sued Coca-Cola in Federal court for its role in such violent attacks on labor, and other large corporations are being investigated.

According to the International Labor Organization (ILO), the vast majority of trade union murders are committed by either the Colombian state itself—e.g. army, police and DAS (security department)—or its indirect agents, the right-wing paramilitaries.

On both of my visits to Colombia, I heard repeated reports of military-paramilitary collusion throughout the country, including in the southern departments of Valle, Cauca, and Putamayo, as well as in the city of Barrancabermeja, which I visited in December and March.

Consistently, the military, in particular the army, was described to me as tolerating, supporting, and actively coordinating paramilitary operations, which often ended in massacres. I was also told that too often detailed information was supplied to the military and other authorities about the whereabouts of armed groups, the location of their bases, and yet authorities were unwilling or unable to take measures to protect the civilian population or to pursue their attackers.

While in Colombia, I discussed with General Carreno the status and location of the San Rafael—de Lebrija—paramilitary base. The base is operating openly in an area under his command, and its activities have directly

caused much of the bloodshed in the region. Almost 7 months after our meeting, however, no effective action has been taken to curtail the operations of the San Rafael paramilitary base, and that it remains open for business.

The Colombian military knows where the base is, and who operates it. The Colombian government knows. I know, for heaven's sake. But, just in case they don't know, I will tell them here. The base is on the Magdalena River about 130 kilometers north of Barrancabermeja on the same side of the River as Barranca, northwest of the Municipio of Rio Negro, in the Department of Santander.

It is from San Rafael de Lebrija that the paramilitaries launch their operations to dominate the local governments and the local community organizations in the area around and including Barrancabermeja. It is there that they organize their paramilitary operations of intimidations of the citizens of the area including the attacks on Barrancabermeja.

It is from there that they stage the murder of innocent civilians like Alma Rosa Jaramillo and Eduardo Estrada. These brave volunteers were brutally assassinated in July, simply because they stand for democracy, civil rights, and human rights. They are against the war, and have no enemies in the conflict. They were both leaders in the Program of Development and Peace of the Magdalena Medio, located in Barranca, lead by my friend Father ''Pacho'' Francisco De Roux.

I call on the Colombian government and military to show the U.S. Senate that they are serious about cracking down on paramilitaries.

Close San Rafael. Close Mirafores and Simón Bolívar, also located in Barranca, in the northeast quadrant of the city. Close San Blas, south of the Municipio of Simiti near San Pablo in the South of the Department of Bolivar. Close Hacienda Villa Sandra, a base about one mile north of Puerto Asís, the largest town in Putumayo. Is this too much to ask?

From the annual report on Colombia, by the Inter-American Commission on Human Rights (Organization of American States—year 2000) (The OAS on paramilitary bases):

> . . . observations . . . confirm that the free operation of patrol checks, paramilitary bases and acts perpetrated by the AUC in the areas of Putumayo (La Hormiga, La Dorada, San Miguel, Puerto Asís, Santa Ana), Antioquia (El Jordán, San Carlos), y Valle (La Iberia, Tuluá) are being investigated mainly in the disciplinary jurisdiction.

It further says:

> The Commission is particularly troubled by the situation in Barrancabermeja, Department of Santander. Complaints are periodically received concerning paramilitary incursions and the establishment of new paramilitary camps in the urban districts. The complaints report that even though civilian and military authorities have been alerted, paramilitary groups belonging to the AUC have settled in the Mirafores and Simón Bolívar districts in the northeast quadrant of the city, and have spread to another 32 districts in the southern, southeastern, northern and northeastern sectors.

Arrest the notorious paramilitary leaders who open and sustain these bases. Nearly everyone knows who they are, where they operate. I know, and I've only been to Colombia twice.

They are operated by the AUC, led by the likes of Carlos Castano, Julian Duque, Alexander ''El Zarco'' Londono, Gabriel Salvatore ''El Mono'' Mancuso Gomez, and Ramon Isaza Arango.

The men on this short list—a mere five paramilitaries—account for over 40 arrest warrants over several years. They are responsible for untold cases of kidnaping, torture, and murder. Go get them.

In its annual report on Columbia, the Inter-American Commission on Human Rights (Organization of American States—year 2000) addressed the problem of paramilitary groups and their bases of operations. Here is what they said:

> The Commission must point out . . . that although the human rights violations committed by paramilitary are frequently investigated by the regular courts, in many cases, the arrest warrants the courts issue are not executed, especially when they involve the upper echelons of the AUC and the intellectual authors. This creates a climate of impunity and fear. A case in point is the fact that in 2000, the highest ranking chief of the AUC, Carlos Castaño, has had access to the national and international media and contacts at the ministerial level, yet the numerous arrest warrants against him for serious human rights violations, have never been executed.

The Colombian government seems to have accepted paramilitary take overs, in places like Barranca. The Colombian government and military must find a way to respond to the paramilitary threat. It is a threat to the rights of free speech, free assembly, and moreover, the rule of law in Colombia.

Mr. President, as I have said all along, if we are really serious about counter-narcotics we should strongly encourage the Colombian government to act boldly and officiously in response to the increasing strength of the paramilitaries, who are actively engaged in narco-trafficking.

Carlos Castaño has admitted that about 70 percent of his organization's revenues come from taxing drug traffickers. He is listed as a major Colombian drug trafficker in recent documents of the U.S. Drug Enforcement Agency.

Drug trafficking is a lucrative business for all parties involved in the Colombian conflict. The fact is, many military personnel are finding that paramilitary work is simply more lucrative than military pay. In addition, they are not forced to comply with even the minimum in standards for conduct. Yet, this begets another crucial question: where do all these vetted officers and soldiers end up? I fear the answer again lies in the paramilitaries. After all, their ranks have swelled dramatically in recent years.

To date, the debate surrounding Plan Colombia has been disingenuous. Why has there been little effort to combat paramilitary drug lords? I'm afraid we may be exposing this plan for what it really is; counterinsurgency against the leftist guerrillas, rather than a sincere effort to stop the flow of drugs. A recent Rand report suggested that the U.S. government should abandon this charade, in favor of an all-out military offensive on guerrilla forces.

Lamentably, I do not see any improvement on the rule of law front. Since Plan Colombia started, and the requisite oversight, we have witnessed an unprecedented increase in the power and authority of a Colombian military with a long history of corruption and abuse.

Last summer, President Pastrana signed a new national security law that gives the Colombian military sweeping new powers. Among other things, the law allows military commanders to declare martial law in combat zones, suspending powers of civilian authorities and some constitutional protections afforded civilians. The law also shortens the period for carrying out human rights investigations of police and army troops, allowing soldiers to assume some of the tasks that had been assigned to civilian investigators.

Other controversial aspects of the law are provisions that allow the military to hold suspects for longer periods before turning them over to civilian judges. Under the old law, government troops had to free suspected drug traffickers and guerrillas if they were unable to turn them over to civilian authorities within 36 hours. I am very concerned about the implications of these provisions. Like many, I fear that torture or other human rights violations may increase as a result.

The U.N. High Commissioner for Human Rights in Colombia believes, as I do, that some of the provisions of the law are either unconstitutional or violate international human rights treaties. I have conveyed my objections about this law to the Colombian government. By pouring another $135 million into the coffers of the Colombian military, we will be increasing their power further without adequately strengthening checks on military abuses. Frankly, I feel this is the wrong direction.

I am pleased that my colleagues, especially Senator LEAHY, have fought to attach safeguards to U.S. military aid to ensure that the Colombian armed forces are: First, cooperating fully with civilian authorities, in prosecuting and punishing in civilian courts those members credibly alleged to have committed gross violations of human rights or aided or abetted paramilitary groups; second, severing links, including intelligence sharing, at the command, battalion, and brigade levels, with paramilitary groups, and executing outstanding arrest warrants for members of such groups; and third, investigating attacks against human

rights defenders, trade unionists, and government prosecutors, investigators and civilian judicial officials, and bringing the alleged perpetrators to justice.

Moreover, the paramilitaries undermine the peace process. How can guerrillas—be they ELN or FARC—agree with the government about future political inclusion in the context of a cease fire without first defining the problem of paramilitary groups?

In early 2001, President Pastrana agreed to create a DMZ for the ELN in the northern state of Bolivar. This backfired badly when ELN rebels were chased out by members of the paramilitary group Autodefensas Unidas de Colombia, AUC. The ELN subsequently pulled out of the peace process.

Frustration with the peace process on the part of the military and the country's elites has helped transform the paramilitary AUC into a major player in the conflict. Some estimates of the strength and size of the AUC are as high as 9,500 fighters. In my view, this resurgence can be directly linked to the flawed peace process.

The AUC poses a real threat to the FARC and the ELN, who may now be forced to co-operate with each other more closely. That is bad news for the security situation, particularly given the boost it could provide to the weaker ELN.

What's even more telling is the trend of FARC guerrillas joining the ranks of the paramilitaries. Their motives are based on greed. Paramilitaries, financed by narcotraffickers, are now using ex-gerrillas as scouts and officers, to combat the FARC and ELN more forcefully. This amounts to a deadly coalition. The narcotrafficers have money without limits, the paramilitaries use violence without scruples, and the military supplies inside information and protection.

Press reports detailing U.S. reluctance to paticipate, even as an observer, in peace talks between President Pastrana and FARC leaders only serve to increase my concerns. All sides need to encourage a continued dialogue among all sectors of civil society, but the escalating violence makes that increasingly impossible.

Some of my colleagues have argued that the present campaign against terrorism merits our continued military involvement in Colombia. These funds, it is said, are going toward counternarcotics operations, targeting the FARC and ELN, both of which are on the State Department's terrorist list.

I am well aware that paramilitary groups are not the only armed actors committing human rights violations in Colombia, and I am no friend of these guerrilla movements. In fact, I have consistently decried their repressive tactics and blatant disregard for international human rights standards.

I was deeply saddened by recent reports from Colombia which suggest that the FARCC kidnapped and murdered Consuelo Aruajo, the nation's former culture minister. She was a beloved figure across Colombia, known for her promotion of local culture and music. So, I would like to take this opportunity to again call upon the FARC to suspend kidnappings, killings and extortion of the civilian population and the indigenous communities.

That said, I further believe that we should be more forceful in going after paramilitary death squads, with longstanding ties to some in the Colombian military and government.

Several weeks ago, Representative Luis Alfredo Colmenares, a member of the opposition Liberal Party was assassinated in Bogota. We do not yet know who perpetrated this despicable act, but most signs point to paramilitary death squads, AUC. These same paramilitaries are believed to be responsible for the October 2 murder of representative Octavio Sarmiento, also a member of the Liberal Party. Both men represented the province of Arauca, Northeast of the capital, on the Venezuelan frontier—a region that has become increasingly ravaged by the ever-widening war.

I was pleased that Secretary Powell made the decision to add the AUC to the State Department's terrorist list. It was a sign that the United States oppposes threats—from both the left and right—in the hemisphere, and I am encouraged by this development. Yet, I do not believe it goes far enough. As Senators, we should embrace the challenge of making a bold effort to quell paramilitary violence. Wwe must not shirk from that responsibility.

The way out of this mess is nothing particularly new or innnovative. What has been lacking in Bogota and Washington is the political will to take the risks to make the old proposals work.

The Congress and the Bush administration must insist on credible and far-reaching efforts to stop the paramilitaries.

Further, we must provide serious and sustained support for the peace process, and work to deliver economic assistance programs that work instead of dramatic military offensives.

Finally, we need to embrace demand reduction as the most effective mechanism for success in the campaign against drugs.

General Tapias, the highest ranking military person in Colombia was coming to meet with me. It was the day the Hart Building was evacuated. We talked on the phone. I know the Presiding Officer spent some time in Colombia. I said to him on the basis of the good advice from a wonderful human rights priest, Francisco De Roux, General: (A) thank you for trying to do a better job of breaking the connection between the military and the paramilitary. Thank you for trying to do that. We know you have made that effort. (B) I said thank you for going after the FARC and the ELN.

The third question I asked him was when it comes to the murder of civil society people such as the people I met on two trips to Barrancabermeja—some of whom I met, some of whom are no longer alive—people who work with Francisco De Roux, probably the best economic development organization in Colombia—they are murdered with impunity. I said to the general: Where are you? Where is the military? And where are the police in defending the civil society?

Mr. LEAHY. Mr. President, I wonder if the Senator will yield for just one moment.

Mr. President, I ask for the yeas and nays on the pending amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. WELLSTONE. Mr. President, military-paramilitary linkages are long and historic. Everybody agrees. I told you that FARC and the ELN are not Robin Hood organizations. But the paramilitaries, now listed as a terrorist organization by our State Department, account for 75 percent of the killings in Colombia by the AUC.

The U.S. State Department, the United Nations High Commission on Human Rights, Amnesty international, and Human Rights Watch are among the organizations who have documented that the official Colombian military has remained linked closely with the paramilitaries and all too often collaborates in these atrocities.

We don't need to be giving out any more money.

The State Department's September 2000 report mentions ''credible allegations of cooperation with paramilitary groups, including instances of both silent support and direct collaboration by members of the armed forces.''

Two weeks ago, Human Rights Watch released a report titled, ''Sixth Division: Military-Paramilitary Ties and U.S. Policy in Colombia.'' It is troubling.

The ''Sixth Division'' is a phrase Colombians use to refer to paramilitary groups seen to act as simply another part of the Colombian military. The Colombian military has five divisions.

In this report, Human Rights Watch focuses on three Colombian Army brigades: The Twenty-Fourth, Third, and Fifth Brigades.

I asked the general about direct ties to the paramilitary. They are documented. The paramilitaries are brazen. President Pastrana operates in good faith, and I know he has publicly deplored the paramilitary atrocities. But the armed forces have yet to take the critical steps necessary to prevent future killings by suspending these high-ranking security force members suspected of supporting these abuses.

I am telling you that it is documented. We know. But these military folks aren't removed. They are not suspended. Nothing or very little is done. I don't think we need to spend more money on this.

Human rights abusers are rewarded with promotion. The joint report of the

Washington Office on Latin America, Amnesty International, and Human Rights Watch talks about the fact that a number of different high-ranking military people involved in atrocities are directly involved with the paramilitary, and are promoted.

Human rights workers are under attack. There are systematic mass killings of union leaders and their members by the paramilitary in Colombia.

I describe that as genocide. That is what it is. As a matter of fact, the AUC has actually bragged about this. Their leader bragged about this.

And we need to give them more money? I don't think so.

I wish I could mention some of the courageous people who have been murdered.

I have gone to Colombia twice. I have gone to Barrancabermeja. I have gone there because it is sort of a safe haven in Colombia. It is one of the most violent cities in a very violent country.

I have had the opportunity to meet with a man that I consider to be really one of the greatest individuals I have ever met—Francisco De Roux, referred to as Father ''Pacho.'' Why is he so respected and beloved? He has an organization called the Program of Development and Peace of the Magdalena Medio located in Barranca. They do wonderful social justice and economic development work.

In the last several months, a number of innocent civilians, such as Alma Rosa Jaramillo and Eduardo Estrada, brave volunteers, were brutally assassinated—one, I think, in front of his family members. It was awful. They were murdered by the AUC. They were murdered by the paramilitary, and the civil society people who work for their organization still wait for the prosecution.

I said to General Carreno, the military man in the region: Here is AUC's leader, the bad guys. Go get them.

It hasn't happened.

I thank my colleague, Senator LEAHY, because I think there are some important human rights safeguards and Leahy safeguards in this legislation that go absolutely in the right direction.

I will zero in on this for the Feingold amendment on fumigating and spraying. I am in profound opposition with the amendment of my colleague from Florida, who is one of my favorite Senators. I am not just saying that; he is. I have great respect for him. I oppose the additional ways in which money is being spent.

Funding for disaster relief—you name it—and health care makes a whole lot more sense. I don't think we need to be putting any more money into this plan. Believe me. There are important human rights questions to be raised. I don't think the Colombian Government has been nearly as accountable as they should.

Frankly, even with the war on the counternarcotics effort, there are very real questions as to how effective this is.

At the very minimum, let's not spend even more money without making sure first we have the accountability, especially on the human rights issues.

My colleague from Florida said: What is the message going to be? I will say this: What is the message going to be if the United States of America, over and over, all of a sudden says when it comes to democracy and when it comes to the human rights question that we are going to put all of that in parenthesis, and we are going to turn our gaze away from it, that it makes no difference to us, and it is not a priority for our government?

If we do that, we will no longer be lighting the candle for the world. It would be a profound mistake.

I hope colleagues will vote against this amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I am rather disappointed with this amendment. Senators have every right, of course, to offer any amendment they have.

This bill has been before the Senate for almost 2 weeks now. We just heard about this amendment a very short time ago today. This amendment cuts at least $164 million from important programs, as the Senator from Minnesota and others have pointed out. I mention the money it is cutting because these are programs where funds have been requested by both Republicans and Democrats.

The amendment of the Senator from Florida would transfer those funds to the Andean Counterdrug Program. That program essentially consists of military and economic assistance to four principal countries—Colombia, Peru, Bolivia, and Ecuador—but these are not countries that are going unfunded. They already get over a half billion dollars in this bill—well over a half billion dollars. They get $567 million.

I do not believe there is any region, other than possibly Middle East countries and the former Soviet Republics, that gets that amount of money. That $567 million is on top of the $1,300 million—$1.3 billion—that we provided for Plan Colombia last year. In fact, it is not a half billion dollars; it is more than a half billion dollars. It is nearly three-quarters of a billion dollars when you include the economic and development aid in this bill for the Andean countries, and that is there on top of the counterdrug aid.

So you take the funds that are already in this bill—not the funds added by the Senator from Florida, but the funds already in this bill—and we will have provided over $2 billion for these countries in the past 16 months; in 1⅓ years, over $2 billion.

In fact, by pouring money down there so fast, they can't even spend it yet. Much of last year's funds have not even been disbursed. Even though they have not spent all the money, we are giving them another $700 million in additional funding this year.

It is no secret that—and, actually, I am not alone in this body—I am skeptical that this program will have an appreciable impact on the amount of illegal drugs coming into the United States. We have spent billions down there, and drugs are just as accessible. In fact, in our country, for many types of drugs the price has actually gone down.

I suggest, until we start doing something about reducing the insatiable demand for drugs here, in the world's wealthiest country, we are not going to do too much good about incoming drugs. As long as the money is there, we can stop them in Colombia, but they will just come from somewhere else. Secretary Rumsfeld has said much the same thing.

In fact, a lot of other members of the Appropriations Committee—in both parties—expressed similar doubts in a hearing we held earlier this year. We had a hearing where the administration came up.

We asked them: By the way, how much money has been spent that we have given you so far?

They said: Gee, we don't know. We will try to get back to you on that.

We said: Well, with a billion dollars or so, you must have some kind of basic idea what you spent the money on.

They said: We don't know, but we will sure check into it.

When my kids were little, I gave them a small allowance. I did not expect them to tell me where it all went—whether it was baseball cards or comic books or ice cream cones or something like that—but we were talking about a few dollars. When you give somebody $1 billion, you would kind of like to know what they do with it.

So I said: If you can't tell us where you spent it, how about letting us in on a little secret. Has anything been accomplished with the money we gave you?

They said: We will have to get back to you on that. We don't know how much has been spent. We don't know how much has been accomplished. We do know we have another $700 million in this bill, and we have a whole lot of money in the pipeline that is not yet spent.

We keep pouring money in. We do not even know if the program will work. But the administration wants some money in there. We put in a lot of money. We have a lot of other similar programs, especially in foreign policy. We pour a whole lot of money in there and not much comes out.

We have spent billions of dollars to combat drugs in the Andes over the past 15 years, and we have eradicated coca and we have eradicated opium poppy in several places, but, of course, they just pop up somewhere else. It is sort of like Whack-A-Mole—knock down one, it pops up somewhere else.

And we have found one other thing: The flow of illegal drugs into this country, no matter what we do in other countries, reflects our demand. If the demand for drugs goes up in this country, the flow of drugs coming into this country increases. If the demand for drugs drops, the flow of drugs into this country drops. Far more than what we do with our Customs agents—and they are extremely good—or the DEA or the Coast Guard or anything else, in a nation of a quarter of a billion people, if we want to spend billions upon billions upon billions of dollars for drugs, the drugs will come.

But even though there is serious doubts about whether this works, Senator MCCONNELL and I have tried to give the administration the benefit of the doubt. We include another half billion dollars in this bill, on top of the billions already there.

The senior Senator from Florida, who is in this Chamber right now, is a good friend of mine. We have worked together on many issues. But I would like to see him try to do the balancing act we have had to do in this bill to get money for a program that actually most of us on the committee do not even like, but to give money for that program, and do the other things in this bill.

We have had 81 Senators requesting funding for all sorts of programs we tried to fund. I want to be fair; 81 Senators asked for some funding, and 3 did ask for some money for the Andean Counterdrug Program. Eighty-one of the 100 Senators asked for funding for various items in this bill; 3 of the 100 Senators asked for funding for the Andean Counterdrug Program. Other than a few lobbyists, it does not seem to be the most popular program.

But we have a bill that is in balance. I know the administration supports the Andean program. They also support the Economic Support Fund. They support the Foreign Military Financing Program. They support funding for the former Soviet Republics. They support money for Central and Eastern Europe. They support money for the International Military Education and Training Program. They support money for our contributions to the World Bank and United Nations programs. There are a number of things the administration supports.

In fact, they have put together a legislative blivet. They support a lot more programs than there is money in this bill. If you put up a chart: Shown up here is what they support in programs, down here is where they put money. So we have had to take the money we have available. We have taken the programs supported by the administration, and also assuming the Congress has some say in how the money is spent on programs supported by this body and the other body.

All these accounts were cut by the House and, actually, in some cases they were cut below what the President requested. We restored them to help out the administration. We made choices. We made choices which reflect the administration's priorities and Senators' priorities. They are not always the same requests. In fact, we were unable to fund over $3.4 billion in requests from 81 Senators. Now this amendment would cut those even further.

In fact, the Andean Counterdrug Program received a lot more funding than many other critical programs. We provide more money for the Andean Counterdrug Program than we do to combat AIDS, which infects another 17,000 people every day. Many Senators wanted to provide more money to fight AIDS and also to help fulfill the President's commitment to do that, but we are $1 billion short of what we should be spending on AIDS.

Incidentally, we provide more for the Andean Regional Initiative than we do for assistance to the world's 22 million refugees.

Other Senators have asked for more money for refugees, but we were unable to do it partly because of the huge amount of money we are already putting in the Andean Counterdrug Program.

Incidentally, we provide over twice as much in this bill for the Andean Counterdrug Program as for all disaster relief programs worldwide—for victims of war, earthquakes, drought, and other calamities in all of Africa, Central America, and Asia—even at a time when we are trying to point out to the rest of the world that we are not the Great Satan that Osama bin Laden and others try to make us out to be, that we do help in these areas. We don't help as much as the Andean Counterdrug Program, but we will help.

When I see requests for more money for the Andean Counterdrug Program, it worries me. We already spend four times as much for the Andean Counterdrug Program as for basic education programs worldwide, even though the President and Members of both parties have said we should do more to help improve education worldwide so that we will have educated people and the next generation coming along will be educated and have a better idea of what the United States and other democracies are like as well as what the real culture of their own country is like.

We provide four times as much for the Andean Counterdrug Program as for microcredit programs for loans for the world's absolutely poorest people, loans that help in many countries allow women, for the first time in the history of those countries, to have a basic modicum of independence. For women who have absolutely nothing otherwise, have no way of doing it, this program helps. We provide four times as much for the Andean Counterdrug Program. We provide more for the Andean Counterdrug Program than we do for antiterrorism programs or nonproliferation programs. We actually should be spending twice as much for those programs. We can't because of all the money we are already putting into the Andean Counterdrug Program.

At some point we have to set some priorities. We have poured in money so fast they can't even spend the money they have in the pipeline. The administration, when they provide sworn testimony before the Congress, can't even tell us what the money is being spent for. Yet they want more. How many other programs do we have to cut? We provide more for this than we do for our export programs.

Let's go back and tell some of the small businesses in America that depend on the export business and that could employ people at a time when the economy is going in the tank, let's tell some of these small companies, sorry, we can't help you build up your business so you can export and hire people who have been laid off to come back because we have to give the Andean Counterdrug Program more money beyond the billions we have already spent.

Maybe we ought to be cutting these export programs. The heck with putting people back to work; we have to send some money down to the Andean Counterdrug Program. We don't know where it is going. We don't know how it is being spent. We know it is not effective. We know it hasn't stopped drugs coming up here. But let's make ourselves feel good and send it down there. Sorry, you are getting laid off from your factory job here.

I care about international health. We have a total of $175 million in this bill to combat infectious diseases such as tuberculosis and malaria. They kill about 3 million people a year. We can help, with some of this money, to make sure some of these infectious diseases that are a postage stamp or an airplane trip away from the United States, to stop them from coming in this country. But we don't have enough money to do that. We don't have enough money not only to help these people eradicate these diseases in their own country but to stop them from coming into our country because we don't have enough money. Why? We are spending four times more on the Andean Counterdrug Program, four times what we are doing to stop diseases—smallpox, tuberculosis, malaria, or the Ebola plague—from coming into our country.

Ask somebody who has picked up the paper in the last few days what they think our priorities are.

One would think from this amendment that Senator MCCONNELL and I don't support a counterdrug program. That is not so. We are willing to give the benefit of the doubt. It hasn't proven it has done anything yet. It has yet to demonstrate any impact on the drug program in this country. But we are willing to give the administration a chance, and so we have thrown in a half a billion dollars on top of the $1.3 billion of last year. The administration says it has not worked. It can't show

anything where it has been successful, but ''give us some more and we will do it.'' We have done that.

If we add even more money for it, where do we cut? This amendment cuts across the board. It cuts Egypt. It cuts Israel. It cuts Jordan. It cuts money for the former Soviet Union. It cuts education. It cuts TB prevention programs. It cuts education of children. It cuts programs that might give some economic stability to poor women across the world. Why? To go into an Andean Counterdrug Program where they can't even account for the money they have.

I want to help Colombia. I want to help Bolivia. I want to help Ecuador. I want to help Peru. We have put a half a billion dollars in here to do that, even though that is money from priorities that might do the country better.

I met the head of Colombia's armed forces last week. I have met him before. I have nothing but complete respect and admiration for President Pastrana of Colombia. I consider Colombia's Ambassador, Ambassador Moreno, a friend. I think he is one of the best ambassadors any country has sent here. He knows how the administration works. He knows how our country works. He knows what our culture is. He speaks out forcefully for his own country. He does it with great respect for Colombia, but also with appropriate respect for the country in which he is serving. In fact, I sometimes wish some of the ambassadors we sent to other countries could do their job as well as Ambassador Moreno does.

I hope that this half a billion dollars—actually more than half a billion dollars—that Senator MCCONNELL and I have put into this bill will pay off in the Andean Counterdrug Program. But in the past year we have seen the civil war in Colombia intensify. We have seen the paramilitaries double in size. There have been more massacres of innocent civilians by paramilitaries this year than ever before. There is indisputable evidence that the paramilitaries are receiving support from some in the Colombian armed forces.

Funding that we provided last year to strengthen Colombia's justice system has yet to be spent. Some of it has been allocated for purposes that bear little if any resemblance to what Congress intended, in a bipartisan fashion, it to be used for.

Aerial fumigation has destroyed a lot of coca. But there are also supposed to be alternative programs from which to give farmers something else to earn a living. They have barely been used. They have not spent tens of millions of dollars we provided last year, and USAID has serious doubt about Colombia's ability to implement these programs.

If we don't give these farmers an alternative source of income, if we don't use the money we sent to do that, does anybody doubt that we will see these farmers planting coca again so they can feed their families? I wish they wouldn't. I think it is wrong they do. But let's be realistic. If you have a hungry family there, you are not going to think of the people of another country who spend more money on their drug habit in a week than these people ever see in a year.

I share the concerns of the Senator from Florida about the use of drugs in this country, especially in my own State. I was a prosecutor for 8 years. I have some very strong views on these issues. Heroin use has been steadily increasing in Vermont. Like any Vermonter, that frightens me and worries me. But the Andean Counterdrug Program is not going to have any impact on that problem we have in Vermont. Yet there is a half billion dollars in this bill. It is not going to help most States. Let's see how last year's money gets spent. Let's see how this year's half billion dollars gets spent. Then if the administration comes here before Senator MCCONNELL's and my committee next year and starts telling us, gee, we don't know where the money is going, how it is being spent, or if it is having any effect, or they are able to tell us how it is being spent and what effect it has had, then we can talk about more money.

Before we throw a whole lot more money into the problem, let's see if the $718 million does any good in the first place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, the committee funded the President's $731 million request for the Andean Counterdrug Initiative at $567 million, which is a cut of $164 million. This figure reflects an attempt by the subcommittee to balance the interest of Congress and the President over such issues as restoring the administration's 25 percent or $119 million cut in the export-import pact funding.

Senator GRAHAM's amendment seeks to restore that $164 million to this initiative. I think he knows this is going to be an issue for the conference, as Senator LEAHY pointed out, because the House funding level is $675 million. While I can appreciate his arguments for funding the Andean initiative, it is clear from a hearing Senator LEAHY and I held on this issue earlier this year that there are Members who are concerned with Plan Colombia and the ability of the United States to impact narcotics growth and production in the civil war zones. Reducing funds for the Andean Counterdrug Initiative will not starve our counterdrug efforts. The disbursement of funds from last year's Plan Colombia is occurring, frankly, at a rather slow pace. Figures from USAID show that of the $119 million provided for judicial, economic, and other reforms, only $8 million has been actually spent to date.

So Senator LEAHY and I included an amendment in the managers' package to ensure adequate levels of funding for counterdrug assistance for Bolivia and Ecuador.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I have a unanimous consent request to which I understand the Senator from Kentucky has agreed.

I ask unanimous consent that the Graham amendment No. 1950 be laid aside, to recur at 4:40 p.m.; that there then be 20 minutes remaining for debate prior to a vote on a motion to table the amendment, with the time to be equally divided and controlled between the Senator from Vermont and the senior Senator from Florida, or their designees; that no second-degree amendment be in order to the Graham amendment prior to a vote on a motion to table; that Senator FEINGOLD now be recognized to offer two amendments, one with respect to Andean drug and one with respect to congressional COLA; that if debate has not concluded on the two Feingold amendments at 4:40 p.m., they be laid aside, to recur upon disposition of the Graham amendment in the order in which they are offered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. I thank the Chair, and I am sure he understood that convoluted agreement just as much as the propounder of it did.

By doing this—and I see the Senator from Wisconsin in the Chamber—we will be able to move forward. Again, the Senator from Kentucky and I are open to do business. I will have other things to say and will speak on the Andean drug matter, but I remind everybody that we have a huge amount of money in the bill already, and we are cutting a lot of programs that should have higher priority.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin is recognized.

AMENDMENT NO. 1951

Mr. FEINGOLD. Mr. President, I send an amendment to the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD], for himself and Mr. WELLSTONE, proposes an amendment numbered 1951.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide an additional condition for the procurement of chemicals for aerial coca fumigation under the Andean Counterdrug Initiative)

On page 143, beginning on line 9, strike ''and (3)'' and all that followed through the colon and insert the following: ''(3) effective mechanisms are in place to evaluate claims of local citizens that their health was harmed or their licit agricultural crops were damaged by such aerial coca fumigation, and provide fair compensation for meritorious claims; and (4) within 6 months of the enactment of this provision alternative development programs have been developed, in consultation with communities and local authorities in the departments in which such aerial coca fumigation is planned, and in the areas in which such aerial coca fumigation has been conducted, such programs are being implemented within 6 months of the enactment of this provision:

Mr. FEINGOLD. Mr. President, I thank the chairman for his help in making it possible to get going on this amendment. I rise to offer an amendment to the foreign operations appropriations bill. I am very pleased to have as an original cosponsor the distinguished senior Senator from Minnesota, Mr. WELLSTONE, who has certainly made it his business to follow closely our policy in Latin America, in particular in Colombia.

My amendment is intended to improve the efficacy of U.S. efforts to eradicate the supply of narcotics that threatens our families and communities and to ensure that our efforts to address this issue do not inadvertently plunge the people of Latin America into a humanitarian and economic crisis.

The amendment is very simple. It requires that the administration have alternative development plans for a given region in place before engaging in aerial fumigation in that area, and it requires that alternative development plans are being implemented in areas where fumigation has already occurred.

This is hardly a radical initiative. I recently received a letter from the administration responding to some of my inquiries and concerns about our fumigation policy. In the letter, the State Department itself noted that alternative development must work in concert with eradication and with law enforcement. Unfortunately, though, over the past year fumigation has occurred in areas where there are no alternative development programs in place at all or in areas where alternative development assistance has been exceedingly slow.

According to a recent Center for International Policy meeting with experts from southern Colombia, communities that signed pacts agreeing to eradicate coca in December and January in Puerto Asis and Santa Ana, Putumayo, have not yet received aid. AID as of mid-July states that only 2 out of 29 social pacts signed have received assistance so far. These facts tell us that our policy has to be better coordinated. More important, they tell us our policy cannot possibly be working.

Of course, some people simply disagree with this policy as a whole. I have heard from a number of my constituents who are concerned about fumigation in and of itself. They are concerned about the health effects of this policy, and they are concerned about whether or not local communities and authorities have been adequately consulted and informed about their policies.

Frankly, I share those concerns. I strongly support the language the Appropriations Committee has included conditioning additional funding for fumigation on a determination to be submitted by the Secretary of State, after consultation with the Secretary of HHS and the Surgeon General, that the chemicals involved do not pose an undue risk to human health or safety; that fumigation is being carried out according to EPA, CDC, and chemical manufacturers' guidelines; and that effective mechanisms are in place to evaluate claims of harm from citizens affected by fumigation. I believe these provisions are critically important, and I share the skepticism of many with regard to United States policy in Colombia in general.

Nevertheless, like those underlying conditions in this bill, my amendment does not seek to eliminate fumigation from our policy toolbox. It does seek to ensure that when we use that tool, we use it in a rational and effective way. If we keep on fumigating without improving the conditions of coca growers, drug crops will simply shift to other locations or spring up again as soon as the fumigation stops. It makes no sense to take away a farmer's livelihood, provide him no alternative, and expect him not to plant illicit crops again.

Without this amendment, we risk failing in our counternarcotics efforts in creating a humanitarian and economic disaster for the people of Colombia, one that will doubtless also be costly for the United States in the long run.

I also want to point out that my amendment calls for consultation with affected communities and local authorities. Supporting democratic governance and a strong civil society in Colombia are important United States policy goals. Those aims reflect our clear interest in a stable and law-governed Colombia.

This is a very modest proposal. It aims to make our policy work rationally and in a coordinated fashion. It recognizes that eradication without alternative development simply makes no sense.

It acknowledges the stake of the Colombian people in our policy. So I urge my colleagues to support it.

AMENDMENT NO. 1951, AS MODIFIED

Mr. FEINGOLD. Mr. President, I send a modification to the desk. This modification changes a typographical error in the original amendment.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

On page 143, beginning on line 9, strike ''and (3)'' and all that follows through the colon and insert the following: ''(3) effective mechanisms are in place to evaluate claims of local citizens that their health was harmed or their licit agricultural crops were damaged by such aerial coca fumigation, and provide fair compensation for meritorious claims; and (4) within 6 months of the enactment of this provision alternative development programs have been developed, in consultation with communities and local authorities in the departments in which such aerial coca fumigation is planned, and in the departments in which such aerial coca fumigation has been conducted, such programs are being implemented within 6 months of the enactment of this provision:''.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, did the Senator from Wisconsin wish to say something further?

Mr. FEINGOLD. Mr. President, I want to make sure, before we proceed with this amendment, the Senator from Minnesota has an opportunity to address it.

Mr. LEAHY. Mr. President, I assure the Senator from Wisconsin, and others who will come with other matters, I will turn over the floor in a few minutes.

Sometimes we take these bills and we move them. We do this bill now, we will do that bill now, and it is fairly routine. Even on this bill—and I have had the privilege of being either chairman or ranking member of this subcommittee for years, handling our foreign aid bill through a number of different administrations, Republican and Democrat. It occurs to me, we have never quite had a time as we do today with this bill. We have never quite had the situation where what happens in other parts of the world might threaten us so directly.

Let me tell my colleagues why I say that. It is not a case where we have this threat of an army marching into the United States or a navy sailing against us. We are too powerful for that. It is partly because of our power and our world status that we have both the good news and the bad news.

Our economy is intricately intertwined with the global economy. Our health depends on our ability and the ability of countries in Africa, Asia, and Latin America to control the spread of deadly infectious diseases. Our security is linked to the spread of nuclear, biological, and chemical weapons, on our ability to stop terrorism, narcotrafficking, and organized crime. These threats are prevalent from as far away as China, to our own cities.

Another less defined threat, but potentially the trigger that ignites many others, is poverty. We are surrounded by a sea of desperate people. Two billion people, a third of the world's inhabitants, live on the edge of starvation. They barely survive on whatever scraps they can scavenge. Oftentimes one sees children in food dumps scavenging for something. Many of the children die before they reach the age of 5.

In some countries, they do not even list their births until they are 4 or 5 years old. They wait to see whether the children make it.

This grinding, hopeless, desperate existence, something that is unimaginable for all of us within this Chamber, it is overladen with despair. That despair fuels hatred, fuels fear and violence. We see it on so many continents. We see it today in Pakistan, where thousands of people are threatening to overthrow their own government if that government gives American troops access to Pakistani territory. We see it across Africa, Colombia, and Indonesia. We see it in the form of refugees and people displaced from their homes, and they number in the tens of millions.

The world is on fire in too many places to count, and in most of those flash points poverty and the injustice that perpetuates it are at the root of that instability.

Our foreign assistance programs provide economic support to poor countries, health care to the world's neediest women and children, food and shelter to refugees and victims of natural and manmade disasters, and technical expertise to promote democracy and free markets and human rights and the rule of law. That is the way it should be, when we are so blessed in this Nation with such abundance.

As important as this aid is, the amount we give is a pittance when considered in terms of our wealth and the seriousness of the threats we face. So many countries give so much more.

I can make an argument for the foreign aid bill on national security. I can make an argument for this bill because it helps create American jobs. I can make an argument for this bill because when we eliminate disease, we protect ourselves. The biggest argument I will make for this bill is how can we accept the enormous blessings of this country—we are about 5 percent of the world's population. We are consuming more than half of the world's resources. How can we say we are a moral people if we do not help others?

This goes beyond politics. This goes beyond economics. This goes beyond security. It is a matter of morality; morality to shape our whole nation in the helping of others.

If somebody came up to us today and said look at this child who is going to die of malaria; if you would give us 75 cents or a dollar you would save the child, if you knew it was real and you could save the child, of course you would give that. We do not even give that in these bills.

The approximately $10 billion that we provide in this type of assistance, through the State Department or the U.S. Agency for International Development, the contributions to the World Bank, the U.N. Development Program, the World Food Program, all of that money comes out to well under a dollar a week from us.

The amount that each of us gives does not keep two refugees alive a year. We do not keep up with the number of people living in poverty, which is rising steadily.

I know our economy is suffering and our people are hurting in this country. As much suffering as we have and as hurting as we are, I can show you places where billions of people would trade places with us in a heartbeat.

We will work to help people in our country, as we should, but let us not bury our heads in the sand. We do not protect our national interests in today's complex and dangerous world on a foreign assistance budget that is less in real terms than it was 15 years ago when I was a junior Senator. Our world is not simply our towns and our States and our country. It is the whole world. We live in a global economy.

The Ebola virus is like a terrorist; it is only an airplane flight away from our shores. We can try our best to control our borders, but we cannot hide behind an impenetrable wall. We have to go to the source of the problem; that is, to countries that are failing from AIDS, from ignorance, from poverty, and from injustice. We need a better understanding of the world in which we live.

Almost 60 percent of the world's people live in Asia. That number is growing. Seventy percent of the world's people are nonwhite. Seventy percent are non-Christian. About 5 percent, though, own more than half of the world's wealth. Half the world's people suffer from malnutrition. Can one imagine what a tragedy it would be if we went back to our home States and half of the people of the State were malnourished? Well, half the world's people are.

Seventy percent of the people in this world are illiterate. Instead of $10 billion to combat poverty, support democracy, promote free markets, and the rule of law, and aid victims of disaster, we should be spending $50 billion.

Is it a lot? With a Federal budget of $2 trillion, that depends. We are going to spend more than that just to recover from the September 11 terrorist attacks. We are going to spend a lot more to conduct a campaign against terrorism, and we must. Maybe if we had spent more money in the first place on some of these problems we might not have faced a September 11 terrorist attack. We also have to look at other global problems. Not the problems, thank God, that killed 6,000 Americans in a day, but they have posed immense long-term problems affecting our lives.

Extreme poverty on a massive scale, population growth effects on countries, and the poisoning of our environment are problems we cannot continue to treat as afterthoughts. We cannot spend so little to combat these threats, anymore than we could justify failing to anticipate the attacks on the World Trade Center and the Pentagon. We cannot solve all the problems. Nobody can.

Maybe one of the positive things that will come from the time of national soul-searching is to think differently about what the future holds in our role in the world. The Senator from Kentucky and I have done our best to respond to these problems, but it is not enough and falls far short. We are not going to do it with a budget that is less than that of a decade ago. Because of that, we fail the American people and we fail future generations.

We say with pride we are a superpower. And I say that with pride. But let's start acting like a superpower, like the leading democracy of the world. Let's reach deep inside of the best of our country. Then let us lead the world in combating poverty and supporting the development of democracy and preserving what is left of the world's natural environment. Let's start paying our share. We have a moral responsibility.

But even if we are not reaching inside ourselves to answer that moral call, give a pragmatic reason why we should not do our share. We are, after all, the Nation with the very most at stake.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I am pleased to join my colleague, Senator FEINGOLD, with this amendment.

Mr. President, I rise today to address disturbing developments in our antinarcotics efforts in Colombia, and to join Senator FEINGOLD in calling for a shift in our fumigation policy.

The motivations behind the Andean Counterdrug Initiative and last year's Plan Colombia are important—stop the flow of illicit drugs into the United States. I, like every other member of this body, am extremely concerned about the effects of drug use on our citizens, particularly our children. That said, I am becoming more and more convinced that the plan advanced for combating this problem targets the wrong source. What's more, I think that the methodology used is neither fair nor effective.

I am talking about aerial coca eradication, which has been the focus of our efforts in Colombia. Last December, the Colombian military began a massive fumigation campaign in southern Colombia, with U.S. support. Under the current plan, pilots working for DynCorp, a major U.S. government military contractor, spray herbicide on hundreds of thousands of acres of Colombian farmland. To date, the provinces of Putumayo, Cauca, and Narino have been most affected, but expansion of the program is imminent. I have a number of concerns about this approach.

First, I have become increasingly convinced that fumigation is an extreme, unsustainable policy causing considerable damage. Since the fumigation campaign started last December, rivers, homes, farms, and rainforests have been fumigated with the herbicide Round-Up. Because

Round-Up is a ''non-selective'' herbicide, it kills legal food crops and the surrounding forest, in addition to coca plants. Furthermore, farmers and their supporters contend that glyphosate is hazardous. I'm beginning to believe they're right.

Round-Up is classified by its manufacturer, Monsanto, as ''relatively safe.'' However, the EPA classifies Round-Up as ''most poisonous,'' while the World Health Organization classifies it as ''extremely poisonous.'' Directions on glyphosate products, like Round-Up, warn users not to apply the product in a way that will cause contact with people ''either directly or through drift.'' These instructions and warnings are not being taken into consideration.

What's more, according to the Round-Up website, the herbicide is not recommended for aerial application and is not supposed to be applied near or in bodies of water. However, in Colombia, much of the coca cultivation takes place alongside rivers and ponds, and these bodies of water are routinely fumigated. A November 2000 report by the American Bird Conservancy notes that Round-Up is extremely toxic to fish and other aquatic organisms.

Putumayo, where the spraying has been principally concentrated, reports over 4,000 people with skin or gastric disorders, above and beyond normal averages. In January and February alone, over 175,000 animals were killed in that region. All had been sprayed with Round-Up and Cosmo Flux, a Colombian-made mix.

Mr. President, in light of this mounting evience, I don't believe that we can sit idly by as U.S. taxpayer dollars go toward such a policy. The environmental consequences are serious. The health effects are concerning at best, deadly at worst.

This is an especially personal issue for me. As the only United States Senator to withstand aerial fumigation, I feel I have a unique obligation to address this matter forcefully. When I visited Colombia last year, I was sprayed with glyphosate. At the time, I had little idea of the threats that such activity entailed.

Families continue to suffer hunger as legal food crops have been destroyed and livestock have been harmed. No emergency aid has been provided, and economic development efforts have yet to be realized. In fact, according to a report by Colombian Human Rights Ombudsman Eduardo Cifuentes, eleven different alternative development projects were fumigated during the campaigns. We are undermining our own programs.

This brings me to my second point; alternative development aid has not been delivered, even though fumigation has been in place since December.

While fumigation began soon after the passage of Plan Colombia, alternative development programs have yet to get off the ground. Last July, the Center for International Policy held a meeting with experts from southern Colombia. At that meeting, they reported that those communities who have signed pacts agreeing to eradicate coca in December and January have not yet received aid. These communities—like Puerto Asis and Santa Ana, both in Putumayo—have expressed their willingness to work on the problem. What have they gotten instead? They have gotten babies with rashes, dead animals, ruined food crops, and tainted water.

In addition, the slowness in aid delivery makes farmers lose further trust in the Colombian government and in eradication. As we all know, alternative development takes time to plan and implement. We can expect that USAID will be moving ahead in the future. But it is clear from events in southern Colombia that there was no coordination between fumigation efforts and alternative development. A massive fumigation campaign went ahead when development programs were still in the planning stage. This is the height of irresponsibility.

How are we going to get Colombian peasants to change their practices without viable alternatives?

Under the current plan, the government of Colombia will give each family up to $2,000 in subsidies and technical assistance to grow substitute crops like rice, corn and fruit. We are providing $16 million specifically for these purposes—a mere 1 percent of the total Colombian aid package. Many believe this is not enough, with the average coca farmer making about $1,000 a month. Regardless, these subsidies have yet to take effect. We haven't even tried.

In the USAID ''Report on Progress Toward Implementing Plan Colombia—Supported Activities'' released at the end of last month, these facts become apparent. Of the more than $40 million obligated under Plan Colombia for promoting economic and social alternatives to illicit crop production, a mere $6 million has been spent. Of the 37,000 families who signed ''social pacts'' agreeing to eliminate coca in exchange for alternative development programs, only 568 families had received their first package of assistance.

Moreover, fumigation campaigns without alternative development threaten the very goals they claim to support. They fuel a mistrust in the national government, as communities are forced by the campaigns to flee their homes and move elsewhere in search of food. Individuals in these areas often turn to the guerrillas or paramilitaries in search of security, exacerbating the violent conflict and undermining the rule of law in the region. An abandonment of the fumigation policy will help to strengthen the relationship between farmers in these areas and the national government, which will help eradication efforts in the long term.

A recent study by the conservative think tank, Rand Corporation, rightly notes that the aerial fumigation of coca crops is backfiring politically. They say: ''Absent viable economic alternatives [such as crop substitution and infrastructure development], fumigation may simply displace growers to other regions and increase support for the guerrillas.''

Next, I don't believe that fumigation solves the problem of coca cultivation, but simply shifts the problem from one area to another. In a New York Times interview with Juan de Jesus Cardenas, governor of the Huila province, reporter Juan Forero wrote the following: ''the governor of Huila said regional leaders across the southern area of Colombia believed that defoliation would simply drive farmers to cultivate coca and poppies in other regions. 'That is what happened with defoliation of Putumayo, with the movement of displaced people into Nariño,' said the governor.'' Likewise, our Ambassador to Colombia, Mrs. Anne Patterson, has acknowledged that coca had appeared for the first time in the eastern departments of Arauca and Vichada.

Fumigation without adequate alternative development programs in place creates a vacuum in the local economy and food supply. This causes coca growers to flee and move deeper into the agrarian frontier, where they replant coca, often twice as much, as an insurance policy. This causes deforestation and instability among residents indigenous to the new areas of production.

This has implications not only on ecology, but also on regional security. Brazil, Ecuador, Panama, Peru, and Venezuela, have been and will increasingly be affected by massive population flows caused by aerial eradication. Frankly, I do not want to be responsible for contributing to an already devastating humanitarian catastrophe.

Putting aside these concerns, I must ask: ''to date, just how effective have our efforts been at eradicating coca?'' Regrettably, the answer is—not very good!

Recent estimates by U.S. analysts report that there are now at least 336,000 acres of coca in Colombia, far higher than earlier estimates. The United Nations, using different methodology, put the amount even higher for last year's major growing season—402,000 acres. Although about 123,000 acres of coca plants have been fumigated under Plan Colombia, cultivation increased by 11 percent last year. What are we accomplishing here?

There is a way out. Local governments have pledged to eradicate coca-without harmful fumigation; I think they deserve a chance.

In May, six governors from southern Colombia, the region where most of Colombia's coca is grown, presented ''Plan Sur,'' a comprehensive strategy for coca elimination, alternative development, and support for the peace process. The plan opposes fumigation as destructive and unnecessary. The governors ask that communities have

the chance to manually eradicate their crops, and call for sufficient alternative development funding.

Twice this year, I have met with these governors, as well as representatives from the Colombian House and Senate, and NGO leaders. They are an impressive, courageous group. In their visit to Washington in March, four of the governors from southern Colombia, led by Ivan Guerrero of Putumayo, denounced fumigation and called for a more humane and sustainable approach to coca eradication. Governor Jaramillo Martinez of Tolima stated: ''fumigation is not working as expected. It is displacing people and continuing to deforest the jungle. We need to give these farmers the opportunity to grow other crops.''

I am in full agreement. The present course is not only destructive, but also ineffective.

Meanwhile, opposition to fumigation continues to mount. Numerous mayors from southern Colombia support the governors in their call to change the policy. And, prompted by these same concerns, other prominent officials like Carlos Ossa, the nation's general comptroller, have called for a suspension of spraying. In July, Judge Gilberto Reyes ordered ''the immediate suspension of the entire fumigation project''; it seems he, too, wants definitive answers on the effects of glyphosate.

However, President Pastrana's government continues to spray large swaths of territory. Frankly, the decision to proceed despite widespread opposition was a disappointment. In a country that has struggled to promote democracy and lawfulness, surely this was the wrong course of action.

Yet I refuse to give up on Colombia and its brave citizenry. I believe there are many positive steps the United States can take to reduce drug production and promote peace and democracy in Colombia and the Andes.

I join Senator FEINGOLD in opposing only those parts of this package that damage human rights and the environment—not the bulk of the assistance for alternative development, judicial support and interdiction efforts through the police.

In concluding, I believe there must be a moratorium on further fumigation until alternative development is implemented. I am pleased that my colleague, Senator LEAHY saw fit to include language that would withhold funding for aerial fumigation without first determining and reporting to Congress on the health and safety effects of the chemicals being used, and the manner of their application. Our decisions should reflect the will of the Colombian people. Colombian governors, parliamentarians, mayors, judges, and activists have all called for an end to spraying. Too much is riding on our decisions, made so far away.

I further believe we should play a more effective role by helping create genuine economic alternatives for the peasant farmers and others involved in the Andean drug trade. As the failure of our current policy shows, the most that can be expected from the strategy of eradication and interdiction is moving the areas of production from one country to another and thereby spreading the problems associated with the drug market.

Finally, we should better combat drug abuse here at home through funding drug treatment and education programs. As long as there is constant demand for cocaine and heroin in our country, peasants in the Andes with no viable alternatives will continue to grow coca and poppies simply to survive.

I will summarize this way. When I look at this Andean Counterdrug Initiative and last year's Plan Colombia, I think the intention is right on the mark and in good faith: protecting our children and our citizens, from drugs. The methodology is absolutely flawed. We would actually be doing a much better job if we focused on the demand for the drugs in our own country.

I remember when I met with the Defense Minister in Colombia, Mr. Ramirez, he said: We export 300 metric tons of cocaine to the United States. As long as we have this demand, we will continue to do it. Someone will do it.

There will come a point when we will look at addiction and make sure we cover this and we will get help to people so they get into treatment programs. We will do what we need to do by way of prevention. That will be far more the answer than this effort.

I will focus on the fumigation. I have become increasingly convinced—and I think Senator FEINGOLD talked about this—that it is an extreme, unsustainable policy which I think causes damage to people. The experts will say that the spraying is classified by Monsanto as ''relatively safe''. But the EPA calls it ''most poisonous'', and the World Health Organization classifies it as ''extremely poisonous''. Talk to the people living there and listen to them. They are the ones saying they have the rashes, headaches, nausea, and are getting sick.

With all due respect, I cannot blame them for being a little skeptical about what all these experts tell them. There is some good language in this foreign operations bill that Senator LEAHY worked on saying we have to do a careful study of the health effects of this, which I believe is right on the mark. Talk to the Governors of different regions. They are worried about what this is doing to them. It is easy for us to say it is not a problem. It is easy for Monsanto to say that.

I was kidding around with Senator FEINGOLD, and said: I feel like I have some expertise in that I think I am the only U.S. Senator to withstand aerial fumigation. I was sprayed when I was in Colombia—I don't think on purpose. I don't live there. It was just one time, not over and over and over again.

The second point that this amendment speaks to—and I pressed the Ambassador, who I think is very good; we have a very good Ambassador. I said to her, ''the social development money was supposed to go with this''. Unfortunately, what we are doing, we are also eradicating legal crops. That is part of the problem.

The other part of the problem is we are telling campesinos we are going to do the spraying and eradicate the crops without alternatives for them to put food on the table for themselves and their families. The whole idea was, with the spraying we're going to give campesinos the social development money and the viable alternatives for their families. This amendment speaks to that and makes it clear we have to see that social development money on the ground; that is to say, where people live.

I join Senator FEINGOLD in this focus on what I call environmental justice. We both have tried, to the best of our ability, to raise the human rights concerns. I did that in an earlier statement today. I will not go over it again.

The Leahy language would withhold funding for aerial fumigation without first determining and reporting to Congress on the health and safety effects of the chemicals being used and the manner of their application. It is important that language be implemented. I say that on the floor of the Senate.

Many Colombian governors, parliamentarians, mayors, judges, and activists have called for an end to the spraying. Between the focus of this amendment, with the Leahy language, the emphasis we have on this amendment on the alternative economic developments—and again I say one more time, since I have already spoken to the best of my ability on human rights—it will make a lot more difference when we deal with the demand for it here in our own country. That is what will make a difference.

My hope is this amendment will be accepted. I thank the Senator for his effort. I don't want to hold up the progress of the bill. I thank Senator LEAHY for his statement about this foreign operations appropriations bill. I think it was a very important statement. In particular, I say to my colleagues, I think probably people in the United States of America will no longer be isolationist again. People are painfully aware of the interconnections of the world in which we live. Many of these countries are our neighbors whether we want them to be so or not. I think there is much more of a focus on the world. We understand now that we ignore the world at our own peril.

This is a good piece of legislation overall. I presented my critique of Plan Colombia, and I would like to see some things change. I think we have done our very best through some amendments and speaking out.

As long as we are talking about this world in which we live, I want to mention, and I will do this in 3 minutes, on September 11—everybody has talked

about it—but I have my own framework for thinking about this and I just want to mention it.

In 1940 and 1941, the Germans engaged in an unprecedented bombing of civilians in Great Britain to weaken civilian opposition to Nazism, and 20,000 citizens were killed, murdered. On September 11, almost 6,000 Americans, innocent civilians, were murdered. Therefore, I think there is absolute moral justification for taking the kind of action we believe we must take so terrorists don't have free rein, to try to prevent this from happening again. That is why I reject the arguments about what were the underlying causes of the hatred or violence.

I said to friends, some who make that argument, you never ask me to give a speech about what caused those men to murder Matthew Shepard, a gay man in Wyoming. How could they have that hatred? They murdered him. Murder is murder. Camus said murder is never legitimate.

Here is the question I have. In trying to achieve this goal, I think that force, unfortunately—and for me, the military option, the use of force, is always the last option—is one of the options that is necessary. In the end, I think the question is: Do we make this a better world, this journey we are taking?

I have spoken of humanitarian assistance. But the other point I want to make is, over and over again, we should speak on the floor, I understand that this is easier said than done, but reports of innocent people being murdered in a nursing home or hospital are concerning. I have no reason to believe that those who are carrying out the military campaign are not making every effort to keep this away from innocent civilians. I have no reason to believe that they are not making every effort. But I will tell you, we have to be concerned every single time our military action, our bombing, leads to the death of an innocent civilian in Afghanistan. These people are not our enemies. Every time it happens, even though it is inadvertent, never on purpose, it is a contradiction of the values we live by. It does us no good when it comes to the rest of the Muslim and Islamic world.

So I would like to continue to make the appeal that in carrying this out with the use of force, the highest priority must be to avoid the loss of innocent life in Afghanistan.

As President Bush said, these Afghans are among the poorest people in the world. They are not our enemies. The terrorists and those who harbor terrorists are our enemies. The Afghans are not our enemies. It is a tragedy, and I deeply regret the fact that there are innocent Afghans who lost their lives as a result of the bombing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank the Senator from Minnesota for his tremendous support of this amendment and his knowledge of the subject. I am also hopeful this amendment will be accepted and make it all the way through the process. It is extremely modest. I appreciate his help.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1952

Mr. FEINGOLD. Mr. President, pursuant to the previous order, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD], for himself and Mr. BAUCUS, proposes an amendment numbered 1952.

Mr. FEINGOLD. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2002)

At the appropriate place in the bill insert the following sections:

SEC. . COST OF LIVING ADJUSTMENT FOR MEMBERS OF CONGRESS.

Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to cost of living adjustments for Members of Congress) during fiscal year 2002.

Mr. FEINGOLD. Mr. President, there is a great sense of unity across the Nation as we begin the process of recovering from the events of September 11. I have been very heartened by the bipartisanship demonstrated by Congress as it acts to respond to the human and economic devastation. We will need to maintain that unity as we ask for the sacrifices necessary to end this business.

Given all that has happened, all that will happen, and the sacrifices that will be asked of all Americans, Congress should not accept a $4,900 pay raise. My amendment would stop it.

The automatic pay raise is something that I never regarded as appropriate. It is an unusual thing for someone to have the power to raise their own pay. Few people have that ability. Most of our constituents do not have that power. And that this power is so unusual is good reason for the Congress to exercise that power openly, and to exercise it subject to regular procedures that include debate, amendment, and a vote on the record.

That is why this process of pay raises without accountability must end. The 27th amendment to the Constitution states:

No law, varying the compensation for the services of the senators and representatives, shall take effect, until an election of representatives shall have intervened.

A number of my colleagues have approached me about this pay raise in the past few weeks, and many have indicated they support the pay raise. In fact, one of my colleagues said they would offer an amendment that actually increased the scheduled $4,900 pay raise because they felt it was too low.

While I strongly disagree with that position, I certainly respect those who hold it. But whatever one's position on the pay raise, the Senate ought to be on record on the matter if it is to go into effect.

The current pay raise system allows a pay raise without any recorded vote. Even those who support a pay raise should be willing to insist that Members go on record on this issue.

This process of stealth pay raises must end, and I have introduced legislation to stop this practice. But the amendment I offer today does not go that far. All it does is to stop the $4,900 pay raise that is scheduled to go into effect in January.

We are spending the hard-earned tax dollars of millions of Americans to recover from the horrific events of September 11 and to ensure that it does not happen again. We have spent all of the on-budget surplus, and are well into the surplus that represents Social Security trust fund balances. That is something we should do only to meet the most critical national priorities.

A $4,900 pay raise for Congress is not a critical national priority.

This to me obviously is not the time for Congress to accept a pay raise. Let's stop this backdoor pay raise, and then let's enact legislation to end this practice once and for all.

Mr. REID. Mr. President, knowing the Senator from Wisconsin as I do, and knowing the seriousness of everything he does legislatively, I want the RECORD to reflect my personal understanding of why he is offering this amendment and reiterating how strongly he feels about it.

Being a member of the Appropriations Committee and having been a Member of this body when we had a rule XVI which didn't mean anything—you could add anything you wanted to appropriations bills; you could legislate on them—appropriations bills should be appropriations bills.

As a proud member of the Appropriations Committee, I raise a point of order against the amendment that the amendment is not germane under rule XVI.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, parliamentary inquiry: Is the Chair aware of any basis in the bill for the defense of germaneness?

The PRESIDING OFFICER. The Chair is unaware of any defense.

Mr. FEINGOLD. I thank the Chair.

The PRESIDING OFFICER. The point of order is well taken. The amendment falls.

Mr. FEINGOLD. Mr. President, in light of the Chair's ruling, I want to let the body know that this issue is not going away. I understand a number of my colleagues want a pay raise. While I disagree with that sentiment, I certainly respect their right to hold it. I believe at the very least there should be a rollcall vote on this matter itself and not on any procedural approach. I will bring this issue back at every reasonable opportunity until I get a roll call on the merits.

I thank the Chair. I yield the floor.

AMENDMENT NO. 1953

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. DODD, proposes an amendment numbered 1953.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 1953

(Purpose: To require a study and report on the feasibility of increasing the number of Peace Corps volunteers serving in countries having a majority Muslim population)

On page 232, between lines 23 and 24, insert the following:

INCREASED PEACE CORPS PRESENCE IN MUSLIM COUNTRIES

SEC. 581.(a) FINDINGS.—Congress makes the following findings:

(1) In the aftermath of the terrorist attacks of September 11, 2001, it is more important than ever to foster peaceful relationships with citizens of predominantly Muslim countries.

(2) One way to foster understanding between citizens of predominantly Muslim countries and the United States is to send United States citizens to work with citizens of Muslim countries on constructive projects in their home countries.

(3) The Peace Corps mission as stated by Congress in the Peace Corps Act is to promote world peace and friendship.

(4) Within that mission, the Peace Corps has three goals:

(A) To assist the people of interested countries in meeting the need of those countries for trained men and women.

(B) To assist in promoting a better understanding of Americans on the part of the peoples served.

(C) To assist in promoting a better understanding of other peoples on the part of Americans.

(5) The Peace Corps has had significant success in meeting these goals in the countries in which the Peace Corps operates, and has already established mechanisms to put volunteers in place and sustain them abroad.

(6) The Peace Corps currently operates in very few predominantly Muslim countries.

(7) An increased number of Peace Corps volunteers in Muslim countries would assist in promoting peace and understanding between Americans and Muslims abroad.

(b) STUDY.—The Director of the Peace Corps shall undertake a study to determine—

(1) the feasibility of increasing the number of Peace Corps volunteers in countries that have a majority Muslim population;

(2) the manner in which the Peace Corps may target the recruitment of Peace Corps volunteers from among United States citizens who have an interest in those countries or who speak Arabic;

(3) appropriate mechanisms to ensure the safety of Peace Corps volunteers in countries that have a majority Muslim population; and

(4) the estimated increase in funding that will be necessary for the Peace Corps to implement any recommendation resulting from the study of the matters described in paragraphs (1) through (3).

(c) REPORT.—Not later than 6 months after the date of enactment of this Act, the Director of the Peace Corps shall submit to the appropriate congressional committees a report containing the findings of the study conducted under subsection (b).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

VITIATION OF VOTE—AMENDMENTS NOS. 1922 AND 1923

Mr. REID. Mr. President, I ask unanimous consent that the action on the Wellstone amendments numbered 1922 and 1923 be vitiated. These amendments were modified and accepted as part of the managers' package.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The pending amendment is the Reid for Dodd amendment No. 1953.

Mr. LEAHY. Time has not been divided or anything on that amendment, has it?

The PRESIDING OFFICER. No, it has not.

Mr. LEAHY. The reason I ask, Mr. President, is I do not want to cut into anybody else's time. But since I do not see anybody else seeking recognition, I will continue, as I have throughout consideration of this bill, to point out some of the issues we face in our foreign aid bill. Maybe one issue is especially good to look at as we look at the world's attention focused on Afghanistan.

I was struck by what I heard over and over again from various military analysts and others; that is, there are millions of unexploded landmines scattered throughout that mountainous country. It is not hyperbole when I say millions of unexploded landmines; there are millions. Most of them are plastic Russian mines—those are probably the most difficult to detect—but some are Chinese mines, some are British mines, some are Italian mines, and some are American mines.

The reason I mention that is, any one of those mines could kill a soldier—ours or theirs—or kill a child. A lot of them are designed to injure a combatant, blow a leg off a soldier, the idea being, if the soldier is not dead, it might tie up three or four of his comrades to take care of him or carry him back to a safe place. But, of course, a shiny little mine that might blow a leg off a soldier—it looks like a shiny toy to a child—sometimes blows off the hands, arms, or head of a child. In fact, the vast majority of those who will be injured by them will be noncombatants.

Because landmines are also weapons of terror, they are routinely used to terrorize not combatants but civilian populations. Afghanistan is only one example. There are lots of countries—dozens—that are plagued by mines.

Landmines maim and kill innocent people every day in the Balkans, in Southeast Asia, Africa, Chechnya, even in Central America. What is as tragic is that the killing goes on long after the war that brought the mines is over.

We usually see the newspaper articles or television specials where the parties come together and they sign the armistice, they sign a peace agreement at the end of the war. They say: OK, it is all over. We are now friends again, or at least we are noncombatants. They leave. The armies march off, the tanks drive away, and so forth, but the mines stay. A child not even born at the time the peace agreement is signed is killed when first learning to walk.

We have mines and unexploded munitions from the United States in Vietnam and Laos. They were dropped when I first came to the Senate a quarter of a century ago. They are still blowing people up. They are still killing and wounding people in Vietnam and Laos.

In Bosnia, most American casualties were from landmines. The same was true in Somalia.

In Afghanistan, we gave mines to the anti-Russian forces, some of whom are now the Taliban. You know the phrase: What goes around comes around. We gave the Taliban landmines. We also gave them Stinger missiles. But landmines, think of that; we gave some of the Taliban landmines. When our troops go there—as they already have, according to the press accounts, and we assume will continue to go there—one of the biggest dangers they will face is some of the landmines we left there from the 1980s.

We and the rest of the international community are going to be paying for many years to clean up this deadly legacy. The right thing to do is to clean it up. In fact, this bill contains $40 million for demining programs and has another $12 million to assist victims of war, including mine victims.

But I think of the $12 million or so that gets spent every year in the Leahy War Victims Fund, and the tens of millions of dollars in demining, and I think, wouldn't it be wonderful if we

did not have to spend any of that money because the world stopped the indiscriminate use of landmines and we had a chance to clean up what was there.

A lot of nations already have stopped using them. Every member of NATO, with the exception of one, has agreed to stop using them. Ironically enough, even though we are spending a lot of money to clean up landmines, the one nation in NATO that has not agreed to stop using landmines is the United States.

Every nation in the Western Hemisphere has banned the use of landmines except two, the United States and Cuba. Interesting company. Cuba should ban them; the United States should ban them. Every other country in our Western Hemisphere has.

Two months ago, terrorism was a foreign concept to so many Americans. Anthrax was a foreign concept. But it is not any longer. We have experienced the tragedy and fear that people in many countries have lived with for years.

Fortunately, in our Nation, when it comes to landmines, we have not used landmines on American soil since the Civil War. I can't help but think if landmines were used in this country to terrorize Americans, as they are in other countries, then the United States, I am sure, would have joined the 142 other nations in banning their use.

Ask people who have served in combat. Most people who actually served in combat tell me that mines are more trouble than they are worth, and any enemy worth its salt can breach a minefield in a matter of minutes. A child cannot; the enemy can.

You scatter landmines and then your own troops—who often need to maneuver quickly because sometimes the battlefront moves very quickly—risk triggering their own mines. The battle might be over in a matter of hours, but even self-deactivating mines stay longer than that. The battle can ebb and flow very quickly.

Unfortunately, the Pentagon has been bogged down in a costly, poorly designed program to find alternatives to mines. Although it might have seemed like a good idea when it was proposed 6 years ago, it has been managed by people who have no sense of urgency and who never believed in the goal anyway. They spent the money, but there is little to show for it.

It makes me think of that PBS program, ''Yes, Minister''—a wonderful program. You had a British minister who, while elected, had the head of the public service for his ministry who did not agree with anything the minister wanted to do; but he was so nice.

Every time the minister said, we have to go forward with programs like this, that, or the other thing, the head of his civil service would say: Yes, Minister. Of course, Minister. Wonderful idea, Minister. We will do it in the fullness of time. And the minister finally realized ''the fullness of time'' was not his lifetime.

That is what has happened with those who have been tasked with the idea of coming up with this alternative to landmines. They do not believe in it, so they drag their feet. They know those of us in Congress who support it will someday leave; they hope the sooner the better. Administrations come and go. But the irony is, we do not need to even search for alternatives.

As many retired and active duty defense officials will say privately, we already have suitable alternative weapons technologies. We have smart weapons. We have sensor technologies that are a lot more cost-effective than mines. They are safer for our soldiers, and they don't impede their mobility. I hope that the Pentagon, with all the weapons in its arsenal, is not going to add to the millions of landmines already littering Afghanistan.

They threaten civilian and humanitarian aid workers. They terrorize and kill and maim refugees who are trying to flee. These indiscriminate weapons don't belong on today's battlefield no matter who is putting them there, no matter how right they think their cause.

The administration is conducting a review of its landmine policy. We can have a mine-free military if we want. Then probably it would not be long before Russia would do the same. Wouldn't it be nice if we could say that in the western hemisphere, where today every country except the United States and Cuba has banned mines, we banned mines as every other country except Cuba? Now it is your turn. Wouldn't it be nice when we sent our Ambassador to NATO not to have to look away when every single NATO ally tells us they have banned their landmines and we haven't?

The Clinton administration took some first steps, but they never fully grasped the issue. They didn't understand it. Some did not want to. I believe the President did want to but didn't follow through.

This administration has an opportunity to design a roadmap to finish the job. It would increase the effectiveness and mobility and the safety of our own troops. This is not something we do just to help other countries. It would actually help our own troops. It would take White House leadership, but it can be done. The White House lead would be strongly supported by the Congress, Republicans and Democrats, because so many across the political spectrum have already voted to ban landmines.

One person in this country has done more than any other to bring to the world's attention the need to ban landmines. That is Bobby Muller, the head of the Vietnam Veterans of America Foundation. Bobby Muller is known and admired by so many Senators, particularly those who served in combat. He is perhaps the most visionary, eloquent, dedicated, and inspiring person I have met.

He enlisted in the Marine Corps. He volunteered to serve in Vietnam. He was paralyzed from the waist down from a gunshot wound. Last weekend he was honored by Hofstra University, his alma mater, with its lifetime achievement award.

I ask unanimous consent that a Newsday article about this award be printed in the RECORD.

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

[From Newsday, Oct. 17, 2001]

A MAN REBORN

(By Marc Siegelaub)

United States Marine Corps 1st Lt. Robert Olivier Muller will remember the day he died for the rest of his life.

On April 29, 1969, the 23-year-old infantry officer was standing at the base of a hill in northernmost South Vietnam, 10,000 feet below the demilitarized zone and some 10,000 miles from his home in Great Neck.

Lt. Muller was serving in an advisory capacity to 600 South Vietnamese soldiers. They were massing for attack against a handful of dug-in Viet Cong, 15 or so suicidal fanatics bleeding and dazed from the concussive air attacks and ferocious shelling unleashed upon them.

With soldierly instincts honed from eight months on active duty in a country ravaged by civil war, Muller sensed a big mismatch: He knew his battalion lacked the stomach to take the high ground from an entrenched enemy force bent on defending its turf to the death. Incensed that 15 Viet Cong could keep his 600-man unit at bay, Muller rallied the outfit into formation behind three U.S. Marine tanks and led them up the rise. Foot by foot, they ascended the hill without a misstep until the bullets started to fly. Instantly, the South Vietnamese scattered, turning Muller into a sitting duck.

And that's when it happened. That's when a bullet ripped through Muller's chest, puncturing both lungs and splintering the fifth thoracic vertebrae of his spine before exiting his broken back. That's when this stranger in a strange land collapsed on the dank dirt and closed his eyes in the midafternoon light.

Fast forward more than three decades to Hofstra University on Long Island, where homecoming weekend kicks off Friday with a special awards reception. The high point is the honor to be bestowed on one of Hofstra's own for extraordinary lifetime achievement—alumnus of the year.

The distinction in 2001 goes to a local boy who never made the top half of his class in law school. ''I was the most average student you could have imagined,'' the recipient says matter-of-factly.

But consider that when Kerry Kennedy Cuomo compiled a short list of ''human-rights defenders who are changing our world'' for inclusion in her book, ''Speak Truth to Power,'' this ''most average student'' made it beside such stalwarts as the Dalai Lama and Elie Wiesel. Or when Bruce Springsteen composed ''Born in the U.S.A.,'' his hard-driving tribute to Vietnam veterans, this ''most average student'' served as a good part of his inspiration. Or when the 1997 Nobel Peace Prize was conferred on the International Campaign to Ban Landmines, this ''most average student'' was the cofounder of the movement.

Considering all the testimonials heaped on this ''most average student,'' perhaps his greatest act was the act of survival. Hofstra's alumnus of the year, you see, is Robert O. Muller, whose life ended on April

29, 1969, in Vietnam, only to be reborn a short time later, crippled from the chest down and altered forever from the neck up.

By all accounts, Bobby Muller, now 56, never should have made it to the dawning of a new day, much less to home or to homecoming.

''I was conscious long enough after I got hit to feel the life ebbing out of my body,'' Muller recalled. ''I was on my back, looking at the sky and grabbing my gut. I couldn't feel a thing. My last thought on this earth was I'm dying on this—piece of ground.''

Muller lapsed into a coma. Suddenly, a medevac helicopter hovering overhead swooped down, and medical personnel scooped him up and whisked him off. In no time, he was in surgery on a state-of-the-art hospital ship, the U.S.S. Repose. The vessel just happened to be positioned farther north than it had ever been, mere miles from the stricken Marine.

''Despite the instant medevac and great care, it was written on my chart that had I arrived one minute later I would have died,'' said Muller. ''When I came to, there were seven tubes sticking out of me, but I was ecstatic. I couldn't believe my luck—I was alive!''

Alive but paralyzed, the doctors told him about his condition. ''Don't worry about it, that's OK. I'll handle it,'' Muller shot back without hesitation. ''The fact that I was permanently disabled. the sorrow of being told that I'd be a paraplegic—a word I never heard before—was so lost in the overwhelming joy of realizing I was going to make it.''

The bullet that stuck Muller cut him off from his past in a flash. One second he had the sinewy limbs of a long-distance runner; the next second he was laid out flat, unable even to wiggle his toes.

Something else got severed on Muller's tour of duty in Vietnam—his close connection to the country he loved and trusted.

He as born in Switzerland at the tail end of World War II, and his family moved to New York City while he was still in diapers. The family later settled in Great Neck. Always on the go, Muller played soccer, ran track and wrestled in high school and college.

In 1965, Muller entered Hofstra. The Vietnam War was raging, as were his red-white-and-blue sensibilities. ''I felt it was my duty as a citizen of the greatest country in the world to join the service . . . I never questioned the war or studied the history of Vietnam. I only knew that my government wanted me there to repeal a massive northern communist invasion threatening the freedom -loving people of South Vietnam.''

On graduation day in January, 1968, Muller enlisted in the Marines. He underwent 33 weeks of intense training in boot camp and officer's school, after which he was wound as tight as a racehorse at the starting gate. ''I demanded Vietnam, and I demanded front-line infantry.''

Muller got his wish in September of 1968, but he never got his bearings abroad. ''The South Vietnamese civilians didn't tell us where the booby traps were or the land mines or the trails and supply caches; they harbored the VC, gave them information and plotted against us. And our military allies were nicknamed 'The Roadrunners' for high-tailing it at the first sign of danger. What the hell were we doing there?

''I was bitter because I put my allegiance in my government,'' Muller said. ''I did so with the best, most honest intentions, believing I was doing the right thing. I gave my country 100 percent, and they used me as a pawn in a game.

''But I don't feel sorry for myself—I'm here and a lot of my buddies aren't. The real tragedy is that I was totally naive . . . As a college graduate. I was supposed to be educated. I was an idiot. I never asked 'Why?' And that is my greatest tragedy—one which was shared by all too many Americans.''

I Vietnam was Muller's baptism under fire, where the seeds of activism took root, then his rehabilitation in a Veterans Administration hospital in the Bronx was the detonator that launched him on the path of social resistance.

This was the same rodent-infested, broken-down facility featured in a shocking 1970 Life magazine spread ''My closet pal and eight of my friends with spinal-cord injuries committed suicide in the Bronx VA,'' said Muller. ''I was the quadriplegics, multiple amputees, men who could only move their heads. We were entitled to care second to none. I had to fight against that system for reasons of my own survival.''

At the ripe young age of 25, Muller ventured into the den of inequity and started his own private war. He showed up in Times Square and blocked traffic on the same afternoon that President Richard Nixon vetoed a veterans' benefits act on the grounds that it was ''fiscally irresponsible and inflationary.''

''I said, 'Wait a minute, I was a Marine infantry officer, I called in hundreds of thousands of dollars a day to kill people. I got shot and now I come back and you suddenly tell me it's 'fiscally irresponsible and inflationary' to provide critical medical care? I don't think so.''

As an activist he was a natural. ''From the moment a TV crew stuck a microphone under his nose, Muller discovered he had a gift for articulating what was on his mind,'' wrote Gerald Nicrosia in ''Home to War,'' a history of the Vietnam veterans' movement.

Muller began popping up all over the place-in Hofstra's School of Law, learning how the system works and how to work the system; in Miami Beach, shouting down Nixon during his 1972 acceptance speech; in the Academy Award-winning documentary ''Hearts and Minds,'' spitting invectives at how everything went awry in Vietnam; in the vanguard of anti-war protests, riding his photographable wheelchair; in Congress, carrying the burdens of veterans on his broken back.

Once again, Muller found himself leading the charge up the hill. He arrived in Washington, D.C., in January 1978, as head of the New York-based Council of Vietnam Veterans. ''I figured if somebody went to Washington and simply told the American people what was going on with Vietnam veterans. . . . a compassionate society would have to respond.''

That February, The Washington Post ran an op-ed piece headlined ''Vietnam Veteran Advocate Arrives.'' It was just the beginning of a yearlong editorial campaign undertaken by the Post on behalf of Vietnam vets. ''The New York Times picked it up, and when that happens, you wind up setting a lot of amplification,'' Muller said.

Even so, ''not a single thing we were fighting for was enacted into law. That was a lesson: To argue for something simply in terms of justice, fairness, equity doesn't make it in our political process.''

So Muller switched gears and went grass roots. ''We traveled into the districts that the members of key congressional committees were elected from, and got into their editorial pages and did their radio talk shows and brought pressure from the people in their districts. And finally we started to get the programs we critically needed and deserved.''

In the summer of 1979, Muller co-founded the Vietnam Veterans of America, a national movement designed to give veterans a voice and vehicle to air their grievances and drive their concerns. The political advocacy group would bring about the passage of landmark legislation to treat and compensate victims of Agent Orange and post-traumatic stress disorder, and to secure the right to judicial review of VA decisions.

With a measure of progress achieved on the home front, Muller began to cast a wary eye beyond his own borders. In 1980, he established the Vietnam Veterans of America Foundation, a nonprofit group that was separate and autonomous from the VVA. Located smack in the lap of government in Washington, D.C.—where Muller still works and resides—the philanthropic organization set out to raise revenue and raise consciousness on mattes of human rights affecting victims of war throughout the world.

Muller led the first group of American veterans back to Vietnam in 1981. The historic visit was cathartic: They reconciled with their former adversaries, introduced humanitarian assistance programs and laid the groundwork for future economic and diplomatic detente between the two countries.

Several years later, the VVAF brigade visited Cambodia on a fact-finding mission. ''Cambodia changed my life even more than Vietnam did,'' Muller said. ''What took place on the killing fields was genocide. The horror of seeing 10,000 skulls piled up in a ditch and legless kids walking on their hands in the capital city of Phnom Penh was a whole different order of suffering.

''And I learned there were more land mines in Cambodia than there were people, and it was considered proportionally the most disabled society of any country on Earth.''

The VVAF launched a new campaign against the hidden scourge of Southeast Asia—lethal underground bombs meant to wreak havoc on innocent men, women and children.

''If you've got a machine gun, a rifle, an artillery piece, a tank, there's a target to fire at and a command-and-control function with directing that fire,'' explained Muller. ''Not so with a land mine. You simply set it, you bury it, you hide it and whoever happens to step on that land mine becomes the victim, long after the other weapons have been put back in the armories.

What's more, land mines cause inhuman suffering. ''Step on one, and all this crap—dirt, shrapnel, garbage, clothing—gets blown up your limb. You go through a whole series of operations when you're treated like a piece of salami and keep getting resected and cut down. Guys on the hospital ship would cry out for their mothers when the dressing was changed on their raw wounds,'' said Muller.

Beyond the physical pain, psychological torture is inflicted on the peasants who are denied use of the land. ''This stupid $3 weapon winds up being the major destabilizing factor in Third World countries, these agrarian-based societies that are trying to recover,'' Muller said. ''And not just in Cambodia, but in Afghanistan, Kurdistan, Angola, Bosnia, Mozambique.''

And so the VVAF established a charitable beachhead on foreign soil, setting up rehabilitation clinics in Cambodia. ''By setting up the clinics to fit amputees with prosthetic limbs and orthotic braces, by supplying wheelchairs free of charge, by initiating programs to employ disabled people, we went through a process of emotionally connecting with an issue that we intellectually understood was devastating.''

Muller and the VVAF co-founded the International Campaign to Ban Landmines in 1991, but they needed to recruit a potent political presence to spearhead the effort in Congress. Enter Sen. Patrick Leahy (D-Vermont), who controlled the money as chair of the Appropriations Committee on Foreign Operations, and ''who had seen, with

his own eyes, what land mines were doing to civilians.''

In 1992, Leahy procured a one-year moratorium on the trafficking of anti-personnel land mines. Before the ink was dry, he was back on the Senate floor to draft a three-year extension of the act, and his colleagues passed it unanimously. ''I gotta tell you,'' Muller said admiringly, ''the Senate doesn't vote a hundred to nothing that the moon circles the Earth.''

Leahy, in turn, praised Muller for his pivotal role in the campaign. ''Whenever I needed more votes, whenever I asked him to talk to someone, he never failed me,'' Leahy said.

Meanwhile, a huge global network of anti-land- mine organizations had begun to germinate, and influential support had started to flourish in high places, most noticeably in the Clinton White House and in the royal realm of Diana, princess of Wales.

The bow was about to be tied on a comprehensive pact when the coalition began to unravel. First the United States balked at signing, with President Bill Clinton citing the safety of American troops stationed in South Korea, where the U.S. military had planted anti-personnel mines on the North Korean border. Then the UN failed to reconvene the council on conventional weapons. By September 1996, the landmark treaty was in jeopardy of being shelved.

''But we had a five-term senator go nuts on this issue and drive it,'' Muller said. ''And the foreign minister of Canada, Lloyd Axworthy, with great personal courage, said, 'We're going to do something totally different. We're going to set a standard, and we're going to invite anybody who wants to come and sign this treaty to do so in a year.' ''

For his part, Muller rounded up a posse of retired military leaders who agreed to put their collective might behind a full-page open letter in The New York Times, urging President Clinton to scrap antipersonnel land mines because ''it was militarily the responsible thing to do.''

The signatories included Gen. Norman Schwartzkopf and more than a dozen other retired brass of the first rank.

''Fact is, anti-personnel land mines were the leading cause of our casualties in Vietnam,'' Muller said, ''and they are the leading cause of casualties for our peacekeepers through NATO and the UN,'' not to mention the peril they now pose to our own foot soldiers in Afghanistan.

Off the record, officials from the Pentagon told Muller that land mines were ''garbage.'' But if we let you reach into our arsenal and take them out, went their reasoning, then other categories of weapons would be at risk—the domino theory as applied to armaments.

On Dec. 3, 1997, Axworthy delivered, as promised, an international agreement involving 122 nations to scrap land mines. But the achievement was muted by the refusal of the U.S. government to put its John Hancock on the document.

Muller has no tolerance for hollow victories. Not when some 80 million land mines remain buried in the ground; not when the job of providing assistance in all the countries that need to be cleaned up and put back together lies ahead.

''You cannot be looking to stigmatize land mines in the public's thinking if the world's superpower, which has every alternative to meet any possible military requirement, say it's OK to continue to use them,'' Muller said.

''If we allow genocide, if we allow innocent people to be slaughtered on the scale that we're witnessing, it sows the seeds of destruction. And one day that degree of madness is gong to walk up the block and come into your neighborhood.''

It already has. Muller's view of the recent carnage in the United States—the main hit taking place just 25 miles from Hofstra—is colored by his frequent treks to ''ground zeroes'' in Third World nations. He has eyeballed the atrocities wrought by land mines. ''A terrorist is a terrorist is a terrorist,'' said Muller.

With characteristic energy and purpose, Muller is mobilizing his forces at the VVAF to confront the terrorist threats to domestic safety and security in the wake of Sept. 11. The lessons he learned in the land mines campaign apply readily to this grave new world, Muller said. ''Political strength has got to be connected to the righteousness of the argument; multilateral cooperation and agreements have got to be in place; philanthropic funding has got to support global efforts and concerns, and the American people have got to be alert to and engaged in the issues that affect their democratic way of life.''

Actually, the VVAF had already been hard at work on ''the Justice Project''—an ambitious undertaking that includes educational outreach programs and curriculum guides on terrorism for schoolchildren.

This weekend, at homecoming, Muller will look upon the youthful revelers and wonder who among them will go out and absorb some hard knocks, ask tough questions, learn how and why things happen, search for the plain truth, undergo vital changes, and—as a result—get involved in trying to correct the injustices they uncover.

The all-American boy who left the sanctuary of home and Hofstra in 1968 and emerged at the other end of the Earth in a brutal conflict got jolted to the core. ''I'm a better man now than I was before I went to Vietnam,'' Muller said. ''I'm certainly more aware of the sanctity of life.''

Mr. LEAHY. Mr. President, we do good things in this bill to help with the scourge of landmines. We do put in tens of millions of dollars to remove landmines. That is a credit to this Nation. It took a lot of effort and a lot of fighting, bipartisan efforts on the floor of the Senate to get the previous administration to do that and the current one to continue.

We do fund every year the Leahy War Victims Fund. I appreciate the honor of my Republican colleagues, who were the ones who renamed it the Leahy War Victims Fund. I appreciate the bipartisan gesture. Frankly, I wish we didn't need the fund. I suspect every Senator wishes we didn't. This is money that buys prosthetics for those who have had their arms or legs blown off by landmines.

My wife, who is a registered nurse, and I have gone to hospitals and landmine sites around the world and seen what good that does. It does help.

I see the Senator from Illinois on the floor. I don't want to take up his time, but I remember very well one day going with our distinguished leader Senator DASCHLE, Senator DORGAN, and our former colleague John Glenn to one of these war victims sites, run by the Vietnam Veterans of America and others. We saw people getting their first artificial limbs since the Vietnam War. Some were getting their first wheelchairs. It was a hot, muggy day. I was dressed in slacks and an open-neck shirt.

There was a man who was able to drag himself on pallet things on the ground who was finally able to get his first wheelchair. They said, why don't you go over and lift him into the wheelchair. He looked like a really small man. He had no legs. He was probably about my age. He was just looking at me stoically, staring at me. I didn't know what to expect, but I went over, picked him up, carried him, and put him in the wheelchair.

The expression never changed. But as I started to go back, he grabbed my shirt, pulled me down, and kissed me. He didn't speak the language. It was his way of saying thank you.

John Glenn, who we know is a wonderful man, certainly not an emotional man, also carried somebody to a wheelchair. I remember the emotion on his face. He said to us afterward, as we were going back on the bus to Saigon: If anybody on this trip ever complains about anything again, I am throwing you out the door of the bus, after what we have just seen.

The humanitarian part is good, but the injury is bad. We should ban these landmines. We are not going to do it on this bill. The Senator from Kentucky has worked with me shoulder to shoulder in getting money to remove landmines and for the War Victims Fund. In fact, it was his amendment I was referring to earlier that I thought was an extraordinarily generous act by my Republican colleagues in its renaming. We have done a great deal of good with it.

The United States can do a lot more good by just removing the ban on landmines.

I have imposed on the time of the Senator from Illinois, and I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me say in response to my friend and colleague and chairman from the State of Vermont, Senator PATRICK LEAHY has written an amazing record in the Senate. Time after time when I would look for those issues that touched my heart or defined it, PAT LEAHY had arrived there first a long time ago.

On the issue of landmines, a scourge across the world, PAT LEAHY was a leader in the United States in defying his own party's administration in begging for the United States to join with other civilized nations around the world in banning landmines. The Patrick Leahy War Victims Fund that is part of this legislation is an effort to say something very simple but very true to the rest of the world; that is, that we care. It is money that is given in the name of a Senator who has proven in his decades of public service that he does care.

The point I would like to address is part of our debate on this bill. I am honored to be part of this committee, to bring this bill forward. I am honored to be part of this debate which will result in a vote very shortly. I hope we will put this matter in some perspective.

My colleague from California, Senator FEINSTEIN, who took the floor early this afternoon, spelled out in some detail the exact dollar commitment being made by the United States in foreign assistance. It is a substantial sum of money, until you put that sum in comparison to expenditures for many other items. Then you find that it is only a very small part of our national budget.

Senator FEINSTEIN made a point made by others, that if you ask the average person in California or my State of Illinois what percentage of the Federal budget is spent on foreign aid, people guess, oh, 15 percent, maybe 10 percent. It couldn't be as low as 5 percent. In fact, less than 2 percent of our total budget is spent on foreign aid.

America has learned a lot about itself since September 11. We as political figures have learned a lot about ourselves as well. I believe the President of the United States has done an extraordinary job in leading this country. I told him in a chance meeting we had flying out to Chicago just a few weeks ago that although I didn't vote for him, I was certainly singing his praises. He said he understood that.

I do mean it. I believe he has assembled an excellent team: Secretary of State Colin Powell, Vice President Cheney, Condoleezza Rice, Don Rumsfeld as head of the Department of Defense. What an extraordinary grouping of experience that we bring to one of the most important battles America has ever faced, the war against terrorism.

I say in good faith to this administration that I believe it has learned since September 11 that certain things that were assumed before are not true today.

For example, there were those who criticized Bill Clinton, the former President, for his personal involvement in the peace process in the Middle East. I think those critics realize today that our President, our leaders, have to be involved in Middle East peace. No other country is likely to lead those warring factions to the peace table with any meaningful result.

I am happy we are continuing to work with the leaders in the Middle East to calm down tensions, to try to find a road to peace in an area that has been wracked with war for almost 60 years. Nation building was criticized in the last campaign as something the United States should not get into, that we should not be worried about building up another nation. That is the U.S. role. We know better now. When we finally have our hands on Osama bin Laden and his al-Qaida terrorist organization, and the Taliban is long gone, you can bet the United States will be in the first row rebuilding the nation of Afghanistan. It will be difficult, but we know it has to be done, so that we can leave behind a stable government that can shun terrorism when they try to find refuge again.

Of course, in rebuilding that nation of Afghanistan, we will say to the Muslim world that what we told you at the beginning of this conflict is true at the end of it: This is not a war against Muslims or against the Afghan people; this is a war against terrorism and those who harbor them. We will invest in Afghanistan, as we will invest in Pakistan, to stabilize their leadership and give them an indication of the caring of the United States—not just to prove our virtue but because it is important for our national interest. A stable world that doesn't fall into war or doesn't harbor terrorism is a better world for everyone who lives in America.

We have also come to realize, since September 11, that organizations such as the United Nations are absolutely critical. I have been embarrassed in the last several years how in the Senate in particular, and in Congress in general, we have really made a mockery of our commitment to the United Nations. Thank goodness those days have ended. The United Nations is important. There are times when the U.N. and the Security Council infuriate me because they say and stand for things I don't agree with at all. But that is the nature of a true debate. The United Nations is a gathering place for every country in the world, and it is a good place for that debate. It avoids war in many instances.

The need for global alliances has become clear. Whether we are talking about tracking down financial transactions, fighting terrorism, or putting together a military alliance that will root out terrorism around the world, we need allies and friends. The United States cannot, will not, should not go it alone. We have learned that since September 11. It has been heartening in our grief and sorrow to see so many nations around the world who have shared that grief with us and raised their hands and said, we want to join the United Nations in this fight against terrorism.

So we have learned a great deal about ourselves and our role in the world because of the tragedy of September 11. I think we have to pause and reflect and ask whether we are doing enough and whether there is more we should do. I don't believe this Congress has been sparing when it comes to any request from this administration to help our military or invest in our intelligence. We want to be certain they are the very best. We will not cut back or shortchange the men and women in uniform. We want them to be well equipped, well funded, well prepared so that they can fight these battles successfully and come home safely. I think we have seen that time and again, where both Democrats and Republicans have said that is our goal.

But I think we also have to concede the fact that in addition to solidarity when it comes to the war effort and intelligence gathering, we should show solidarity as well in this effort that is reflected in this bill on foreign operations because in this bill you will find money that is being directed to countries around the world to deal with some of the hardships and problems and challenges they face.

As you go through this bill, you see it is almost a catalog of the problems facing the world. There is a section in here about the HIV/AIDS epidemic in Africa. I went there just last year. It is an experience I will never forget. I really salute Senator LEAHY for helping a mutual friend of ours who is running an orphanage for AIDS victims, small children, in Nairobi, Kenya. This Jesuit priest, who is a mutual friend of ours, is devoting his life to those children. In stories such as that, where a small amount of money from the United States is being spent, it is well spent not because it is for a good purpose of showing what is in the heart of America, but it is also attacking an epidemic which is the scourge of the 21st century.

If you were to grade the United States in terms of what we have achieved, I think you would have to put us No. 1 in the world when it comes to the military. There is no one who can rival what we can bring to a military undertaking, a military enterprise. I think the United States, justifiably, is proud of the men and women in uniform and all those who have supported them, which has led to that great reputation we do deserve.

I think if you would grade the United States in terms of other foreign operations around the world, we would not be at that high a level. In fact, many countries give a higher per capita contribution than the United States when it comes to foreign assistance. I want to answer them and say: But when you are in trouble and you need someone to come in a hurry with the best military in the world, we are there, and it costs a lot of money, and we put the lives of our men and women on the line.

So it is not as if we don't care. We support the world in a different way. This bill seeks to reach out beyond the military commitment and say there are other ways we can create support and stability in this world.

Just a few weeks ago, Newsweek magazine had a cover story I read carefully and shared with my family and all my friends entitled bluntly ''Why They Hate Us.'' It tried to spell out in historic terms and political and economic terms why so many people in the Muslim world around this globe have such a low opinion of the United States. Some of it is undeserved. What has happened to many people of the Islamic faith over centuries that led up to this moment is certainly not of our creation. Yet we are viewed as ''the West'' and ''the enemy,'' as ''the infidels.'' That is a sad commentary.

We have to search for ways we can reach those around the world who will listen to the message of for what America really stands. I commend to my colleagues two ideas that are not part of this legislation but I hope will be part of our thinking in the future. They

come from two former colleagues in the Senate. One is a man who is a very close friend of mine—one of my closest—former Senator Paul Simon. When he was a Senator from Illinois, he identified an issue that I believe is critically important today and will become increasingly important around the world, particularly in the Islamic world, in the nations that are struggling to survive, and that is simply the issue of water, the availability of drinking water. We will find, I am sure, that in the future there will be wars waged over the rights to water as more and more people are born on the Earth and it taxes the resources available.

Senator Simon suggested that the United States be a world and global leader when it comes to desalinization of ocean water so people can drink it, so that we would provide fresh water, safe water to babies around the world—a message the United States could send saying, we will bring our best technology, use it in a humane fashion, and your life and your family will be benefited by it. What a positive message that would be to those who are at least skeptical of us—if not those who despise us—that we are a caring people. I hope the idea of moving forward with that initiative is one we might be able to pursue.

The second one is one that also was suggested by two former Senators, Senators George McGovern and Bob Dole. It was about a year ago that Senator McGovern, from a position in Rome, wrote a guest editorial in the Washington Post calling for an international school feeding program. I think it is one of the best single ideas I have heard. He enlisted in support Senator Bob Dole. A Republican and a Democrat came together with the belief that the largess of America's agricultural plenty could be used in schools around the world to feed hungry children.

That not only encourages children to go to school, it particularly encourages young girls to go to school. Their families see this as a nutritious meal. As we educate these children in foreign lands with the bounty God has given us, their education helps them understand better the world in which they live.

From what I read about the madaris, the Islamic schools in Pakistan where children are sent, they do not learn the basics of reading, writing, history, or science, but literally spend every hour of every day memorizing every word of the Koran, and after that is done, they leave. Meanwhile they are being indoctrinated into political belief. That to me is a terrible waste of a mind and intelligence, to limit their education to that sole purpose.

What Senator McGovern, Senator Dole, and many of us who support them believe is if we take some of our money and gather with other like-minded countries, we can provide a nutritious meal at a school so a child going to that school will know they will not only get a good day's education but perhaps the only nutritious meal of the day.

We know what is going to happen. The more education we give young girls in Third World countries, the less likely they are to have large families, the more likely they are to have self-esteem and to have the kind of careers and opportunities and a future which we want for all children all around the world. Two simple ideas from former Senate colleagues addressing the need for water that is safe and sterile, addressing the need for food that is associated with education, so that the United States can continue to deliver the same message that we have for so many years to parts of the world we may have ignored for the last few decades.

I sincerely hope this bill receives a resounding bipartisan vote from the Senate because it is part of our strategy to make certain we not only defeat terrorism, but that we replace it with more positive values around the world and that we replace it with an image of the United States that is a true image, an image of a caring people that not only cares for its own, but cares for many less fortunate around the world.

I salute Senator LEAHY, and I also salute Senator MCCONNELL and the entire committee for their hard work in the preparation of this legislation which I hope will receive a sound bipartisan vote of support.

I yield the floor.

Mr. DODD. Mr. President, I spoke a few weeks ago about my belief that the United States needs to more actively and constructively involve itself in educating the citizens of the Muslim world about our culture, values, and everyday life, and that, likewise, Americans need to become better educated about Muslim countries and the religion of Islam. As I have stated before, it seems to me that the time has come to be honest with ourselves about why international terrorism has become such a growing threat. Our citizenry does not understand the Muslim world, and citizens of Muslim countries do not understand us. I believe that if both the East and the West had a true understanding of the similarities inherent in our value systems that the world would be a safer place.

We need only look into the oppressed faces of the citizens of some of the governments we have supported over the years, despite their less than acceptable treatment of their own citizenry, to see why some of the residents of these countries continue to cling to misguided perceptions of America's vision and values. The young people in many of these countries grow up hating their leaders for their oppression and, subsequently, they begin to hate our own country for keeping them in power. It is then easy for the likes of the Osama bin Ladens of this world to persuade these young people to become terrorism's footsoldiers convinced that violence is the answer to their grievances.

I hope that as we analyze what we need to do to protect our country at home, we also examine ways that the United States can play a more constructive role internationally. We need to come to grips with the Muslim faith. That doesn't mean trying to keep secular governments in place in countries where the will of the people is otherwise. It means beginning to understand the underlying premises of Islam, and conveying our respect for a population's right to practice it. In addition, we need to reach out to individuals in Muslim countries on a one-on-one basis to educate them on what America really stands for. One way to do this is to send our citizens to work with citizens of Muslim countries on constructive projects in their home countries.

This type of mutual understanding is what President Kennedy was trying to accomplish when he created the Peace Corps 40 years ago. The Peace Corps mission as stated by Congress in The Peace Corps Act, P.L. 87–293, is to promote world peace and friendship. Within that mission, the Peace Corps has three goals: to help the people of interested countries in meeting their need for trained men and women; to help promote a better understanding of Americans on the part of the peoples served; and to help promote a better understanding of other peoples on the part of Americans.

The Peace Corps has had significant success in meeting these goals in the countries in which it operates, and has already established mechanisms to put volunteers in place and sustain them abroad. However, it has not been as active, in my view, as it could be in Muslim countries where the need for mutual understanding, and basic infrastructure, may be the greatest.

It is not an easy task for the Peace Corps to go everywhere, but the focus should be on those areas where the need is the greatest—places like Jordan, Pakistan, Indonesia, Syria, and others. In addition, the Peace Corps should take the time to recruit people with the language skills, ability, and knowledge of these cultures. Sending civic-minded individuals with these skills as emissaries to Muslim countries could do an awful lot to change some of the anti-American attitudes we see around the globe, in my view. The Peace Corps should start investigating ways to do this now so that in the aftermath of the military actions already occurring we will be ready to show a different face of our country, one that isn't simply militarily strong, but one that is also willing to learn and willing to help. Yes, we need to act in the coming days to address the immediate threats and challenges confronting our nation. But we have to take a long and hard look at ways, at home and abroad, to make ourselves and the world safer for our citizens and the citizens of this globe.

We need to explore ways to reach out to the international community and

rebuild after the military strikes are over. We also need to begin a process of mutual understanding between the United States and the Muslim world. In my view, the Peace Corps is best suited to this mission. For that reason, I am introducing an amendment to the foreign operations appropriations bill today that directs the Peace Corps to undertake a study to examine ways it can better serve Muslim countries while increasing recruitment efforts of qualified Arab-speaking individuals in the United States. This amendment mandates that the Peace Corps deliver a report to Congress 6 months after this legislation is signed into law, and I hope that this report will suggest legislative remedies that will help the Peace Corps undertake this important task.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, it had been my intention, along with Senator FEINSTEIN, to offer to this bill an amendment relating to the Palestinian Liberation Organization's adherence to its 1993 commitments to renounce terrorism and violence. The intent of the amendment would have been similar to the provisions of S. 1409, the Middle East Peace Compliance Act of 2001, which my friend from California and I offered last month, which today has 31 cosponsors.

We are, however, refraining from action at the personal request of the Secretary of State who believes the amendment may adversely impact his ability to form an international coalition against terrorism and efforts to bring the peace process in the Middle East back on track.

I ask unanimous consent that a letter from the Secretary relating to this request be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. MCCONNELL. Mr. President, few would disagree that America's top foreign policy today is to search out and destroy terrorist networks and prevent further incidents from occurring. Secretary Powell and the entire administration obviously have all of our support in this endeavor.

Perhaps more than any other democracy, Israel knows well the horror of terrorism. The extremists who hijacked American commercial aircraft and used them as missiles against the World Trade Center and the Pentagon on September 11 are cut from the very same cloth as the suicide terrorists who slaughter innocent women, children, and men in the Israeli pizza parlors, discos, and buses. The loss of life is no less tragic, nor the fear any less real, in incidents that occur in the streets of Manhattan or Jerusalem. Like America, Israel serves as proof that nations founded in freedom and democracy do not crumble when attacked by extremists. In fact, the opposite is true. America and Israel have become more united as individual nations and as allies against a common enemy.

The events of September 11 have been seared into America's national conscience, just as horrific attacks against civilians in Israel are felt in the hearts and minds of all of its citizens. While terrorism is a grave threat that both nations face, I ask each of my colleagues to consider the following:

The terrorists who carried out the September 11 attacks traveled thousands of miles to our shores to commit their evil deeds. In Israel, terrorists live within an easy bus ride to Jerusalem, Tel Aviv, and other major urban areas. Where satellites beamed pictures of Palestinian celebrations for the mass murder of Americans into our homes and offices, Israel declared a day of mourning. Israelis need only open their front door to encounter openly offensive, aggressive, and hostile behavior; and Israel has demonstrated restraint in its response to recent attacks against its citizens.

When 20 Israeli kids were killed by a suicide bomber earlier this summer in a Tel Aviv disco, there was no massive Israeli retaliation. When Israelis were killed in a Jerusalem pizza parlor, again, there was no massive response. I think we can all now better understand the incredible restraint Israel has shown in the face of such attacks.

Criticisms over the use of excessive force by Israeli soldiers in targeting and destroying Arab terrorists on the West Bank and in Gaza are simply misguided. America is doing similar targeting of terrorist cells but on a global scale. Israel's elected leadership, as ours, has a duty and responsibility to protect its citizens against foreign and domestic threats.

Let me close with some candid comments. First, I do not believe the administration can make the determination that the PLO or the Palestinian Authority have lived up to their 1993 commitments to renounce terrorism. The proof is admitted into hospitals and morgues or buried in cemeteries every single day.

In attempting to resuscitate the peace process, America must be careful that it plays no role in recognizing or establishing a Palestinian state that is rooted in terrorism.

Second, I do not believe for one second PLO Chairman Arafat wants to end the violence. He allows terrorists to exist on the West Bank and in Gaza and spurs them into action through newspapers, textbooks, evening prayers, and even children's television programs.

Finally, America cannot win the war against terrorism without Israel. Israel has the experience, dedication, and freedom that is absolutely necessary to prevail over these fanatics. We must stand arm in arm with our ally. We must help Israel in its battle against terrorism.

Senator FEINSTEIN and I are not going to offer the amendment we planned to offer because of the extraordinary situation in which we find ourselves and as a result of the direct request of the Secretary of State. Having said that, I do not believe the Palestinian Authority has been constructive, nor do I believe they have lived up to their agreements signed back in 1993.

Shifting for a moment to another ally, if you will, of the United States—if you can call the Palestinian Authority an ally these days—I want to talk for a few moments about Egypt. I had intended to offer an amendment restricting assistance to Egypt but have been requested by the Secretary of State and the administration to withhold such action, again in light of the events of September 11 and our current efforts to respond to those events.

While I continue to have serious concerns with many of Egypt's words and deeds toward the Middle East peace process and Israel, and the troubling state of democracy and rule of law in that country, I am going to honor the administration's request. It is not my intention to impede in any way ongoing efforts to identify, track down, and punish those individuals and groups responsible for the slaughter of American civilians and soldiers.

While America finds itself at a critical moment in history, so does Egypt. A major recipient of United States assistance to the tune of nearly $2 billion, stretching back to 1979, Egypt must today unequivocally prove it is a full partner in our war against terrorism. It is not acceptable for President Mubarak and his Foreign Minister to obfuscate the assault against freedom with their not-so-hidden agenda to propagate Arab hatred against Israel and to muzzle democracy and civil society in Egypt.

An October 11 editorial in the Washington Post boldly stated what has been whispered in the Halls of Congress and in the corridors of the State Department. Here is what the editorial said:

> The largest single ''cause'' of Islamic extremism and terrorism is not Israel, nor U.S. policy in Iraq, but the very governments that now purport to support the United States while counseling it to lean on Ariel Sharon and lay off Saddam Hussein.
>
> Egypt is a leading example. It is an autocratic regime. It is politically exhausted and morally bankrupt. President Mubarak, who checked Islamic extremists in Egypt only by torture and massacre, has no modern program or vision of progress to offer his people as an alternative to Osama bin Laden's Muslim victimology. . . . It also explains why so many of [bin Laden's] recruits are Egyptian.

Let me be clear that during these dark and troubling times, Egypt should prove to the people of the United States and all the world's democracies, including Israel, it is indeed an ally in the fight against terrorism. The $2 billion question is whether they will succeed or fail in this task.

Secretary Powell knows that at a more appropriate time I may revisit this important issue. In the meantime, I urge the Egyptian Government to advise its ministers and media to be more

responsible and constructive and to aggressively encourage its citizenry to understand the grave dangers of legitimizing terrorism under the guise of Islamic teachings and practices.

The Egyptian people should understand Americans were horrified and angered at news reports of celebrations of the September 11 attacks in the streets of Cairo and elsewhere. Sadly, this may be an indication the Egyptians do not share the same principles of freedom and tolerance we do. If Egypt wants to continue to have United States support, Egypt ought to earn it.

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

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

THE ARAB PARADOX

Thursday, October 11, 2001

ARAB NATIONS, including those considered allies of the United States, have been struggling with their response to the U.S.-led military campaign in Afghanistan. If their contortions were not so familiar they would be hard to understand: After all, Osama bin Laden and his al Qaeda organization are sworn enemies of the Egyptian and Saudi governments, which in turn depend on the United States for their security. But it took Egyptian President Hosni Mubarak three days to choke out a statement supporting ''measures taken by the United States to resist terrorism''; and even then he coupled it with a parallel demand that Washington ''take measures to resolve the Palestinian problem.'' Meanwhile, Mr. Mubarak's longtime foreign minister, Amr Moussa, now the secretary general of the Arab League, prompted first Arab states and then the 56-nation Islamic Conference to adopt a resolution yesterday opposing U.S. attacks on any Arab country as part of the anti-terrorism campaign—a position that offers cover to Iraq's Saddam Hussein.

In effect, Mr. Mubarak and Mr. Moussa are backing both the military action of the U.S. alliance and the political position of Osama bin Laden, who on Sunday claimed that unjust American policies in Israel and Iraq justified his acts of mass murder. The world, Mr. Moussa said, needs to address the ''causes'' of the terrorism, and he suggested that a United Nations conference might be the best forum. There's little doubt what he has in mind: After all, Mr. Moussa only a couple of months ago led the attempt to hijack the U.N. conference on racism and revive the libel that ''Zionism is racism.''

Behind this contradictory rhetoric lies one of the central problems for U.S. policy in the post-Sept. 11 world: The largest single ''cause'' of Islamic extremism and terrorism is not Israel, nor U.S. policy in Iraq, but the very governments that now purport to support the United States while counseling it to lean on Ariel Sharon and lay off Saddam Hussein. Egypt is the leading example. Its autocratic regime, established a half-century ago under the banner of Arab nationalism and socialism, is politically exhausted and morally bankrupt. Mr. Mubarak, who checked Islamic extremists in Egypt only by torture and massacre, has no modern political program or vision of progress to offer his people as an alternative to Osama bin Laden's Muslim victimology. Those Egyptians who have tried to promote such a program, such as the democratic activist Saad Eddin Ibrahim, are unjustly imprisoned. Instead, Mr. Mubarak props himself up with $2 billion a year in U.S. aid, while allowing and even encouraging state-controlled clerics and media to promote the anti-Western, anti-modern and anti-Jewish propaganda of the Islamic extremists. The policy serves his purpose by deflecting popular frustration with the lack of political freedom or economic development in Egypt. It also explains why so many of Osama bin Laden's recruits are Egyptian.

For years U.S. and other Western governments have been understanding of Mr. Mubarak and other ''moderate'' Arab leaders. They have to be cautious in helping the United States, it is said, because of the pressures of public opinion—the opinion, that is, that their own policies have been decisive in creating. Though the reasoning is circular, the conclusion has been convenient in sustaining relationships that served U.S. interests, especially during the Cold War. But the Middle East is a region where the already overused notion that Sept. 11 ''changed everything'' may just turn out to be true. If the United States succeeds in making support or opposition to terrorism and Islamic extremism the defining test of international politics, as President Bush has repeatedly promised, then the straddle that the ''moderate'' Arabs have practiced for so long could soon become untenable. Much as it has valued its ties with leaders such as Mr. Mubarak, the Bush administration needs to begin preparing for the possibility that, unless they can embrace new policies that offer greater liberty and hope, they will not survive this war.

EXHIBIT 1

THE SECRETARY OF STATE,
Washington, DC, September 21, 2001.

Hon. MITCH MCCONNELL,
U.S. Senate.

DEAR SENATOR MCCONNELL: The President and I are working intensively to build an international anti-terrorism coalition to track down the perpetrators of the September 11 attacks and put an end to their terror networks. The engagement of the broadest possible coalition, including key Arab and Muslim countries, will be critical to the success of our efforts. At the same time, we cannot shrink from our long-standing role in supporting peace efforts between Israel and its neighbors, and will not stop working with the Israelis and Palestinians to end the violence there, implement the Mitchell Committee recommendations, and return to productive negotiations. I need your help on this.

The Palestinian compliance legislation you introduced with Senator Feinstein—and which may become an amendment to the Senate Foreign Operations Appropriations Bill—would be counterproductive to our coalition-building and peace process efforts and we would like to see it withdrawn.

Imposing sanctions, or even waiving sanctions following a mandatory determination that would have triggered sanctions, would undermine our ability to play a role in defusing the crisis and returning the parties to negotiations. Both sides have undertaken specific commitments to each other. We remain engaged with the Palestinians to ensure that the PLO and PA understand exactly what they have to do to meet their commitments. But requiring the President to make formal determinations of the compliance of only one of the parties would undermine our efforts to put an end to the violence and facilitate a resumption of peace efforts. At the same time, it would bolster segments of Arab public opinion that are already very critical of their regimes' relations with the U.S. and Israel, and their support for Middle East peace. In this regard I also urge you to avoid any actions or statements that single out key Arab allies such as Egypt and Jordan.

The bottom line is that we agree with the need for the Palestinians to comply with their commitments and control the violence and to move toward implementation of the Mitchell Committee recommendations. But in this critical period, I urge you not to tie the President's hands and restrict our ability to engage with both parties to help achieve these goals.

Sincerely,

COLIN L. POWELL.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, is there a pending amendment?

The PRESIDING OFFICER. The pending amendment is No. 1953, Senator REID for Senator DODD.

Mr. LEAHY. I ask unanimous consent that the amendment be temporarily set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, to explain why I did not want to incorporate that amendment in a series of amendments, a Durbin, user fees; a Helms-McConnell, Cambodia; a Leahy-McConnell, excess defense articles; Dodd No. 1953, Peace Corps; Byrd, passports; Brownback-Frist, Sudan with colloquy; Feingold, fumigation; Brownback colloquy on human trafficking, I mention that.

AMENDMENT NOS. 1951, AS MODIFIED, 1953, 1954, 1955, 1956, 1957, AND 1958, EN BLOC

Mr. LEAHY. I ask unanimous consent that it be in order to consider en bloc and agree to en bloc amendment No. 1954, Durbin, user fees; amendment No. 1955, Helms-McConnell, Cambodia; amendment No. 1956, Leahy-McConnell, excess defense articles; amendment No. 1953, Dodd, Peace Corps; amendment No. 1957, Byrd, passports; amendment No. 1958, Brownback-Frist, Sudan with colloquy; amendment No. 1951, as modified, Feingold, fumigation; and Brownback colloquy on human trafficking.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendments, en bloc.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] proposes amendments numbered 1954, 1955, 1956, 1957, and 1958, en bloc.

Mr. LEAHY. Including No. 1953, I understand.

The PRESIDING OFFICER. Without objection, the amendments are agreed to, en bloc.

The amendments (Nos. 1954, 1955, 1956, 1957, and 1958) were agreed to en bloc, as follows:

AMENDMENT NO. 1954

On page 230, line 6, after ''grams'' insert the following: '', and to oppose the approval

or endorsement of such user fees or service charges in connection with any structural adjustment scheme or debt relief action, including any Poverty Reduction Strategy Paper''.

AMENDMENT NO. 1955

(Purpose: To prohibit funding for any Cambodian genocide tribunal unless certain conditions are met)

At the appropriate place in the bill, insert the following;

RESTRICTION ON FUNDING FOR CAMBODIAN GENOCIDE TRIBUNAL

SEC. . None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to any tribunal established by the Government of Cambodia pursuant to a memorandum of understanding with the United Nations, unless the President determines and certifies to Congress that the tribunal is capable of delivering justice for crimes against humanity and genocide in an impartial and credible manner.

AMENDMENT NO. 1956

At the appropriate place, insert:

SEC. . EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTHERN EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES.

Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during each of the fiscal years 2002 and 2003, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Bulgaria, Croatia, Estonia, Former Yugoslavia Republic of Macedonia, Georgia, India, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Slovenia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan: *Provided*, That section 105 of Public Law 104–164 is amended by striking ''2000 and 2001'' and inserting ''2002 and 2003''.

AMENDMENT NO. 1957

(Purpose: to prevent abuses in the visa waiver program)

At the appropriate place, insert:

SEC. 417. MACHINE READABLE PASSPORTS.

(a) AUDITS.—The Secretary of State shall—

(1) perform annual audits of the implementation of section 217(c)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1187)(c)(2)(B));

(2) check for the implementation of precautionary measures to prevent the counterfeiting and theft of passports; and

(3) ascertain that countries designated under the visa waiver program have established a program to develop tamper-resistant passports.

(b) PERIODIC REPORTS.—Beginning one year after the date of enactment of this Act, and every year thereafter, the Secretary of State shall submit a report to Congress setting forth the findings of the most recent audit conducted under subsection (a)(1).

(c) ADVANCING DEADLINE FOR SATISFACTION OF REQUIREMENT.—Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended by striking ''2007'' and inserting ''2003''.

(d) WAIVER.—Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended—

(1) by striking ''On or after'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), on or after''; and

(2) by adding at the end the following:

''(B) LIMITED WAIVER AUTHORITY.—During the period beginning October 1, 2003, and ending September 30, 2007 the Secretary of State may waive the requirement of subparagraph (A) with respect to nationals of a program country (as designated under subsection (c)), if the Secretary of State finds that the program country—

''(i) is making progress toward ensuring that passports meeting the requirement of subparagraph (A) are generally available to its nationals; and

''(ii) has taken appropriate measures to protect against misuse of passports the country has issued that do not meet the requirement of subparagraph (A).''.

AMENDMENT NO. 1958

(Purpose: To express the sense of the Senate with respect to Sudan)

On page 232, between lines 23 and 24, insert the following:

SUDAN

SEC. 581. (a) FINDINGS REGARDING THE NEED FOR HUMANITARIAN ASSISTANCE.—The Senate makes the following findings:

(1) The war in Sudan has cost more than 2,000,000 lives and has displaced more than 4,000,000 people.

(2) The victims of this 18-year war are not confined to one ethnic group or religion as moderate Moslems in eastern and western Sudan suffer greatly, as do Christians and animists in southern Sudan.

(3) Humanitarian assistance to the Sudanese is a cornerstone of United States foreign assistance policy and efforts to end the war in Sudan.

(4) The United States Government has been the largest single provider of humanitarian assistance to the Sudanese people, providing $1,200,000,000 in humanitarian assistance to war victims during the past 10 years, including $161,400,000 during fiscal year 2000 alone.

(5) Continued strengthening of United States assistance efforts and international humanitarian relief operations in Sudan are essential to bring an end to the war.

(b) FINDINGS REGARDING THE NIF GOVERNMENT.—In addition to the findings under subsection (a), the Senate makes the following findings:

(1) The people of the United States will not abandon the people of Sudan, who have suffered under the National Islamic Front (NIF) government.

(2) For more than a decade, the NIF government has provided safe haven for well-known terrorist organizations, including to Osama bin Laden's al-Qaeda and the Egyptian Islamic Jihad.

(3) The NIF government has been engaged, and continues to engage, in gross human rights violations against the civilian population of Sudan, including the enslavement of women and children, the bombardment of civilian targets, and the scorched-earth destruction of villages in the oil fields of Sudan.

(c) SENSE OF THE SENATE.—In recognition of the sustained struggle for self-determination and dignity by the Sudanese people, as embodied in the IGAD Declaration of Principles, and the statement adopted by the United States Commission on International Religious Freedom on October 2, 2001, it is the sense of the Senate that—

(1) the National Islamic Front (NIF) government of Sudan should—

(A) establish an internationally supervised trust fund that will manage and equitably disburse oil revenues;

(B) remove all bans on relief flights and provide unfettered access to all affected areas, including the Nuba Mountains;

(C) end slavery and punish those responsible for this crime against humanity;

(D) end civilian bombing and the destruction of communities in the oil fields;

(E) honor the universally recognized right of religious freedom, including freedom from coercive religious conversions;

(F) seriously engage in an internationally sanctioned peace process based on the already adopted Declaration of Principles; and

(G) commit to a viable cease-fire agreement based on a comprehensive settlement of the political problems; and

(2) the President should continue to provide generous levels of humanitarian, development, and other assistance in war-affected areas of Sudan, and to refugees in neighboring countries, with an increased emphasis on moderate Moslem populations who have been brutalized by the Sudanese government throughout the 18-year conflict.

AMENDMENT NO. 1958

Mr. FRIST. Mr. President, for almost 20 years, the Government of Sudan has prosecuted a war of incredible barbarity against its own people, leading to the deaths of over 2 million of its citizens through mass starvation, indiscriminate bombing raids, slave raids and other outrages.

I have made medical missionary trips to Sudan for the past three years and have witnessed firsthand this human tragedy. I have long supported an overhaul of our policy towards Sudan to strengthen and expand humanitarian operations in Sudan and to design a framework to assist the Administration and our allies in bringing pressure to bear on the Government of Sudan and the rebels to resume peace talks.

Recently, the Administration has taken significant next steps to address the humanitarian crisis in Sudan. On September 11, the new Special Humanitarian Coordinator for Sudan, Andrew Natsios, along with OFDA Director Roger Winter and other Administration officials, visited Sudan to explore ways to bring added relief to the beleaguered population.

The Nuba Mountains is a region with massive humanitarian needs, where access has been nearly impossible. In an unprecedented action, a special humanitarian relief flight sponsored by the U.S. and cleared by the Sudan People's Liberation Movement (SPLM) and Government of Sudan delivered eight metric tons of wheat to this extremely remote area that had been cut off from international assistance. The immediate needs though are for more than 2,000 tons of food. The Administration is now negotiating expanded delivery of food aid through airdrops to the Nuba Mountains to be implemented by the World Food Program. These new initiatives will not move forward without additional funding.

In order to start and maintain such aid, $35 million would be required beginning in FY 2002 to fund the Administration's critical new initiatives.

These new plans have great potential to move the southern Sudanese in the direction of economic self-sufficiency. For example, to spur economic development, USAID is planning an agricultural initiative to create more entrepreneurs producing honey, vegetable oils, hides and skins, and other agricultural products.

Another important part of USAID's Sudan program is education. One of the contributing factors to the instability of Southern Sudan is the loss of its educated citizenry. Over two generations of southerners have gone without education since the civil war began in 1955. Civil government is dependent upon education. The new education initiatives would help revitalize education and training in southern Sudan through teacher training, scholarships, and other important projects.

A final aspect of USAID's new initiative focuses on rebuilding shattered communities. Through churches and other community groups, the people-to-people reconciliation effort has brought peace among tribes in Southern Sudan and border communities between the North and South. USAID's new Sudan initiatives would build upon these efforts by identifying and supporting critical community level rehabilitation activities.

These are just a few of the new programs that are critical to bringing relief to Sudan, but current funding levels are not sufficient to take advantage of them. Therefore, I urge the appropriators to give our government the resources to bring real change to one of the most war-torn countries in the world by adding $35 million for new initiatives in Sudan.

I thank the managers of the bill, Senators LEAHY and MCCONNELL, for working with my colleagues—Senators BROWNBACK, HELMS, and FEINGOLD—and me to accept our amendment to encourage an additional appropriations for humanitarian purposes in Sudan.

The PRESIDING OFFICER. Amendment No. 1951, as modified, and amendment No. 1953 are agreed to.

The amendments (Nos. 1951, as modified, and 1953) were agreed to.

Mr. LEAHY. I move to reconsider the votes.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, will the Senator from Vermont yield for a question?

Mr. LEAHY. Of course.

Mr. REID. It is my understanding that the Senator from Vermont and Senator MCCONNELL have worked through most of these amendments. At 20 minutes to 5, we have Senator GRAHAM coming to speak for 10 minutes. A Senator opposed will have 10 minutes. There will be a vote on his amendment.

Mr. LEAHY. Or in relation thereto.

Mr. REID. Or in relation thereto, that is right. It is my understanding we made an announcement earlier today—both managers did—that we are moving toward final passage. I hope the two managers will be able to announce prior to 5 if that, in fact, might be the case.

Mr. MCCONNELL. I say to the Senator from Nevada, there is one other issue related to Armenia Azerbaijan on which we are working. We should have a sense in the next 15 to 20 minutes whether we have been able to work that out or not. That may require one additional vote.

Mr. REID. I say to the two managers, I think the work today has been exemplary. There have been some very difficult issues. They have been discussed. Agreements have been made on a number of the amendments.

Speaking for Senator DASCHLE, there has been great movement in moving an appropriations bill. It should be an example for those who are going to follow.

Mr. MCCONNELL. I say to my friend from Nevada, we hope he will still be able to say that an hour from now.

Mr. LEAHY. I certainly hope it is finished an hour from now.

Mr. President, I also say in response to what the Senator from Nevada said, there has been an enormous amount of cooperation from the Senator from Kentucky and other Senators from both sides of the aisle, and that is what has made it possible for us to complete this bill.

I yield the floor.

Mr. WELLSTONE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I say to my colleague from Kansas, we are in the process of getting the colloquy copy. The Senator from Kansas and I have come to talk about some legislation we have done together that deals with one of the horrible aspects of this global economy; namely, the trafficking of women and girls and sometimes boys and men for purposes of forcing them into prostitution and some really deplorable labor conditions.

I wonder whether the Senator from Kansas might give us a little bit of context, and then we will quickly do this colloquy.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, we have a colloquy we are prepared to enter into. In the context of this, last year we passed a bill on the issue of sex trafficking. It was ground-breaking legislation for this body, ground-breaking legislation for around the world. Its effort and focus was to get at the people who are trafficking, generally, young women and children for the purposes of prostitution. It is a global phenomenon. About 700,000 are trafficked to different places from different countries around the world each year, about 50,000 into the United States.

We increased the penalties for people who are involved in trafficking. We have an annual report coming out from the Government—the first one came out this year. It was citing the problems of trafficking taking place. The colloquy we are entering into today is to get the initial office up and running at the State Department and intends for funding in the foreign operations bill.

Mr. President, I would like to engage in a colloquy with Senator WELLSTONE on the topic of appropriations to combat international trafficking in human beings.

I know that Senator WELLSTONE and other members of the Senate Foreign Relations Committee, as well as the Senate Foreign Operations Appropriations Subcommittee, are greatly concerned about human trafficking, which impacts approximately 1 million people annually worldwide. Last year, this body unanimously passed legislation, the Trafficking Victims Protection Act which included an authorization of over $30 million from the foreign operations budget to address three principle components of anti-trafficking: law enforcement, prevention, and victim assistance.

The bill allocates only $10 million for law enforcement related to human trafficking, and thus is $20 million shy of the hoped-for appropriation of $30 million for Fiscal Year 2002 which was passed by the House. Given this shortfall, I hope that the State Department will spend more funds than those earmarked in this foreign operations appropriations bill. Furthermore, the Congress expects, as expressed through the trafficking legislation, that it will be combated worldwide through both enforcement and prevention programs; that is, sex trafficking could be combated worldwide, and that the trafficking victims would be assisted. Is it your understanding, Senator WELLSTONE, that the State Department and other relevant agencies and departments would dedicate and spend funds substantially over the $10 million presently allocated in this appropriation?

Mr. WELLSTONE. Mr. President, that is our intention. Human trafficking is a massive and multi-dimensional problem, impacting countless victims. The U.S. government is responding, but I am concerned that our response though well-intentioned, is both under-funded and under-coordinated. I believe that approximately $15 million is currently being spent to address human trafficking in the overall State Department budget, but it is not at all clear to me that activities are being coordinated among departments and agencies or that the results are being optimized. I believe that the State Department should work this year to dedicate not less than the $30 million authorized in the Trafficking Victims Protection Act, and that this funding would be distributed to all three prongs including law enforcement, victims assistance, and trafficking prevention activities.

I am very optimistic that the newly established office to combat trafficking

at the State Department will bring some transparency and coordination to these activities. I'm sure that both of us, as well as other members, will be watching for this to happen.

To assist us all in monitoring progress, I will seek to add language to the statement of the managers to the conference report asking the State Department to report back to us next spring regarding plans and funding allocations for trafficking. Again, this is an important issue that certainly warrants more than $10 million and I believe there are ample funds in this bill to enable the State Department to meet the authorized levels.

Mr. BROWNBACK. Senator WELLSTONE, I agree completely. I would like to make one last comment about the fiscal expectations for 2003. We understand that the trafficking budget for Fiscal Year 2002 is underfunded by at least $20 million in relation to the authorization. However, once the office is fully up and running next year, I believe that everyone is committed to seeing a full appropriation for Fiscal Year 2003 for the activities needed to combat trafficking worldwide. This amount should be not less than $33 million for Fiscal Year 2003, in addition to the other amounts authorized under HHS, Labor, and CJS appropriations legislation. In closing, we expect a full appropriation for Fiscal Year 2003, without which, worldwide trafficking cannot be effectively challenged.

Everybody has tried to do everything they could this year to address the trafficking and get the office up and going. It is not a full appropriation. Next year, we will push for the full appropriation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1950

Mr. GRAHAM. Mr. President, at 5 o'clock we are going to vote on an amendment which I have offered, which would restore the 22 percent cut that is contained in the subcommittee report as it relates to the Andean Region Initiative. This is funding which would provide for the four countries of Colombia, Ecuador, Peru, and Bolivia, with funds divided approximately 50 percent to Colombia and 50 percent to the other three; 50 percent of the funds for law enforcement and military activities, 50 percent for economic and social development programs.

This is the second chapter of the Plan Colombia which this Congress, under the leadership of President Clinton, adopted last year. It is also the continuation of the only program that we will have left to provide a means by which to suppress the supply of cocaine into the United States from its primary sources, which are these four countries and today primarily Colombia.

I have listened to some of the arguments that have been made in opposition to this amendment. They raise questions about the accountability of this program, raise questions about the efficacy of this program, and raise positive comments about the activities that are going to be funded with the 22 percent of the fund that is going to be taken away from this account.

This is a program which has only been in effect since October 1 of last year, for less than 13 months. I believe it has accomplished significant good. It has helped professionalize the army of Colombia, which has made it more able to launch effective attacks against drug dealers. It has begun to show the ability to reduce the amount of coca being produced in Colombia. It has stabilized the governments of, particularly, Peru and Ecuador.

But beyond all of those positive benefits, I think the fundamental benefit today, on October 24, is that this is the longest running U.S. partnership program to attack terrorism in the world. In this case, the terrorists happen to also be drug dealers. We are attacking them in their uniform as drug dealers, but, in so doing, we are also attacking them in their 50-year role as terrorists, formerly ideological terrorists, now essentially thugs. They have gone from Che Guevara to being Al Capone.

I believe it would send the worst possible signal to the world that we are trying to unite in an effective program against terrorism, to be pulling the plug, essentially, on the effort that we have underway against one of the most vicious terrorist groups in the world, a group which in the year 2000, the last year for which statistics are available, committed 44 percent of the all the terrorist assaults against U.S. citizens and interests in the world.

Mr. President, 44 percent of them were committed in Colombia. That is an indication of how concentrated, how deep, and how violent the terrorist activity is there, directed against U.S. citizens, to say nothing of the assaults against Colombian citizens and persons from other nations who are in Colombia.

I hope to reserve a few moments to close, but I urge in the strongest terms the adoption of this amendment which will recommit ourselves to a strong U.S. partnership with our neighbors in Latin America, a strong program of attacking drugs at the source as we build up our capability to reduce the demand in the United States and to avoid sending the signal that all of our rhetoric about how strongly we are prepared to resist terrorism is just that—rhetoric. Because when it comes to actual performance, we failed.

Mr. LEAHY. Mr. President, how much time remains to the Senator from Florida and how much time to the Senator from Vermont?

The PRESIDING OFFICER. The Senator from Florida has 3 minutes and 47 seconds and the Senator from Vermont has 8 minutes and 10 seconds.

Mr. LEAHY. Mr. President, I reserve myself 3½ minutes.

I don't want Senators to think we are not putting money in for counterdrug programs in this bill. We have included $718 million for the Andean Region Initiative. We will have put $2 billion in there in just the last 16 months. The administration's own witnesses couldn't tell us how much was disbursed, and for what purposes. And they cannot show what we have gotten from it. So we have an act of faith here, putting in another $718 million.

What the $164 million cut in other programs the Senator from Florida proposes, to add to the $718 million already in the bill—where do we cut? This is sort an across-the-board kind of open-ended cut which allows cuts to come from military, economic, or other assistance to anywhere, including countries such as Israel, Egypt, and Jordan.

It could be cut from HIV/AIDS, from money the President and others have promised to help combat the worst health crisis in half a millennium; from money to cure TB and prevent malaria; from military assistance, including aid to NATO allies and the former Soviet republics. It could cut the Peace Corps. We increased money for the Peace Corps, but those increases may be gone if we do this cut.

Or the Eximbank, when many companies are laying people off today.

It could cut refugee and disaster relief assistance for places such as Sudan and the Caucasus.

How about programs to stop the spread of biological, nuclear, and chemical weapons? This is certainly not a time when we should be cutting those programs; or the money we have in here to strengthen surveillance and respond to outbreaks of infectious diseases, including diseases that may come here in a terrorist attack; or our money for UNICEF and peacekeeping operations.

Do we really want to cut those programs, when we have already put $718 million in for the Andean region?

I don't want to cut the Peace Corps. I don't want to cut funding for AIDS. But we will if this passes.

Obviously, the Senate has to make up its mind about what it wants. But even without this amendment, we are going to have $718 million on top of billions already in this program, a program that has millions of dollars which they have yet to spend.

I want to help. I set aside my own misgivings about this program by putting in the $718 million. But I remind the 81 Senators who have sent letters requesting increases in everything from Peace Corps to AIDS that this is where this money would come from.

I reserve the remainder of my time.

Mr. GRAHAM. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Three minutes, thirty-nine seconds.

Mr. GRAHAM. I yield 3 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, there are obviously choices made all over the place in terms of programs being cut. The point of this is that the Senator from Florida and I are proposing that we get back to the level the President suggested. This is about the Andean region. In the past we dealt with Colombia. There were concerns raised by many about that program. This deals with the Andean region. It is more than just one country. This is a critical issue. I know our attention today is focused on Central Asia, as it should be, and Afghanistan and the Taliban. But we will have to have a continuing effort in other parts of the globe on threats we face.

Clearly, we will lose thousands of people every year in this country in drug-related deaths, and about 98 percent of the product which is the source of this devastation in our country comes from the Andean region. Our attention today has shifted.

All we are suggesting is that we get back to the level the President suggested, $164 million. It is a cut of 22 percent dealing with several countries in the region, not just one. I am sure my friend from Florida has gone over the details of this to explain where the resources go and how effective we hope it will be. I join with him.

Obviously, I am not interested in seeing the Peace Corps cut, or Eximbank, or other programs, which I know my friend from Vermont cares about very much. I understand the difficulty of wrestling with these programs. But I believe very strongly that this is an area where we have to maintain a level of consistent involvement, or we are going to find that the resources we have committed are going to be diluted significantly.

This is a very serious effort. It is not on the front pages today, but it will be again, I guarantee you. That is the reason we offered this amendment. My hope is that we can reach some agreement so we can do more.

Again, I believe very strongly that this is one of the most critical issues—not just for ourselves. It is in the direct interest of people who are dying every day in our streets as a result of what happened in these countries. Our efforts are to work with friends in the area—particularly in Colombia—people who have paid an awful price over the years, a devastating price. They have attempted to shed this country down there of any vestige of its own long historic democratic institutions.

We are under siege in a lot of places around the globe. This is a major one. Therefore, the cut that has come here is one we would like to see restored. Therefore, I urge the adoption of the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. GRAHAM. Mr. President, I understand we are going to vote at 5 o'clock.

The PRESIDING OFFICER. The Senator is correct.

Mr. GRAHAM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, will the Senator withhold?

Does the Senator understand that takes my time?

Am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. I would not cut off the time of the Senator from Florida. That is really not showing very much comity.

Mr. GRAHAM. Mr. President, it was certainly not my intention to do that. In fact, I wanted to use the 39 seconds that were left to me. I wanted to use them. And there might be a few more people in the Chamber than is the case now. I suggest the absence of a quorum without that counting against the time of either the Senator from Vermont or the Senator from Florida.

Mr. LEAHY. That would take unanimous consent, and I will not give it. We told people we are going to vote at 5 o'clock.

The PRESIDING OFFICER. Objection is heard.

Who yields time?

Mr. LEAHY. Mr. President, I understand the concerns of the Senator from Florida, who has spent an enormous amount of time in this area, and the Senator from Connecticut. I am sorry the Senator from Connecticut would not stay to hear these comments. But we have included $718 million for the Andean Regional Initiative. That is for Colombia, Peru, Bolivia, and Ecuador—$2 billion in just over a year. We have not ignored this part of the world.

As the Senator from Connecticut says, it may not be on the front page. The Ebola plague is not on the front page. But we have inadequate amounts of money in here to help protect us against such a health disaster.

Can you imagine? Nobody would be wanting to cut money for that if the Ebola plague were in the headlines. But this amendment would result in a cut of some of that money.

We have money in here to help put Americans back to work at a time when tens of thousands are being laid off daily. It may not be the big headline. But this amendment would in effect cut efforts to put these people back to work.

What the Peace Corps has accomplished over the years is not in the headlines. But this money would cut some of the increase in funds we put in for the Peace Corps.

There are a lot of things that are not in the headlines. Helping to stop the spread of AIDS may not be in the daily headlines. But this would cut money for that.

This is not about whether you are for or against the Andean Initiative. We put nearly three-quarters of a billion dollars in here following well over $1 billion in just the past year. It is not without funding.

His amendment allow cuts to be made in everything from the Middle East, refugee aid, basic education, biological, nuclear, and chemical weapons non-proliferation programs, anti-terrorism programs, and money to clear landmines. We need to strike a balance, which is what this bill does.

What is the time?

The PRESIDING OFFICER (Mrs. CARNAHAN). The Senator has 1 minute remaining.

Mr. LEAHY. Madam President, how much time remains for my colleague from Florida?

The PRESIDING OFFICER. Eleven seconds.

Mr. LEAHY. Madam President, Senator MCCONNELL and I have gone through this bill and we have tried to set priorities. We have put considerable amounts of money in this bill for counterdrug programs. The House has even more. In conference, as a practical matter, the money for the Andean Initiative is likely to go up some amount.

But let us not cut money for bioterrorism, money to stop plagues from reaching the United States, money to aid refugees from Afghanistan or Africa, money to support the countries which the President has promised to help with our campaign against Osama bin Laden—let's not cut those funds—and the Peace Corps and the Exim Bank and everything else, to add even more funds for counterdrug programs when they have not spent what they already have.

Madam President, I yield back whatever time I have left.

The PRESIDING OFFICER. The Senator from Florida has 11 seconds.

Mr. GRAHAM. Madam President, in my 11 seconds, I want to direct them to our friends on the other side of the aisle. Our amendment would restore the recommendation which has been made by President Bush of his best assessment of what is necessary in order to accomplish the purposes. The President challenged us today to answer the question: Is America prepared to stay in the war against terrorism? His answer was: Absolutely.

If we want to say, absolutely, we need to vote yes for the amendment that will restore the funds to the longest running antiterrorism campaign in which the United States is currently engaged.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Vermont.

Mr. LEAHY. Madam President, I make a point of order that the Graham amendment No. 1950 violates section 302(f) of the Budget Act.

The bill before us is at the subcommittee's 302(b) allocation. Therefore, any net increase in budget authority or outlays would trigger a 60-vote point of order.

The Graham amendment does not identify a specific offset for its $164 million increase in discretionary budget authority for the Andean Counterdrug Program, nor does it establish a mechanism to ensure that the funds are, in fact, offset. Therefore, if the Graham amendment passed, it would cause the Foreign Operations Subcommittee to exceed its spending allocation.

Additionally, even if the administration were to identify offsets for the entire $164 million in budget authority, the Congressional Budget Office is not confident that cuts would occur to programs with an equal or faster outlay rate. A net increase in outlays from the Graham amendment would also trigger a violation of the subcommittee's allocation and a 60-vote point of order.

Therefore, I make a point of order that the Graham amendment No. 1950 violates section 302(f) of the Budget Act.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Madam President, I ask unanimous consent to be added as a cosponsor to the amendment of the Senator from Florida.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Madam President, I ask unanimous consent that the request by Senator KYL be modified to also include Senators GRASSLEY and MCCAIN as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Madam President, I move to waive the Budget Act and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to waive the Budget Act in relation to the Graham amendment No. 1950. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Tennessee (Mr. FRIST) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 27, nays 72, as follows:

[Rollcall Vote No. 311 Leg.]

YEAS—27

Bayh	Dodd	Lugar
Biden	Graham	McCain
Breaux	Grassley	Miller
Carnahan	Hagel	Nelson (FL)
Chafee	Hatch	Rockefeller
Clinton	Helms	Schumer
Corzine	Hutchinson (AR)	Sessions
Craig	Kyl	Thompson
DeWine	Lieberman	Torricelli

NAYS—72

Akaka	Bond	Campbell
Allard	Boxer	Cantwell
Allen	Brownback	Carper
Baucus	Bunning	Cleland
Bennett	Burns	Cochran
Bingaman	Byrd	Collins
Conrad	Inhofe	Reed (RI)
Crapo	Inouye	Reid (NV)
Daschle	Jeffords	Roberts
Dayton	Johnson	Santorum
Domenici	Kennedy	Sarbanes
Dorgan	Kerry	Shelby
Durbin	Kohl	Smith (NH)
Edwards	Landrieu	Smith (OR)
Ensign	Leahy	Snowe
Enzi	Levin	Specter
Feingold	Lincoln	Stabenow
Feinstein	Lott	Stevens
Fitzgerald	McConnell	Thomas
Gramm	Mikulski	Thurmond
Gregg	Murkowski	Voinovich
Harkin	Murray	Warner
Hollings	Nelson (NE)	Wellstone
Hutchison (TX)	Nickles	Wyden

NOT VOTING—1

Frist

The PRESIDING OFFICER. On this vote, the yeas are 27, the nays are 72. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. LEAHY. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Madam President, Senator REID and Senator NICKLES have been asking our intent. Senator MCCONNELL and I have been here for a couple days and would like to wrap up.

Mr. REID. Will the Senator yield for an announcement while everybody is here?

Mr. LEAHY. Yes.

Mr. REID. Madam President, Senator DASCHLE has asked me to announce we have a section-by-section analysis of the antiterrorism bill. Copies of the bill and a short summary are available in Senator DASCHLE's office, the Democratic Cloakroom, and Senator LEAHY's Russell office. They will be there by 5:45 p.m. The same is available in the Republican Cloakroom.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 1959

Mr. DODD. Madam President, on behalf of myself and the distinguished Senator from Texas, Mrs. Kay Bailey Hutchison, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself and Mrs. HUTCHISON, proposes an amendment numbered 1959.

Mr. DODD. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: Amendment to modify the annual drug certification procedures for FY 2002 with respect to countries in the Western Hemisphere)

At the appropriate place in the bill add the following new section:

SEC. . During fiscal year 2002 funds in this Act that would otherwise be withheld from obligation or expenditure under Section 490 with respect to countries in the Western Hemisphere may be obligated or expended provided that—

(a) Not later than November 30 of 2001 the President has submitted to the appropriate congressional committees a report identifying each country in the Western Hemisphere determined by the President to be a major drug-transit country or major illicit drug producing country.

(b) In each report under subsection (a), the President shall also—

(1) designate each country, if any, identified in such report that has failed demonstrably, during the previous 12 months, to make substantial efforts—

(A) to adhere to its obligations under international counter narcotics agreements; and

(B) to take the counter narcotics measures set forth in section 489(a)(1); and

(2) include a justification for each country so designated.

(c) LIMITATION ON ASSISTANCE FOR DESIGNATED COUNTRIES.—In the case of a country identified in a report for a fiscal year 2002 under subsection (a) that is also designated under subsection (b) in the report, United States assistance may be provided under this Act to such country in fiscal year 2002 only if the President determines and reports to the appropriate congressional committees that—

(1) provision of such assistance to the country in such fiscal year is vital to the national interests of the United States; or

(2) commencing at any time after November 30, 2001, the country has made substantial efforts—

(A) to adhere to its obligations under international counternarcotics agreements; and

(B) to take the counternarcotics measures set forth in section 489(a)(1).

(d) INTERNATIONAL COUNTERNARCOTICS AGREEMENT DEFINED.—In this section, the term ''international counternarcotics agreement'' means—

(1) the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances; or

(2) any bilateral or multilateral agreement in force between the United States and another country or countries that addresses issues relating to the control of illicit drugs, such as—

(A) the production, distribution, and interdiction of illicit drugs,

(B) demand reduction,

(C) the activities of criminal organizations,

(D) international legal cooperation among courts, prosecutors, and law enforcement agencies (including the exchange of information and evidence),

(E) the extradition of nationals and individuals involved in drug-related criminal activity,

(F) the temporary transfer for prosecution of nationals and individuals involved in drug-related criminal activity,

(G) border security,

(H) money laundering,

(I) illicit firearms trafficking,

(J) corruption,

(K) control of precursor chemicals,

(L) asset forfeiture, and

(M) related training and technical assistance;

and includes, where appropriate, timetables and objective and measurable standards to assess the progress made by participating countries with respect to such issues; and

(e) Section 490 (b)–(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j) shall not apply during FY 2002 with respect to any

country in the Western Hemisphere identified in subsection (a) of this section.

(f) STATUTORY CONSTRUCTION.—Nothing in this section supersedes or modifies the requirement in section 489(a) of the Foreign Assistance Act of 1961 (with respect to the International Control Strategy Report) for the transmittal of a report not later than March 1 of 2002 under that section.

(g) SENSE OF CONGRESS ON ENHANCED INTERNATIONAL NARCOTICS CONTROL.—

It is the sense of Congress that—

(1) many governments are extremely concerned by the national security threat posed by illicit drug production, distribution, and consumption, and crimes related thereto, particularly those in the Western Hemisphere;

(2) an enhanced multilateral strategy should be developed among drug producing, transit, and consuming nations designed to improve cooperation with respect to the investigation and prosecution of drug related crimes, and to make available information on effective drug education and drug treatment;

(3) the United States should at the earliest feasible date convene a conference of representatives of major illicit drug producing countries, major drug transit countries, and major money laundering countries to present and review country by country drug reduction and prevention strategies relevant to the specific circumstances of each country, and agree to a program and timetable for implementation of such strategies; and

(4) not later than one year after the date of the enactment of this Act, the President should transmit to Congress any legislation necessary to implement a proposed multilateral strategy to achieve the goals referred to in paragraph (2), including any amendments to existing law that may be required to implement that strategy.

Mr. DODD. Madam President, on behalf of Senator HUTCHISON and myself—and I ask my colleague from Texas to make the comments she wants to make—this amendment for 1 year would impose a moratorium on the drug certification process only for the Western Hemisphere. Interested colleagues—Senator FEINSTEIN, Senator GRASSLEY, and Senator HELMS—have all indicated they support this amendment. Those are the Members who have the most interest particularly with regard to the larger proposal.

We believe this is a very important message to be sending. We know our colleagues have a deep interest in it. The administration supports this amendment, and we urge its adoption.

As my colleagues know, the issue of how to construct and implement an effective international counternarcotics policy has been the subject of much debate in Congress over the years. Earlier this year, I introduced legislation with the goal of seeing if there is some way to end what has become a stale debate that has not brought us any closer to mounting a credible effort to eliminate or contain the international drug mafia.

Thanks to the chairman and ranking member of the Foreign Relations Committee we were able to develop an effective alternative to the current certification process, and that bill was reported out of the committee unanimously.

We all know that, by and large, the drug cooperation issue has been focused on our relations with Mexico. We know as well that it is a new day in United States-Mexico relations. President Fox has been enormously supportive of the U.S. across the board. He wants very much to work cooperatively with the United States in fighting drugs and believes that the certification process could get in the way of that effort. It is important that we make a change in that process as quickly as possible.

It is not likely that we will get to the free-standing bill this year and therefore I have decided to offer the substance of this bill today with slight changes to conform to the appropriations requirements.

First the current certification process will be altered for only fiscal year 2002, consistent with the scope of this bill. Second, it will be limited to countries in the Western Hemisphere. Other than those modest changes the thrust of the amendment is virtually identical to the committee bill.

We can all agree that drugs are a problem—a big problem. We also can agree that the international drug trade poses a direct threat to the United States and to international efforts to promote democracy, economic stability, human rights, and the rule of law throughout the world, and most specifically, in our hemisphere.

While the international effects of the drug trade are important, what concerns me the most personally is the effect of the drug trade here at home.

Last year, Americans spent more than $60 billion to purchase illegal drugs. Nearly 15 million Americans over the age of 12 use illegal drugs, including 1.5 million cocaine users, 208,000 heroin addicts, and more than 11 million smokers of marijuana. And, the menace of drug abuse is not confined to just the inner cities and the poor. Illegal drug use occurs among members of every ethnic and socioeconomic group in the United States.

The human and economic costs of illegal drug consumption by Americans are enormous. More than 16,000 people die annually as a result of drug induced deaths. Drug related illness, death, and crime cost the United States over $100 billion annually, including costs for lost productivity, premature death, and incarceration.

The drug trade is extremely lucrative, generating estimated revenues of $400 billion annually. The United States has spent more than $30 billion in foreign interdiction and source country counternarcotics measures since 1981, and despite impressive seizures at the border, on the high seas, and in other countries, foreign drugs are cheaper and more plentiful in the United States today than two decades ago.

I believe, and I hope that the Senate agrees, that for a variety of reasons the time is right to give the incoming Bush administration some flexibility with respect to the annual certification process, so that it can determine whether this is the best mechanism for producing the kind of international cooperation and partnership that is needed to contain this transnational menace.

I believe that government leaders, particularly in this hemisphere, have come to recognize that illegal drug production and consumption are increasingly threats to political stability within their national borders. Clearly President Pastrana of Colombia has acknowledged that fact and has sought to work very closely with the United States in implementing Plan Colombia. Similarly, President Vicente Fox of Mexico has made international counternarcotics cooperation a high priority since assuming office last December. These leaders also feel strongly, however, that unilateral efforts by the United States to grade their governments' performance in this area is a major irritant in the bilateral relationship and counterproductive to their efforts to instill a cooperative spirit in their own bureaucracies.

The legislation I introduced recognizes that illicit drug production, distribution and consumption are national security threats to many governments around the globe, and especially many of those in our own hemisphere, including Mexico, Columbia, and other countries in the Andean region. It urges the administration to develop an enhanced multilateral strategy for addressing these threats from both the supply and demand side of the equation. It also recommends that the President submit any legislative changes to existing law which he deems necessary in order to implement this international program within 1 year from the enactment of this legislation.

In order to create the kind of international cooperation and mutual respect that must be present if the Bush administration's effort is to produce results, the bill would also suspend the annual drug certification procedure for a period of 3 years, while efforts are ongoing to develop and implement this enhanced multilateral strategy. I believe it is fair to say that while the certification procedure may have had merit when it was enacted into law in 1986, it has now become a hurdle to furthering bilateral and multilateral cooperation with other governments, particularly those in our own hemisphere such as Mexico and Colombia—governments whose cooperation is critical if we are to succeed in stemming the flow of drugs across the borders.

Let me make clear, however, that while we would not be ''grading'' other governments on whether they have ''cooperated fully'' during the 3-year ''suspension'' period, the detailed reporting requirements currently required by law concerning what each government has done to cooperate in the areas of eradication, extradition, asset seizure, money laundering and demand reduction during the previous calendar year will remain in force. We will be fully informed as to whether

governments are falling short of their national and international obligations. The annual determination as to which countries are major producers or transit sources of illegal drugs will also continue to be required by law. The President is also mandated to withhold U.S. assistance from any country that has been deemed to have failed to meet its international obligations with respect to counter narcotics matters, although he may waive that mandate if he deems it will serve U.S. interests.

I believe that we need to reach out to other governments who share our concerns about the threat that drugs pose to the fabric of their societies and our own. It is arrogant to assume we are the only nation that cares about such matters. We need to sit down and figure out what each of us can do better to make it harder for drug traffickers to ply their trade. Together, working collectively, we can defeat the traffickers. But if we expend our energies playing the blame game, we are certainly not going to effectively address their threat. We are not going to stop one additional teenager from becoming hooked on drugs, or one more citizen from being mugged outside his home by some drug crazed thief.

During the Clinton administration, Barry McCaffrey, the Director of the Office of National Drug Control Policy did a fine job in attempting to forge more cooperative relations with Colombia, Mexico, and other countries in our own hemisphere. The OAS has also done some important work over the last several years in putting in place an institutional framework for dealing with the complexities of compiling national statistics so that we can better understand what needs to be done. The United Nations, through its Office for Drug Control and Crime Prevention has also made some important contributions in furthering international cooperation in this area. However, still more needs to be done. I believe my legislation will build upon that progress.

It is my hope that a change in the certification process coupled with new administrations in the United States and Mexico provide a window of opportunity for the United States working with Mexico to spearhead international efforts to find better and more effective ways for multilateral cooperation. That is why I hope my colleagues will support this bill.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I ask unanimous consent to be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Madam President, this is something we must do. We have been working with Mexico on the drug issue for a long time, and we want to put forward a comprehensive program that will be a sharing of responsibility. We will do that, but at this time we do not want the deadline to come on us and not be able to certify Mexico.

We are working with Colombia. They are trying very hard to rid themselves of their drug problem. We want to help them, not hurt them.

I thank the Senator from Connecticut for taking the lead on this issue. I yield the floor.

Mr. DODD. Madam President, I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to amendment No. 1959.

The amendment (No. 1959) was agreed to.

Mr. DODD. I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I believe we are almost done. Just so people will know, I am about to propound a unanimous consent request regarding a Hutchison amendment on tuberculosis, a Bingaman amendment on Central America drought relief, a Leahy AIDS and malaria funding amendment, a Stabenow amendment on the victims of terrorism, a Landrieu amendment on child soldiers, and a McConnell technical amendment.

AMENDMENTS NOS. 1960 THROUGH 1965, EN BLOC

Mr. LEAHY. Madam President, I ask unanimous consent that it be in order to bring forward an amendment by Senator HUTCHISON of Texas, Senator BINGAMAN of New Mexico, Senator LEAHY of Vermont, Senator STABENOW of Michigan, Senator SANTORUM of Pennsylvania, Senator THOMPSON of Tennessee, Senator LANDRIEU of Louisiana, and Senator MCCONNELL of Kentucky, and that they be considered en bloc and agreed to en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself and Mr. MCCONNELL, for themselves and others, proposes amendments numbered 1960 through 1965, en bloc.

The amendments are as follows:

AMENDMENT NO. 1960

On page 120, line 3, strike ''$1,455,500,000'' and insert in lieu thereof: ''$1,465,500,000''.

On page 121, line 6, after ''diseases'' insert the following: '',of which not less than $65,000,000 should be made available for the prevention, treatment, and control of, and research on, tuberculosis''.

On page 142, line 17, strike ''$567,000,000'' and insert in lieu thereof: ''$557,000,000''.

AMENDMENT NO. 1961

On page 142, line 17, strike ''$567,000,000'' and insert in lieu thereof: ''$557,000,000''.

On page 124, line 17, strike ''$1,235,000,000'' and insert in lieu thereof: ''$1,245,000,000''.

At the appropriate place in the bill, insert the following new section:

CENTRAL AMERICA DISASTER RELIEF

SEC. . Of the funds appropriated under the headings ''International Disaster Assistance'', ''Development Assistance'', and ''Economic Support Fund'', not less than $35,000,000 should be made available for relief and reconstruction assistance for victims of earthquakes and drought in El Salvador and elsewhere in Central America.

AMENDMENT NO. 1962

On page 116, line 23, delete ''$753,323,000'' and insert in lieu thereof: ''$727,323,000''.

On page 145, line 17, delete $326,500,000'' and insert in lieu thereof: ''$318,500,000''.

On page 157, line 3, strike ''CONTRIBUTION'' and all that follows through the period on line 8.

On page 136, line 9, delete ''$800,000,000'' and insert in lieu thereof: ''$795,500,000''.

On page 128, line 13, delete ''$255,000,000'' and insert in lieu thereof: ''$245,000,000''.

On page 133, line 13, delete ''$603,000,000'' and insert in lieu thereof: ''$615,000,000''.

On page 121, line 5, delete ''$175,000,000'' and insert in lieu thereof ''$185,000,000''.

On page 121, line 6, after ''diseases'' insert: '', of which not less than $65,000,000 should be made available to combat malaria''.

On page 159, line 13, delete ''217,000,000'' and insert in lieu thereof: ''$218,000,000''.

On page 160, line 1, delete ''$39,000,000'' and insert in lieu thereof: ''$40,000,000''.

On page 120, line 3, delete ''$1,455,500,000'' and insert in lieu thereof: ''$1,500,500,000''.

On page 120, line 24, delete ''$415,000,000'' and insert in lieu thereof: ''$450,000,000''.

On page 120, line 25, delete ''$40,000,000'' and insert in lieu thereof: ''$90,000,000''.

AMENDMENT NO. 1963

(Purpose: To make agreed technical amendments by the managers of the bill)

On page 232, between lines 23 and 24, insert the following:

PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

SEC. 581. The National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended by inserting before title V the following:

''TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

''(a) DEFINITION.—In this section, the term 'Foundation' means the Points of Light Foundation funded under section 301, or another nonprofit private organization, that enters into an agreement with the Corporation to carry out this section.

''(b) IDENTIFICATION OF PROJECTS.—

''(1) ESTIMATED NUMBER.—Not later than December 1, 2001, the Foundation, after obtaining the guidance of the heads of appropriate Federal agencies, such as the Director of the Office of Homeland Security and the Attorney General, shall—

''(A) make an estimate of the number of victims killed as a result of the terrorist attacks on September 11, 2001 (referred to in this section as the 'estimated number'); and

''(B) compile a list that specifies, for each individual that the Foundation determines to be such a victim, the name of the victim and the State in which the victim resided.

''(2) IDENTIFIED PROJECTS.—The Foundation shall identify approximately the estimated number of community-based national and community service projects that meet the requirements of subsection (d). The Foundation shall name each identified project in honor of a victim described in subsection

(b)(1)(A), after obtaining the permission of an appropriate member of the victim's family and the entity carrying out the project.

(c) ELIGIBLE ENTITIES.—To be eligible to have a project named under this section, the entity carrying out the project shall be a political subdivision of a State, a business, or a nonprofit organization (which may be a religious organization, such as a Christian, Jewish, or Muslim organization).

''(d) PROJECTS.—The Foundation shall name, under this section, projects—

''(1) that advance the goals of unity, and improving the quality of life in communities; and

''(2) that will be planned, or for which implementation will begin, within a reasonable period after the date of enactment of this section, as determined by the Foundation.

''(e) WEBSITE AND DATABASE.—The Foundation shall create and maintain websites and databases, to describe projects named under this section and serve as appropriate vehicles for recognizing the projects.''.

AMENDMENT NO. 1964

(Purpose: To make available funds for services aimed at the reintegration of war-affected youth in East Asia)

On page 125, line 16, before the period at the end of the line insert the following: '': *Provided further*, That, of the funds appropriated under this heading or under 'Child Survival and Health Programs Fund', $5,000,000 should be made available for activities in South and Central Asia aimed at reintegrating 'child soldiers' and other war-affected youth''.

AMENDMENT NO. 1965

On page 137, line 17 through page 138 line 11, strike all after ''(e)'' through ''assistance''.

HIV/AIDS

Mr. SANTORUM. Madam President, HIV/AIDS has become a world-wide pandemic. More than 16 million people have died of AIDS. The Joint United Nations Programme on HIV/AIDS (UNAIDS) and the World Health Organization, WHO, have estimated that over 32.4 million adults and 1.2 million children around the world are already living with HIV. Half of all people who acquire HIV become infected before they turn 25 and typically die of AIDS before their 35th birthday.

The overwhelming majority of people with HIV live in the developing world, and that proportion is likely to grow even further as infection rates continue to rise in countries where poverty, poor health systems, and limited resources for prevention and care fuel the spread of the virus.

Sub-Saharan Africa bears the brunt of HIV and AIDS, with close to 70 percent of the global total of HIV-positive people. Over 14 million Africans have already been claimed by the disease, leaving behind shattered families and crippled prospects for development. There have also been recent reports of growing problems in China, India, and elsewhere. Of course, the United States is not immune to this virus, and its spread globally only contributes to risks in America.

It is estimated that approximately 90 percent of people in sub-Saharan Africa do not know if they are HIV infected or not. They have no means of gaining this vital knowledge so that they can protect themselves and others. Thus, testing is a critical aspect of the effort to stop the further spread of HIV/AIDS. However, one must be careful that tests are appropriate to the regions where they are used.

In developing regions served by USAID, tests should be fast, accurate, simple, designed to assist those providing counseling, and have no need for labs or refrigeration. The importance of testing cannot be overstated. Early detection of HIV/AIDS might enable treatment to be more effective. We must do all we can to control and stop the spread of this dreaded virus, and I urge USAID to seek to develop rapid tests that serve this purpose.

Mr. McCONNELL. I thank the Senator from Pennsylvania for bringing up this important issue. I believe that USAID should be committed to furthering the cause of finding a suitable field test for HIV/AIDS. I would expect that of the funds appropriated to USAID, the Agency would evaluate potential tests for deployment in sub-Saharan Africa.

Mr. LEAHY. I also thank the Senator from Pennsylvania, and agree with him on the importance of testing as an important part of the effort to stop the spread of HIV and AIDS. The bill under consideration includes $375 million for U.S. Agency for International Development programs to combat HIV/AIDS. It is my belief that a portion of these funds should be committed to the development of rapid tests.

HACIA LA SEGURIDAD

Mr. THOMPSON. Madam President, I have a question for Senator McCONNELL, distinguished ranking member of the Foreign Operations Appropriations Subcommittee, regarding an important rule of law project currently underway in the Andean region. The project is the Hacia la Seguridad project located in Quito, Ecuador.

Mr. McCONNELL. I will be pleased to answer the Senator's question.

Mr. THOMPSON. The mission of the Hacia la Seguridad project is to increase transparency throughout Ecuador's legal system as a means of promoting bureaucratic and judicial accountability, effective governance and law enforcement, and improved access to justice. The project specifically focuses on the identification and elimination of invalid regulations and statutes, the design of modern legal codes, judicial monitoring, and public education and support for rule of law reform. It is my understanding that the Senator supports this project and that it is the intention of the committee that it receive support from USAID.

Mr. McCONNELL. That is correct. The project advances the goals set forth in the International Anti-Corruption and Good Governance Act of 2000 and helps promote stability and democracy in the Andean region generally. It is the committee's intent that this project receive ESF funding in fiscal year 2002.

Mr. THOMPSON. I thank the Senator for his clarifying statement and ask that the committee seek Statement of Manager's language directing USAID to fund the project.

Mr. McCONNELL. I will be happy to work with the conferees to try to develop Statement of Manager's language advising USAID of this project and its importance.

Mr. THOMPSON. I thank the Senator for his comments.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The amendments (Nos. 1960 through 1965) were agreed to, en bloc.

Mr. LEAHY. I move to reconsider the vote.

Mr. McCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McCONNELL. Madam President, there is one more amendment which we expect will be agreed to by voice vote. We have been working on it all day. It is about to miraculously appear from back in the Cloakroom. It is related to the Armenia-Azerbaijan dispute.

I say to my colleagues, we will be able to agree to that shortly, we believe on a voice vote.

The PRESIDING OFFICER. The Senator from Kansas.

AMENDMENT NO. 1921

Mr. BROWNBACK. Madam President, I call up amendment No. 1921.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 1921.

Mr. BROWNBACK. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 1921

(Purpose: To authorize the President to waive the restriction of assistance for Azerbaijan if the President determines that it is in the national security interest of the United States to do so)

On page 232, between lines 23 and 24, insert the following:

WAIVER OF RESTRICTION ON ASSISTANCE TO AZERBAIJAN.

SEC. 581. Section 907 of the FREEDOM Support Act (Public Law 102–511; 22 U.S.C. 5812 note) is amended—

(1) by striking ''United States'' and inserting ''(a) RESTRICTION.—United States''; and

(2) by adding at the end the following:

''(b) WAIVER.—The President is authorized to waive the restriction in subsection (a) if the President determines that it is in the national security interest of the United States to do so.''.

AMENDMENT NO. 1966 TO AMENDMENT NO. 1921

Mr. McCONNELL. Madam President, I send a second-degree amendment to the Brownback amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1966 to amendment No. 1921.

Mr. MCCONNELL. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT TO NO. 1966 TO AMENDMENT NO. 1921

Strike all after the word Sec. and add the following:

Section 907 of the FREEDOM Support Act shall not apply to—

(A) activities to support democracy or assistance under Title V of the FREEDOM Support Act and section 1424 of Public Law 104–201 or nonproliferation assistance;

(B) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(C) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(D) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of Chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(E) any financing provided under the Export-Import Bank Act of 1945; or

(F) humanitarian assistance.

(2) The President may waive section 907 of the FREEDOM Support Act if he determines and certifies to the Committees on Appropriations that to do so:

(A) is necessary to support United States efforts to counter terrorism; or

(B) is necessary to support the operational readiness of United States Armed Forces or coalition partners to counter terrorism; or

(C) is important to Azerbaijan's border security; and

(D) will not undermine or hamper ongoing efforts to negotiate a peaceful settlement between Armenia and Azerbaijan or be used for offensive purposes against Armenia.

(3) The authority of paragraph (2) may only be exercised through December 31, 2002.

(4) The President may extend the waiver authority provided in paragraph (2) on an annual basis on or after December 31, 2002 if he determines and certifies to the Committees on Appropriations in accordance with the provisions of paragraph (2).

(5) The Committees on Appropriations shall be consulted prior to the provisions of any assistance made available pursuant to paragraph (2).

(6) Within 60 days of any exercise of the authority under Section (2), the President shall send a report to the appropriate Congressional committees specifying in detail the following:

(A) The nature and quantity of all training and assistance provided to the government of Azerbaijan pursuant to Section (2);

(B) the status of the military balance between Azerbaijan and Armenia and the impact of U.S. assistance on that balance; and

(C) the status of negotiations for a peaceful settlement between Armenia and Azerbaijan and the impact of U.S. assistance on those negotiations.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Madam President, I want to speak in favor of the amendment put forward by my colleague from Kentucky. As he mentioned, this is a contentious, difficult issue on which people have been working all day. We have gotten to an agreement of what we think can work.

Basically, the issue is trying to prosecute the war on terrorism. I think we have been able to work some issues out to be able to get that done. I am very appreciative of all my colleagues, particularly the Senator from Kentucky, Mr. MCCONNELL, and the Senator from Maryland, Mr. SARBANES, and a number of other people for working aggressively on it.

I ask unanimous consent to have printed in the RECORD a letter of support on this issue from the Secretary of State, Colin Powell, and ask it be printed in the RECORD along with a letter from three former National Security Advisers to Senator DASCHLE and Senator LOTT in support of this amendment we are putting forward.

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

THE SECRETARY OF STATE,
Washington, October 15, 2001.

Hon. JESSE A. HELMS,
Committee on Foreign Relations,
U.S. Senate.

DEAR SENATOR HELMS: The President has asked me to request your support for providing legislative authority that would allow assistance to the Republic of Azerbaijan. Azerbaijan has joined the coalition to combat terrorism and has granted the United States overflight rights, the use of its air bases, and has provided critical intelligence cooperation. Section 907 of the Freedom Support Act of 1992, however, severely constrains our ability to provide most support to the Government of Azerbaijan including assistance needed to support our operations in the ongoing war against terrorism.

In addition to purely military matters, no less urgent is our need to engage and assist Azerbaijan's intelligence and law enforcement agencies. It is also imperative that we assist and work with Azerbaijan's financial authorities to track and disrupt assets of the terror network. The campaign's evolution will probably bring other requirements to the fore that we will need flexibility to address.

I request your assistance in passing legislation that would provide a national security interest waiver from the restrictions of section 907. Removal of these restrictions will allow the United States to provide necessary military assistance that will enable Azerbaijan to counter terrorist organizations and elements operating within its borders. This type of assistance is a critical element of the United States fight against global terrorism.

Sincerely,

COLIN L. POWELL.

OCTOBER 17, 2001.

Hon. TOM DASCHLE,
Majority Leader,
U.S. Senate.

Hon. TRENT LOTT,
Minority Leader,
U.S. Senate.

DEAR SENATOR DASCHLE AND SENATOR LOTT: Now that the United States has been compelled to undertake a comprehensive world war against terrorism, it is imperative that we ensure that our President benefits from the diplomatic flexibility and military capacities necessary to succeed decisively in this war.

The first front of this war is the Caucasus and Central Asia. Fostering and solidifying enduring partnerships with the countries of this region is a strategic and operational imperative.

For this reason, we urge you to support the repeal of an archaic sanction against Azerbaijan, a country whose cooperation will be no less vital than any of its neighbors. Azerbaijan was among the first countries to condemn the September 11th attacks. It has offered the United States military overflight rights and the use of its military bases in this war against terrorism.

However, Section 907 of the Freedom Support Act prohibits the United States from benefitting from this offer. Unless Section 907 is repealed, our military will not be able to cooperate with Azerbaijan's security forces to create capacities that will increase not only our ability to strike against terrorist targets, but also our ability to provide much needed security and logistical support to U.S. forces operating in that region.

There is not a doubt that Azerbaijan is ready and willing to be a full ally in the war against terrorism. Ironically, it is not Azerbaijan's will, but an archaic legislative provision that precludes the United States from accepting Baku's hand of partnership. This is not only a diplomatic loss, it is strike against our men and women in uniform now conducting a military offensive in Afghanistan against Al Qaeda and the Taliban.

For these strategic and operational reasons, we urge you to support the repeal of Section 907. Doing so will help to maximize America's ability to wage the war on terrorism.

Respectfully,

ZBIGNIEW BRZEZINSKI.
BRENT SCOWCROFT.
ANTHONY LAKE.

Mr. BROWNBACK. I don't know if there is further need for us to debate on this amendment.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Madam President, I thank the distinguished Senator from Kansas for his tenacity in advocating his point of view. He and I and the Senator from Maryland have had some great debates on the issue of section 907 of the Freedom of Support Act in previous Congresses, but I do believe we have been able to work out an approach that both allows the administration to engage with these areas in a way that facilitates the fighting of the war and also preserves section 907 to be dealt with at a later date when the final settlement comes between Armenia and Azerbaijan, which will obviously happen on another day. I think this is a compromise that is worthwhile, and I am happy to support it.

I yield the floor. I see Senator KERRY here, the original author of section 907.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I will be very brief. I thank Senator SARBANES for his strong commitment to trying to balance this properly and for his tenacity through the course of the day. His leadership has been really superb in helping to try to balance the interests.

I thank Senator BROWNBACK for understanding what we have been trying to achieve. As the original author of 907, obviously I am sensitive to the change. But I completely understand the circumstances in which we find ourselves. These are changed circumstances. We need to respond, and we need to respond thoughtfully.

My hope is that the amendment we have put in that was just adopted a

moment ago, which Senator MCCONNELL sponsored on our behalf, adequately sets forth the balance we are trying to strike so the long-term interests of peace and of the peaceful negotiations, bringing people to the table representing all parties' interests, will be respected.

I hope we have achieved that. Obviously, there is more to play out. We will watch this very closely as we go forward.

I thank Senator MCCONNELL for his efforts today, and Senator SARBANES. Hopefully, the balance we have tried to achieve has been achieved.

I thank the Chair.

Mr. MCCONNELL. Madam President, I am confident if the dispute between Azerbaijan and Armenia is not settled on some other day that the Senator from Maryland and the Senator from Massachusetts and I will be allies in this fight on another day. I think for today we have worked out a compromise which is acceptable to the administration and which is acceptable to Senator BROWNBACK and is the best we can achieve at the moment.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Madam President, I thank my colleague from Massachusetts.

There is not a settlement of a longstanding dispute between Armenia and Azerbaijan. It is really an attempt for us to be able to work to deal with terrorism and work with the country we need to work with in this case; that is, Azerbaijan.

The language is being drafted very carefully so that we can work in our best interests in the United States fighting terrorism with the assistance of being able to land planes and to house planes, and personnel being treated in hospitals in Azerbaijan, should we need to. Indeed, some of that is taking place now. We have tried carefully to pull that together without touching the issue of peace talks which need to proceed. I hope we can get a final settlement of that sometime soon.

Do we have time for a vote? If not, we don't need a recorded vote but a voice, I hope.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the second degree, No. 1966.

The amendment (No. 1966) was agreed to.

Mr. MCCONNELL. Madam President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the first degree, as amended, No. 1921.

The amendment (No. 1921), as amended, was agreed to.

Mr. BROWNBACK. Madam President, I move to reconsider the vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1967

Mr. MCCONNELL. Madam President, I have one final amendment related to the United States-Armenia relationship that would provide some assistance for Armenia. It has been approved on both sides of the aisle.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1967.

Mr. MCCONNELL. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 152 line 10, after the word ''Appropriations'' and before the period insert the following: '':*Provided further*, That of the funds appropriated by this paragraph, not less than $600,000 shall be made available for assistance for Armenia''

On page 153 line 7, after the colon insert the following: ''*Provided further*, That of the funds appropriated by this paragraph, not less than $4,000,000 shall be made available for assistance for Armenia''.

The PRESIDING OFFICER. If there is no debate, the question is on agreeing to the amendment.

The amendment (No. 1967) was agreed to.

Mr. MCCONNELL. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1968

Mr. LEAHY. Madam President, we have another amendment on behalf of the Senator from Oregon, Mr. SMITH.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. SMITH of Oregon, proposes an amendment numbered 1968.

Mr. LEAHY. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place insert the following:

SEC. . FEDERAL INVESTIGATION ENHANCEMENT ACT OF 2001.

(a) SHORT TITLE.—This section may be cited as the ''Federal Investigation Enhancement Act of 2001.''

(b) UNDERCOVER INVESTIGATIVE PRACTICES CONDUCTED BY FEDERAL ATTORNEYS.—Section 530 B (a) of title 28, United States Code, is amended by inserting after the first sentence, ''Notwithstanding any provision of State law, including disciplinary rules, statutes, regulations, constitutional provisions, or case law, a Government attorney may, for the purpose of enforcing Federal law, provide legal advice, authorization, concurrence, direction, or supervision on conducting undercover activities, and any attorney employed as an investigator or other law enforcement agent by the Department of Justice who is not authorized to represent the United States in criminal or civil law enforcement litigation or to supervise such proceedings may participate in such activities, even though such activities may require the use of deceit or misrepresentation, where such activities are consistent with Federal law.''.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1968) was agreed to.

Mr. LEAHY. Madam President, I move to reconsider the vote.

GLOBAL ENVIRONMENT FACILITY

Mr. KERRY. Madam President, I would like to address the chairman of the Subcommittee on Foreign Operations on the subject of the Global Environment Facility, an organization which for a number of reasons is vital to the restoration and preservation of our earth's environment. The GEF channels funding from over 30 nations to help developing countries confront the problems within their borders which affect the global environment. Traditionally, GEF's focus has been on global warming, biodiversity, international waters, and the ozone layer.

Recently, the GEF was given a critical new assignment. It is now the funding mechanism to implement the new international conservation on persistent organic pollutants, or POPS, which was signed by the United States and other nations in June. Though long banned in the U.S., these toxic chemicals continue to be used in the developing world. They travel on air and water currents and work their way up the food chain into humans, particularly native populations in northern latitudes like Alaska. As the funding mechanism for the POPS convention, GEF will have a critical role in phasing out their use.

I greatly appreciate the efforts of the subcommittee chairman to provide slightly more than the President's request for the GEF this year. However, I had been hopeful that the Congress would be able to provide not only the budget request, but significantly more to pay off existing arrears. In June I joined Senators CHAFEE, BIDEN, BINGAMAN, COLLINS, JEFFORDS, LIEBERMAN, LUGAR, MURRAY, and SNOWE in writing to the subcommittee leadership urging the payment of a substantial amount of our arrears.

Mr. LEAHY. I appreciate the support of the Senator from Massachusetts for our proposed increase over the President's budget request for the GEF. I agree that this is a vital organization. GEF's work gets at many of the international environmental problems which simply cannot be fixed by the U.S. or any nation acting alone, such as global warming.

Poor nations which struggle to feed and clothe their people simply do not have the resources to devote to global environmental problems. Yet if we do not have a unified global approach to these problems, we have little hope of addressing them effectively. The GEF funds worthy projects in 160 countries.

Unfortunately, the United States has lagged behind in meeting our obligations to the GEF. Since 1994, twice the U.S. has pledged $107.5 million a year to GEF. We are now in the final year of the second replenishment, and our total arrears stand at $203.9 million. Our recommended appropriation this year will make only a small dent in that figure, but at least will not add to them.

Mr. KERRY. I have been a part of international environmental discussions for a decade, and attended talks not only in Kyoto but also in Rio de Janeiro, Buenos Aires and The Hague. During this time, I have watched tensions grow between the developed and developing world, which increasingly views Western efforts to convince them to adopt strict environmental standards as an effort to hold them down economically. This concern is an important factor in the dispute over a new round of world trade negotiations. Cooperative efforts between developed nations and the developing world through organizations like the Global Environmental Facility can bridge this distrust.

Mr. LEAHY. I agree with the Senator. I am pleased that the Senate is recommending a considerably higher appropriation than the House for the GEF, and I intend to work diligently to persuade the House to agree to our GEF number in conference. We must get back on track and pay our arrears to the GEF.

Mr. KERRY. I thank the Chairman. This year's appropriations debate coincides with new discussions among GEF members for a new replenishment, one which must for the first time accommodate the new responsibility for implementing POPS. Hence it's critical that the U.S. send a strong statement that we remain committed to meeting our obligations to the GEF.

AMERICAN COMPANIES DOING BUSINESS IN COLOMBIA

Mr. LEAHY. Madam President, we often hear from American companies whose investments in developing countries have gone sour. That is the risk of doing business, and nobody disputes that. But international arbitration was created in order to mitigate the risks of overseas investments and to avoid depending on shaky legal institutions in those countries. Arbitration has been one of the principal building blocks to the extraordinary growth in international trade. It has brought investments to countries which would have otherwise been considered too risky because it gives investors and sovereign nations an agreed-upon mechanism to resolve disputes. Key to its success is the agreement by all parties that arbitration can only work if it is binding.

It recently came to Senator MCCONNELL'S and my attention that at least two American companies, Sithe and Nortel, have participated in binding arbitration to resolve disputes with the Colombian Government. According to information we have received, Sithe and perhaps Nortel, we are told, companies from Mexico and Germany, have won awards through binding arbitration, only to have the Colombian Government renege on its commitment to honor the arbitration decision.

We have not had an opportunity to discuss these matters with the Colombian Government, but if our information is correct, that American companies have agreed to binding arbitration and prevailed, only to have the Colombian Government refuse to pay, that is unacceptable. We want to help Colombia's economy develop in an environment where the rule of law is respected. This is crucial to Colombia's future. If Colombia flaunts the rules of the private market, it will have increasing difficulty attracting private investment because it cannot be trusted.

Representatives of these companies have urged us to withhold a portion of U.S. assistance to Colombia until the Colombian Government fulfills its legal obligations to these companies. We considered offering such an amendment, because of the importance we give to the fair treatment of American companies, respect for the rule of law, and the international arbitration process. I ask unanimous consent that a copy of our proposed amendment be printed in the RECORD at the conclusion of my remarks.

We decided not to offer the amendment, because of the precedent it could set. But we want to emphasize that respecting binding, internationally, sanctioned arbitration is essential to the investment that will ultimately be the engine for Colombia's economic development. No amount of foreign assistance can do that. The pattern of Colombia's apparent abuse of the international arbitration process is very disturbing, and by conveying our concern about it we mean to strongly encourage the Colombian Government to act expeditiously to resolve these matters.

I know that both Senator MCCONNELL and I will be following this issue closely, and discussing it with the Colombian Ambassador, the American Ambassador to Colombia, and the Department of State, in the coming months.

Mr. MCCONNELL. Let me just add a word or two to Senator LEAHY'S comments. Few would disagree that Colombia's long term political and economic development resides in its ability to forge a lasting peace, establish the rule of law, and attract foreign investment. No service is done to the nation or the people of Colombia when the Colombian government refuses to recognize the legitimacy of an arbitration award to international businesses. The leadership in Bogota should understand that such action further erodes confidence in the overall investment climate in Colombia within the international business community—and in foreign capitals. It is my hope that the Colombian government takes note of the amendment Senator LEAHY and I contemplated offering and initiates corrective action in the very near future.

Mr. VOINOVICH. Madam President, as the Senate considers the Foreign Operations Appropriations bill for fiscal year 2002, I would like to take this opportunity to discuss discrepancies between the House and Senate versions regarding funding for the Federal Republic of Yugoslavia (FRY).

I have strong reservations about certain language included by the House Appropriations Committee in its report accompanying H.R. 2506. In its report, the House Committee recommends $145 million in funding for the FRY, of which $60 million is to be provided to Montenegro. I support at least $145 million for the FRY, which is the amount requested by the President. However, if the House funding level stands for Montenegro, with a population of just 600,000 people, which is one-thirteenth the size of Serbia, it would receive more than 40 percent of the total assistance package for the FRY.

I do not believe Montenegro could constructively absorb this much assistance, and I am concerned about the impact such a division of assistance for the FRY would have on U.S. assistance to Serbia. In my conversations with State Department officials, they also expressed strong reservations about providing $60 million to Montenegro, as they believe it is more than Montenegro can effectively absorb. The State Department believes Montenegro should not receive more than the $45 million recommended by the Senate, and in fact, they believe that $35–40 million would be an appropriate amount.

Given disturbing reports of official corruption that have surfaced regarding illicit activity in Montenegro, it is particularly important that we are able to fully account for the expenditure of U.S. assistance there. Moreover, if the House recommendation of $60 million prevails, U.S. assistance for the Republic of Serbia could fall to $85 million, which is significantly below the $100 million we provided to Serbia in fiscal year 2001.

As my colleagues are aware, significant changes have taken place in the Federal Republic of Yugoslavia during the past twelve months. On Friday October 5, 2001, marked the one-year anniversary of the fall of the Milosevic regime and the beginning of a new, democratic government. Since then, the new leaders have made significant strides in implementing political and economic reforms. While there is still much work to be done, it is critical that we recognize the important progress that has been made in the past year. A cut in funding for Serbia would send precisely the wrong message. We want to support the Serb reformers, who took the courageous step of arresting and transferring Slobodan Milosevic to The Hague. We want to encourage their continued cooperation with the War Crimes Tribunal, as well

as other democratic reforms and respect for the rule of law.

When the conference committee meets to reconcile the House and Senate versions of the foreign operations bill for fiscal year 2002, I urge the Senate conferees to support the funding levels for Serbia and Montenegro that are recommended in the Senate bill.

I would appreciate knowing if the chairman and ranking member of the Foreign Operations Subcommittee agree with me about this.

Mr. HELMS. Madam President, for far too long, corruption has been allowed to run rampant in Southeastern Europe. Recent events have highlighted the citizens of Montenegro as being among the most beleaguered by the corruption of its government.

Montenegro is the beneficiary of a proud, freedom loving people courageously standing against the tyranny of Slobodan Milosevic. However, they have not been well served by their government, whose actions have undercut United States assistance to Montenegro.

For example, the President of Montenegro purchases two luxury aircrafts, during the Kosovo Crisis! Costing 26 to 30 million dollars or more, one plane was a Lear Jet, and the other a Cessna Citation X. President Djukanovic has been flown in these planes at the very same time the taxpayers of the United States were making emergency cash payments to help the Montenegrin Government pay its pensions and energy bills.

The $26 million spent on aircraft would have averted electricity power shortages in Montenegro. These purchases, by the way, were not reported to the United States Government, the Montenegrin Parliament which is now investigating this matter, or, the citizens of Montenegro.

It is now clear that the Government of Montenegro was keeping two budgets: one facilitated the flow of international assistance; the second apparently served the personal interests of senior government officials.

Since actions speak louder than words, it is obvious that a premium was placed on personal comfort of senior officials over legal reforms essential to rebuilding the Montengrin economy.

Last year the United States earmarked $89 million in foreign assistance for fiscal year 2001 for Montenegro; plans are to dedicate about half that much in fiscal year 2002.

Let me be clear, United States assistance must never be permitted to be a free ride for such officials. The citizens of Montenegro fought Milosevic to the very end. Now develops that, during that time, they, and the United States, were cheated by the government in Podgorica.

The people deserve a responsible governing body that puts foreign assistance into its economy not the pockets of corrupt officials. The United States deserves assurance that United States assistance dollars are used for their intended purpose.

Not one red cent should go to the government of Montenegro unless and until these planes have been fully accounted for—and sold. In addition, United States assistance to the Montenegrin government should be firmly conditioned upon tangible progress toward rooting out corruption and reintroducing the rule of law.

The people of Montenegro deserve far better than they have received from their government and their President Djukanovic.

Mr. MCCONNELL. I thank my friends from Ohio and North Carolina for bringing to the attention of the Senate the important issue of assistance to Serbia and Montenegro. The short answer to Senator VOINOVICH's inquiry is that Senator LEAHY and I strongly support the funding levels for Serbia and Montenegro that are recommended by the Senate Appropriations Committee, and that will be our position in the Conference.

Those of us who closely follow developments in the Balkans appreciate the many challenges that reformers in Serbia and Montenegro face each day, and we note the progress that has been made in the past year alone. As Senators VOINOVICH and HELMS have stated, many challenges lie ahead, including the need to address the troubling and complex issues of corruption and legal reform. I think we all agree that America must be clear in our support of these reform efforts. Senator LEAHY and I believe that the carefully drafted provisions in our bill, and the funding levels we recommend, do just that.

Mr. LEAHY. I thank my friends for their comments. This is an issue of great importance to the Senate. In crafting this bill, Senator MCCONNELL and I had three principal objectives with respect to the FRY. First, we want to send a message to Serb reformers that we strongly support their efforts. We recommend $115 million for Serbia in fiscal year 2002, a $15 million increase in United States assistance above last year. We have also provided authority for debt relief for Serbia. We were told by Serb finance officials and our Treasury Department that this is a top priority if Serbia is to attract new foreign investment, which is the key to Serbia's future economic development.

Second, we want to make clear that we expect to see continued cooperation with the War Crimes Tribunal and respect for the rule of law. While we fully appreciate the courage of Serb officials in arresting and transferring Milosevic to The Hague in April, since then we have seen little in the way of cooperation with the Tribunal. We are also disappointed that political prisoners continue to languish in Serb jails, even though Serb officials have acknowledged that they should be released. We therefore include language similar to last year, that links our assistance to continued progress in these areas.

Finally, with respect to Montenegro, we want to provide sufficient assistance to convey our strong support for Montenegro, and at the same time ensure a proper balance within the $115 million available for the FRY. Montenegro is making impressive strides in reforming its economy, and we should support that. The reports of corruption are disturbing, and we need to ensure that our assistance is not misused. Unfortunately, corruption is a region-wide phenomenon, and we have emphasized to USAID and the State Department that combating corruption should be a key component of our assistance relationship. Corruption corrodes democracy, and the new leaders of Montenegro and Serbia, and indeed throughout the former Yugoslavia, will pay a heavy price in the long run if they ignore it.

Mr. CONRAD. Madam President, I rise to offer for the RECORD the Budget Committee's official scoring for H.R. 2506, the Foreign Operations, Export Financing, and Related Programs Appropriations Act for Fiscal Year 2002.

The Senate bill provides $15.524 billion in discretionary budget authority, which will result in new outlays in 2002 of $5.580 billion. When outlays from prior-year budget authority are taken into account, discretionary, outlays for the Senate bill total $15.149 billion in 2002. The Senate bill is at its Section 302(b) allocation for both budget authority and outlays. Once again, the committee has met its target without the use of any emergency designations.

We have begun the 2002 fiscal year without the Congress completing a single appropriations bill. While extraordinary events have contributed greatly to this late start, it is time that the Congress complete its work. Earlier this month, the President reached agreement with Senate and House appropriators on a revised budget for 2002. The Congress must now expeditiously provide funding that complies with that bipartisan agreement.

I ask for unanimous consent that a table diplaying the budget committee scoring of this bill be inserted in the RECORD at this point.

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

H.R. 2506, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATION ACT, 2002, SPENDING COMPARISONS—SENATE REPORTED BILL

[In millions of dollars]

	General purpose	Mandatory	Total
Senate-reported bill:			
Budget Authority	15,524	45	15,569
Outlays	15,149	45	15,194
Senate 302(b) allocation: [1]			
Budget Authority	15,524	45	15,569
Outlays	15,149	45	15,194
House-passed:			
Budget Authority	15,167	45	15,212
Outlays	15,080	45	15,125
President's request:			
Budget Authority	15,169	45	15,214
Outlays	15,081	45	15,126
SENATE-REPORTED BILL COMPARED TO:			
Senate 302(b) allocation: [1]			
Budget Authority	0	0	0
Outlays	0	0	0
House-passed:			
Budget Authority	357	0	357

H.R. 2506, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATION ACT, 2002, SPENDING COMPARISONS—SENATE REPORTED BILL—Continued

[In millions of dollars]

	General purpose	Mandatory	Total
Outlays	69	0	69
President's request:			
Budget Authority	355	0	355
Outlays	68	0	68

[1] For enforcement purposes, the budget committee compares the Senate-reported bill to the Senate 302(b) allocation.

Notes.—Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. LEAHY. Madam President, I want to take a moment to speak briefly about two interconnected issues—the destruction of the world's few remaining tropical forests, and the pressures of population growth, poverty, and development that is causing it.

The world's few remaining tropical forests, which are located in Indonesia, Central Africa, and parts of South America, are being cut down at a staggering rate. Whether it is local farmers scratching out a living by slash and burn agriculture, or multinational timber or mining companies, experts predict that these irreplaceable ecosystems will be completely gone in 15 to 20 years.

The forests are not just trees. They are the habitat for the majority of the Earth's endangered species, from great apes to insects, many of which we have yet to identify. They are also the source of many of the life-saving drugs that are sold in America's pharmacies today, and who knows how many future cures wait to be discovered from rainforest plants.

They are home to the few remaining groups of indigenous people who continue to live in much the same way as they have for centuries, threatening no one.

Development is widely regarded as synonymous with progress. That is why the United States Agency for International Development has its name. But it would be unforgivable if a decade or two from now the few remaining virgin tropical forests were gone. It is not simply a matter of planting new trees. They are a complex web of species.

There are many private homes in Washington, DC that are worth more than what it would cost to protect hundreds of thousands of acres of virgin rainforest in some African countries. Yet we have difficulty finding a few million dollars to do that.

Even worse, the United States is a major consumer of timber stolen from the forests of Indonesia, Africa and South America. According to a recent report, the U.S. imported over $300 million in illegal timber from Indonesia alone last year.

The international trade in illegal timber is out of control. It is rampant. It is accelerating, and it is driven by greed, an insatiable demand, corruption, and the lack of effective strategies and resources to address it. This bill contains funds to increase our efforts, but I would be the first to say is not enough.

There are two ways to protect these forests, and both are essential. One is law enforcement. Many countries, like Indonesia and Brazil have environmental laws, but they are routinely violated, including by those who are responsible for enforcing them.

In Indonesia, the military is deeply involved in the illegal timber trade, and I encouraged the White House to discuss this with President Megawati when she was in Washington recently.

The same is true in Cambodia and the so-called ''Democratic'' Republic of the Congo. The military trades protection for illegal loggers in exchange for a slice of the profits. So cracking down on this corruption is essential.

What also must be done is to provide the people who live in the forests alternative sources of income and access to family planning to reduce population pressures on these fragile ecosystems.

As it is, they have no other way to survive except by cutting the trees for fuel or timber and killing the animals for bush meat, which has become a high priced delicacy.

Once the forests are gone, they will have to abandon their homes, joining the throngs of other impoverished people migrating to urban slums—without housing, without jobs, without health care, without hope.

On the other hand, if they are made to understand that the forest and the animals can be a continuing source of tourist income, then they become the protectors of the forests.

We want USAID to expand its support for organizations and individuals who have devoted their lives to protecting endangered species and the tropical forests where they live.

In some countries, like Brazil, some of the most courageous advocates for the environment have been murdered, presumably by the mining and timber interests.

There is still time to stop this, but only if we make it a priority. We have to, because ten years from now will be too late.

Mr. VOINOVICH. Madam President, as the Senate considers the Foreign Operations Appropriations Act for fiscal year 2002, I would like to take a few minutes to address U.S. assistance to the Federal Republic of Yugoslavia.

As many of my colleagues are aware, I have taken a strong interest in issues affecting Southeast Europe during my time in the Senate. I have made many trips to the region, most recently in December of 2000 with my friend from Pennsylvania Senator ARLEN SPECTER, and I continue to meet with the region's political, spiritual and community leaders both in the United States and during time abroad.

I have long recognized the destabilizing influence that men such as Slobodan Milosevic have had on the region and the broader European community. The international community witnessed the devastating influence of this so-called leader during years of violent conflict in the former Yugoslavia, and we continue to see evidence of its affects in Kosovo and other parts of the region.

While the Balkans have not been without recent challenges, as demonstrated by the situation in Macedonia and continued violence and destruction in Kosovo and parts of Bosnia-Herzegovina, significant changes have taken place in this part of the world during the past year and a half. The death of Franjo Tudjman in Croatia in December of 1999 and the ouster of the Milosevic regime in October of 2000 have removed major obstacles to positive change in the region.

One year ago this month, I watched with tremendous gratification when the people of the Federal Republic of Yugoslavia went to the polls, and then to the streets, to demonstrate their support of democracy and their denouncement of Milosevic.

Since my days as mayor of Cleveland and Governor of the State of Ohio, I have been an ardent supporter of democratic reformers in Serbia. I have long admired the courage and determination of many individuals who remained focused on a democratic future for Serbia, whatever the odds, such as members of the OTPOR student movement.

When I met with a group of these young leaders following the election of President Vojislav Kostunica and the removal of Milosevic from power, they told me that the feat we witnessed last October would not have been possible without the support and influence of the United States.

Just a few weeks ago in my office in the Hart building, I met with one of the founders of the OPTOR student movement, who is now a member of the Serbian Parliament. Once focused on removing Milosevic from power, he is now intent on helping the government to strength its democratic institutions so that the FRY may better position itself among Europe's new democracies. Without a doubt, the Federal Republic of Yugoslavia is a different place today than it was one year ago.

When the Senate considered the foreign operations bill last year, we conditioned U.S. assistance to Serbia after March 31, 2001 on three conditions. In order to receive continued non-humanitarian assistance, the United States had to certify that the Federal Republic of Yugoslavia was doing the following: First, cooperating with the War Crimes Tribunal for the Former Yugoslavia; next, taking steps to implement the Dayton Accords; and finally, taking steps to implement policies reflecting the rule of law and respect for human rights.

Given the importance of a democratic and stable government in the FRY to the broader region and Europe as a whole, I was pleased that the new government was, in fact, making significant progress in the areas outlined

in the Foreign Operations Appropriations Act for fiscal year 2001, thus allowing President Bush and the Secretary of State to grant certification and allow non-humanitarian U.S. assistance to the FRY to continue following the March 31 deadline.

Additionally, the FRY's progress facilitated help from the World Bank and the International Monetary Fund, and the international community pledged more than $1.2 billion for the country during a donors' conference sponsored by the World Bank at the end of June. Most recently, we have seen positive developments in the FRY's negotiations with the Paris Club to reschedule a portion of its debt.

The reforms took important action in each of the three areas. Regarding cooperation with the War Crimes Tribunal for the Former Yugoslavia, we all remember the dramatic scenes on television during the days before Slobodan Milosevic was transferred to The Hague in the middle of the night. It was a courageous and necessary step, and I am pleased that the government understood the necessity to doing so.

In efforts to implement policies reflecting the rule of law and respect for human rights, perhaps the most significant accomplishment demonstrating the government's actions involved its work with the international community to successfully resolve the situation in southern Serbia, without significant international incident. In line with the Dayton Agreement, the FRY has reduced its military to military ties with the Republic Srpska, and it has indicated its commitment to eliminate remaining ties and ensure transparency of any dealings it might have with the Republic Srpska in the future.

While we acknowledge the positive things that have taken place during the past twelve months, we must also recognize the reality that is still work that remain to be done. Of highest priority is the release of ethnic Albanian prisoners who continue to remain incarcerated in Serbian jails. Moreover, it is critical that the Government further its cooperation with The Hague War Crimes Tribunal. Certainly the transfer of Milosevic was highly important; at the same time, other indicated war criminals remain at large in the FRY, and every effort should be made to work with The Hague Tribunal to rid the country of those responsible for past atrocities.

That being said, as the Federal Republic of Yugoslavia joins the ranks of southeast Europe's new democracies, I believe it is important that we begin to look beyond the conditions outlined in the foreign operations appropriations bill for fiscal year 2001, and work to create an assistance program for the FRY that is in line with our aid programs to other countries in the region.

Last October, when House and Senate conferees considered the final version of the fiscal year 2001 foreign operations spending bill. Vojislav Kostunica had been in office just a few short weeks. The status of Milosevic was widely unknown. Given the nascent state of the new government at that time, I believe including language allowing the United States flexibility in its assistance program to the FRY, should the new government have moved in a direction contrary to U.S. interests, was a reasonable thing to do.

However, in the year following final consideration of last year's foreign operations appropriations bill, I believe the reformers in the FRY have developed a position—though not perfect—track record. While it is clear that additional steps must be taken to further cooperation with The Hague and implementation of the rule of law, I believe we have solid evidence that the new government is committed to moving forward with reforms. If they fail to make the progress they have promised, we have many avenues from which to demonstrate our displeasure.

As my colleagues are aware, the State Department must notify Congress before distributing U.S. funds abroad. At that time, our Foreign Relations Committee or Foreign Operations Subcommittee can withhold assistance to any country abroad. Additionally, we may instruct U.S. representatives to international organizations such as the World Bank and the International Monetary Fund to withhold their support for programs benefitting the FRY. Finally, if the Federal Republic of Yugoslavia does not act in accordance with actions deemed to be in their best interests by the United States and other members of the international community, there is no doubt in my mind that future U.S. support will be terminated.

I appreciate the work that my colleagues on the Foreign Operations Subcommittee have done in preparing the Foreign Operations Appropriations Act for fiscal year 2002. I recognize their efforts to send a positive message to reformers in the Federal Republic of Yugoslavia by increasing the level of assistance to Serbia to $115 million for fiscal year 2002, which is $15 million above the fiscal year 2001 level, and providing $45 million for Montenegro.

Further, the committee has included language in its report applauding the work that has been done by reformers in the FRY during the past year. I also strongly support my colleagues' decision to provide $28 million toward debt relief for the FRY, and I was pleased to join Senator LEAHY and Senator MCCONNELL as a cosponsor of an amendment authorizing that authority.

While I support many provisions in the bill, I am nonetheless concerned that the same conditions on U.S. assistance to the Federal Republic of Yugoslavia that were crafted in October 2000, just weeks after the change of government, appear in the bill one year later. It is my feeling that placing the same conditions on U.S. assistance to FRY now may send the wrong message to the country's reformers. While we should continue to encourage progress in the FRY, I believe placing the same three conditions on U.S. aid to the country year after year could be counterproductive.

I will continue to work with my colleagues on the Foreign Operations Subcommittee and the Foreign Relations Committee during the next year regarding developments in the Federal Republic of Yugoslavia as our aid program to the country evolves, with the hope that we will be able to move beyond conditionality in years to come.

While it is important for the United States to understand progress that is made in the FRY, it is also imperative that the leaders of the FRY understand that the actions they take on the three areas outlined in the Foreign Operations Appropriations Act for FY2001 will have a dramatic impact on whether or not the conditions are included in next year's bill.

Mr. KENNEDY. Madam President, one of the most important provisions in this legislation conditions assistance to the Colombian Armed Forces on improvements in human rights.

It is essential to ensure that U.S. military aid does not contribute to human rights abuses in Colombia. Allegations of human rights violations by military personnel there have decreased, but the State Department's 2000 Country Report on Human Rights Practices concluded that the Colombian Government's human rights record ''remained poor'' and that ''government security forces continued to commit serious abuses, including extrajudicial killings.''

Many of us are particularly concerned about persistent links between the Colombian Armed Forces and illegal paramilitary groups. On September 10, Secretary of State Powell included the largest of these groups, known by its acronym as the AUC, on the State Department's list of terrorist groups. According to the State Department's Human Rights report, the Colombian military has repeatedly reassured our government ''that it would not tolerate collaboration'' with such groups and that ''the army would combat paramilitary groups.'' However, the report concludes that such links persist and that ''actions in the field were not always consistent with the leadership's positions.''

The report says:

> Members of the security forces collaborated with paramilitary groups that committed abuses, in some instances allowing such groups to pass through roadblocks, sharing information, or providing them with supplies or ammunition. Despite increased government efforts to combat and capture members of paramilitary groups, often security forces failed to take action to prevent paramilitary attacks. Paramilitary forces find a ready support base within the military and police, as well as among local civilian elites in many areas.

A report recently released by Human Rights Watch titled ''The Sixth Division: Military-Paramilitary Ties and U.S. Policy in Colombia,'' states that

the Colombia military and police detachments continue to promote, work with, support profit from, and tolerate paramilitary groups, treating them as a force allied to and compatible with their own.

Paramilitary groups continue to be linked to most human rights violations committed in Colombia, including massacres. The State Department's Human Rights report cites a sharp increase in the number of victims of paramilitary violence in the last year. Just two weeks ago, a new and ruthless massacre was committed by the AUC in Colombia. At least twenty-four men were forced to lie on the ground and then were executed one by one in cold blood.

Many of us are deeply concerned that a majority of the armed forces personnel who collaborate with the paramilitary organizations and who are responsible for human rights abuses are not prosecuted effectively. According to the State Department's report, ''impunity for military personnel who collaborated with members of paramilitary groups remained common.'' Although the Colombian government claims to have dismissed more than 500 members of the military, the State Department says that it does not know how many were dismissed for collaborating with illegal paramilitary groups.

The conditions included in this legislation are intended to address these concerns. They require the Secretary of State to certify that the Colombian Armed Forces are suspending members who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary groups, and are providing to civilian prosecutors and judicial authorities requested information on the nature and cause of the suspension.

The conditions require the Secretary of State to certify that the Colombian Armed Forces are cooperating with civilian prosecutors and judicial authorities, including unimpeded access to witnesses and relevant military documents and other information, in prosecuting and punishing in civilian courts members of the armed forces who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary groups.

Finally, the conditions require the Secretary of State to certify that the Colombian Armed Forces are taking effective steps to sever links, including denying access to military intelligence, vehicles, and other equipment or supplies, ceasing other forms of active or tacit cooperation with paramilitary groups, and carrying out existing arrest warrants.

These conditions will help ensure that U.S. assistance does not contribute to human rights violations in Colombia. I urge my colleagues to support these important provisions.

Another important provision is intended to improve the lives of the Dalit in India.

India's 160 million Dalits, who are also known as ''untouchables,'' suffer severe hardship and face a unique form of discrimination. As victims of economic exploitation rooted in the caste system, they are virtually excluded from Indian society and endure some of the worst health conditions in the world. Dalits are born poor and landless and face discrimination at almost every stage in life. Wages from their jobs rarely provide enough income to feed their families or educate their children, and so the cycle of poverty and illiteracy continues from generation to generation.

In rural areas, where sewer systems are virtually non-existent, many Dalits make their living cleaning human waste. These workers, known as scavengers, use little more than a broom, a tin plate and a basket, they clear human waste from public and private latrines, and carry the waste long distances in porous wicker baskets to disposal sites. In urban areas, they often work neck-deep in pits filled with human waste and risk asphyxiation in city sewers. Health conditions are appalling. Nearly all of these workers are women, and some are children.

A Dalit in India once described their existence:

> When we are working, they ask us not to come near them. At tea canteens, they have separate tea tumblers and they make us clean them ourselves and make us put the dishes away ourselves. We cannot enter temples. We cannot use upper-caste water taps. We have to go one kilometer away to get water. . . .

Dalit communities are frequently punished for individual transgressions. With little knowledge of their rights, limited access to attorneys, and no money for hearings or bail, they are easy targets for criminal prosecution. Police single out Dalit activists for persecution and frequently abuse and torture Dalit suspects.

While the Indian Constitution and the 1955 Civil Rights Act abolished untouchability, and subsequent laws allow for affirmative action, hiring quotas and special training funds, discrimination against Dalits continues to flourish in Indian society. As the great author of the Indian constitution—and Dalit—statesman Dr. Ambedkar once said: ''Mahatmas have come, Mahatmas have gone but the Untouchables have remained as Untouchables.''

While there are many people of goodwill in India, discrimination and poverty are widespread in the Dalit community. The foreign aid we provide to India should contribute to easing the hardship and misery suffered by this community and to addressing the disparity between Dalits and others in India.

To advance this objective, a provision in this legislation requires the executive director of the World Bank to vote against any water or sewage project in India that does not prohibit the use of scavenger labor. Precious and limited resources should be used to provide incentive to communities in India to abolish this kind of labor and to reward those that do so.

Additionally, the report accompanying the Senate bill highlights the important role an organization called the Navsarjan Trust in India is building a civil society in India by promoting the rights of the Dalit community. The report encourages AID to provide funding for the Trust, which is run by Martin Macwan, who received the Robert F. Kennedy Human Rights Award in 2000 for his work on behalf of the Dalit.

Founded in 1989, the Navsarjan Trust seeks to end discrimination against the Dalit. Since it was founded, it has become a highly respected force that focuses on five issues for the Dalit community: bringing about the land reforms promised fifty years ago in the Indian Constitution, improving the working conditions and wages of farm workers, abolishing scavenger labor, improving educational opportunities for children, and reducing violence. The Trust achieves its goals through non-violent protest and the judicial process. In eleven years, it has grown to 187 full-time organizers and has a presence in more than 2,000 villages. It is widely viewed as one of the most effective Dalit advocacy groups in India today, and it has filed a class action suit to abolish manual scavenging.

Although our assistance program in India is limited, the Navsarjan Trust would be an important ally and a useful way to help the Dalit community. Supporting the trust will demonstrate America's commitment to ending the discrimination faced by India's Dalits. I urge USAID to make funding available for the organization to advance its worthwhile objections.

I commend the subcommittee chairman, Senator LEAHY, and the other members of the Appropriations Committee for including these important provisions to reduce the discrimination faced by the Dalit community in India. Senator LEAHY is an effective champion of human rights throughout the world. I commend his leadership on this issue, and I look forward to continuing to work with my colleagues in Congress to improve the lives of the Dalit community in India.

Mr. MCCAIN. Madam President, I am an enthusiastic supporter of robust American engagement with the world, and I believe current circumstances demand such a presence. We must also resolve to back our commitment with the financial resources to support the range of our interests overseas. For this reason, I am particularly disappointed by the long list of unrequested and unnecessary earmarks in the FY 2002 Foreign Operations Appropriations bill, which total $186.2 million. This figure represents $30 million more than was contained in last

year's Foreign Operations bill for programs neither requested by the Administration nor authorized by Congress through the regular, merit-based process for allocating scarce resources.

It is the task of America's leaders to make the case for meaningful foreign operations funding in the face of public skepticism about the flow of American tax dollars overseas. It is incumbent upon those of us who serve in elective office to uphold the bipartisan tradition of enlightened American leadership around the world. In this era of globalization, international affairs touch the lives of average Americans in unprecedented ways. And as we wage a global campaign to purge from the world the terrorist threat against our very way of life, the assistance we provide to friendly governments and impoverished peoples across the globe supports our ability to sustain an international coalition to fight terror and retain the popular goodwill necessary to this task.

Unfortunately, the excessive and unwarranted earmarks in this bill do not inspire confidence that all our tax dollars are being spent in a manner most conducive to the advancement of our shared national concerns. Indeed, it may shock some Americans to know that parochial interests, not the national interest, have driven a disturbing proportion of the spending allocations contained in this bill.

Fragile allies suffering from civil unrest and economic decay will not be helped by this bill's provision of $2.3 million in ''core support'' for the International Fertilizer Development Center, or the report language's recommendation of $4 million for its work. Peanuts, orangutans, gorillas, neotropical raptors, tropical fish, and exotic plants also receive the committee's attention, although it's unclear why any individual making a list of critical international security, economic, and humanitarian concerns worth addressing would target these otherwise meritorious flora and fauna.

The committee has disturbingly singled out for funding a laundry list of American universities some with multi-billion dollar endowments in contravention of the usual merit-based process of allocating scarce foreign assistance dollars to the most worthy causes. Although disappointing, it is perhaps not surprising that there is a correlation between the geographic locations of many of the universities targeted for special treatment and the home states of those on the Appropriations Committee and members of the Senate leadership. Those left out of this correlation predicated on patronage rather than value to American national interests are, of course, the very people we would like to help overseas, and the programs of liberalization and reform we would otherwise use the money to encourage.

Given the unprecedented war we are in, we should be redoubling our efforts to target as many resources as possible to win it. To this end, we should all heed the words of Office of Management and Budget Director Mitch Daniels, who said, ''Everything ought to be held up to scrutiny. Situations like this can have a clarifying benefit. People who could not identify a low priority or lousy program before may now see the need.''

America will go on, and we will continue to lead the world as only we can. The security and prosperity of our people demand it. Our wish to see our values flourish universally requires it. But we are handicapping ourselves in refusing, even in these times, to abandon the parochialism that infected congressional spending decisions long before our compelling international responsibilities provided us with a higher calling. Perhaps some of this parochial funding could be spent in a better way, helping more people and further advancing the virtuous causes we aspire to lead.

Madam President, I ask unanimous consent that the following documentation be printed in the RECORD.

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

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT FOR FISCAL YEAR 2002

BILL LANGUAGE

TITLE II—BILATERAL ECONOMIC ASSISTANCE

Development Assistance:

The International Fertilizer Development Center: provides $2,300,000 for core support.

The United States Telecommunications Training Institute: provides $500,000 for support.

The American Schools and Hospitals Abroad program: provides $19,000,000.

REPORT LANGUAGE

TITLE II—BILATERAL ECONOMIC ASSISTANCE

The Gorgas Memorial Institute Initiative for Tuberculosis Control: Committee recommends $2,000,000.

Iodine Deficiency/Kiwanis: Committee recommends that AID provide at least $2.5 million to Kiwanis International through UNICEF.

Helen Keller Worldwide, the International Eye Foundation, and others: Committee expects USAID to provide $1.3 million.

Helen Keller Worldwide-initiated programs to aid the visually impaired in Vietnam and Cambodia: committee urges USAID to expand funding for similar programs.

Population Media Center: Committee supports.

International Medical Equipment Collaborative: urges AID to consider for funding.

Mobility International USA: recommends AID consider support for up to $300,000.

Women's Campaign International: Committee recommends $600,000.

Vital Voices Global Partnership: Committee recommends $100,000.

American Schools and Hospitals Abroad: Committee has provided not less than $19 million and expects USAID to allocate funds for Operating Expenses. The following are specified as deserving further support: Lebanese American University, International College, the Johns Hopkins University's Centers in Nanjing and Bologna, the Center for American Studies at Fudan University, Shanghai, the Hadassah Medical Organization, the American University of Beirut, and the Feinberg Graduate School of the Weizmann Institute of Science.

Patrick J. Leahy War Victims Fund: Committee expects $12 million be made available to support the fund's work.

United States Telecommunications Training Institute: Committee has provided not less than $500,000.

International Executive Service Corps: Committee recommends $5 million to support additional work by the IESC.

American University of Beirut: Committee urges AID to fund this program.

Sustainable Harvest International: Committee urges AID to provide $100,000.

U.S./Israel Cooperative Development Program and Cooperative Development Research Program: Committee supports funding.

World Council of Credit Unions: Committee recommends up to $2 million.

Protea Germplasm: requests AID to fund a joint South Africa-U.S. conference on sustaining the protea industries in South Africa and United States.

International Fertilizer Development Center: Committee recommends $4 million for the core grant and research and development activities.

Biodiversity Programs: Committee expects AID to provide $100 million to enhance biodiversity in marine environments.

Pacific International Center for High Technology Research: Committee recommends $500,000 to initiate a demonstration program on sustainable renewable energy systems.

Tropical Fish and Plant Global Market: Committee urges funding by AID.

Parks in Peril: Committee continues strong support for the program.

Foundation for Security and Stability: Committee recommends $2.5 million.

The Peregrine Fund: Committee recommends $500,000 for the Neotropical Raptor Center.

Dian Fossey Gorilla Fund International: Provides $1.5 million to support the fund and the center.

Orangutan Foundation: Expects provision of $1.5 million to support such organizations.

International Project WET: encourages AID to support the project's efforts.

Soils Management Collaborative Research Support Program: Recommends $3 million for ongoing activities and initiate work on carbon storage.

Peanut Collaborative Research Support Program: Committee recommends that AID increase funding for this program.

University Programs: Committee recommends AID and/or the Department of State consider proposals for funding by the following organizations: Africa-America Institute, Alliance of Louisiana Universities, Atlanta-Tbilisi Partnership, City University, Columbia University, Connecticut State University System, Dakota Wesleyan University, Dartmouth Medical School, DePaul University College of Law—includes Arab-Israeli discussion on arms control and Inter-American Commission of Women and the Inter-American Children's Institute, EARTH University, Florida Agricultural and Mechanical University, Florida International University, Green Mountain College, Iowa State University—includes International Women in Science and Engineering Program and support to the International Institute of Theoretical and Applied Physics, Historically Black Colleges, John Hopkins University, Kansas State University, La Roche College, Louisiana State University—includes LSU/Latin American Commercial Law project and International Emergency Training Center, Loyola University, Marquette University, Mississippi State University,

Montana State University Billings,—includes development of an online Master of Health Administration Degree Program and expanded programs in international business, St. Michael's College, St. Thomas University, South Dakota State University—includes International Arid Lands Consortium and food security in Central Asia, Temple University, Tufts University, University of Alaska, University of Arkansas Medical School, University of Dayton, University of Illinois—Chicago, University of Indianapolis, University of Iowa, University of Kentucky, University of Louisville—includes partnership with Rand Afrikaans University, program in Georgia, and collaborative research program on plant materials in Philippine rain forest, University of Miami, University of Mississippi, University of Nebraska Medical Center, University of New Orleans, University of Notre Dame, University of Northern Iowa—includes, Orava Project Global Health Corps program, and Russo-American Institute of Mutual Understanding, University of Rhode Island, University of San Francisco, University of South Alabama, University of Vermont, University of Vermont College of Medicine, Utah State University—includes establishment of a College of Agriculture of Jenin and World Irrigation Applied Research and Training Center, Vermont Law School, Yale University, and Western Kentucky University.

Bridge Fund in Tibet: Committee supports this project.

Joslin Diabetes Center: Committee encourages AID to support.

Galilee Society and Arava Institute for Environmental Studies: urges the Administration to consider funding.

School for International Training's Conflict Transformation Across Cultures Program: Committee believes funding is needed.

Care for Children International, Romania: encourages AID to support.

American Bar Association: Requests AID to consider providing $500,000 to develop international database of ongoing legal reform efforts.

North Dakota-Turkmenistan Health Partnership and others: Committee supports.

Eurasian Medical Education Program of the American College of Physicians: Committee requests to be consulted on future funding.

Primary Health Care Initiative of the World Council of Hellenes: Recommends $2 million.

United States-Ukraine Foundation: supports funding.

American Academy in Tbilisi: recommends an increased level of funding.

Georgia: Provides not less than $3 million for a small business development project.

Total: $186,200,000.

Mr. CRAIG. Madam President, I am heartened by the amount of cooperation I have witnessed among my Senate colleagues and the expeditious way they have addressed our national security concerns in the wake of the terrorist attacks of September 11. The passage of the Airline Security and Anti-Terrorism bills will give the administration necessary tools to combat terrorism here at home. Whether the anthrax attacks of last week on our Nation's Capitol prove to be connected to Al Qaeda, it is certain that the attempt to bring our government to a standstill has failed. To be sure, the quarters here have been cramped but our commitment to work together has not been affected. Our thoughts and prayers go out to the families of the postal workers who lost their lives this week, but this sad chapter only strengthens our resolve to find the culprits of these heinous acts and bring them to justice.

I commend the administration for its success in forming an international coalition on such short notice. The President's visit to Shanghai last week, and Secretary Powell's visit to India, were fruitful in getting us needed support from the two most populous countries in the world. I join the President in admonishing all nations who want to be a part of the civilized world to either side with us, or side with the terrorists. The time to be lukewarm is gone; we need to draw a line in the sand. I believe we are entering into a ''New Cold War,'' where the stakes are no less grave than they were in the cold war of the twentieth century. The fight against radical Islam, like the fight against communism, is a fight to preserve the republican ideals that made our Nation so great. May we look to President Reagan and the example he set for American courage and American resolve to win in this ''New Cold War''.

Many of my colleagues on the Appropriations Committee know that I am not a big fan of foreign aid, particularly when there are many vital projects that deserve attention here at home. The Foreign Operations Appropriations bill has many flaws, the worst of which has incited a Presidential veto threat due to provisions that would allow federal funding for international family planning organizations that perform abortions overseas. American taxpayer dollars should not be used to subsidize groups that do not respect the life of the unborn. This sends the wrong message to our children and cheapens the value of life. Other flaws include the onerous certification requirements that the administration must fulfill in order to assist in the rebuilding of vital infrastructure that we destroyed in Yugoslavia during the Kosovo war. Yugoslavia has made tremendous strides towards democracy, as can be witnessed by the free and fair elections that peacefully removed the Milosevic regime. Rather than further harm the Yugoslav people who are in need of such basic things as clean water, and heating for the coming winter months, we should allow the administration to grant assistance as it sees fit in this area.

I also have a problem with a bill that is over a half a billion dollars larger than last year, but is over $160 million below the funding level requested by the administration for programs to curb illicit narcotics trafficking in the Andean region. How can we justify a spending increase of this magnitude at the expense of important programs that help to prevent the flow of illegal drugs into this country? Where is this increase in spending going?

Despite these flaws, however, the events over the past 6 weeks have understandably changed Americans' outlook on international affairs, and our need to stay engaged. I recognize the responsibility the United States has in leading the fight to defend democracy and Western Civilization and, as such, the United States must remain involved in the international arena. This is not the time to isolate ourselves. The administration must have a complete arsenal at its disposal for the war against terrorism, and that includes having the ability to use foreign aid as a means to reward and reinvest in those nations who actively support us in this fight. Therefore, I will support the passage of this bill on condition that its most grave flaws be remedied in conference with the House. However, should the conference report be sent to the Senate floor ''unremedied,'' I will be forced to consider opposing the report and urging my colleagues to do likewise.

Lastly, as a complement to the ongoing efforts to strengthen our national security, I urge the speedy passage of a revamped Intelligence Authorization bill that will give our intelligence community the capability it needs not to not only streamline the gathering and sharing of information among various agencies, but to have the discretion to act on that information as well. Our agents in the field should not be more worried about getting reprimanded for the methods they use in collecting information, than they should about ensuring the safety of our Nation.

I would also like to reiterate the importance to our national security of passing an energy bill that will allow us to explore other sources of energy domestically. As the prospects of a widened war in the Middle East becomes more likely, it is crucial that we take steps now to wean ourselves away from foreign sources of oil. We currently consume up to 700,000 barrels of oil a day from Iraq alone. If the American people are worried about the state of the economy now, just wait until we have a real energy crisis, and we will all see the economy go into a tailspin.

The eyes of the free world look to us for direction. We must not fail them.

Mr. LEAHY. Madam President, I thank the ranking member, Senator MCCONNELL, for his support and cooperation throughout this process. He has been a partner in writing the bill, in resolving the amendments, and I value his friendship and his advice.

I also commend the staff, for all their work. In particular, I recognize Paul Grove, who took over as the Republican clerk for the Foreign Operations Subcommittee earlier this year. Paul has quickly learned the appropriations process and has been a pleasure to work with.

In addition, Mark Lippert, the new deputy clerk on the Democratic side, has done an outstanding job.

Jennifer Chartrand, who has been a professional staff member for the Appropriations Committee for several years, provided essential advice and support to my staff. She was indispensable.

I thank Tara Magner of my Judiciary Committee staff, and J.P. Dowd, my legislative director, for their help during floor consideration of this bill.

I recognize Tim Rieser, the Democratic clerk for the subcommittee, for all his help.

And I thank Dakota Rudesill, staff member for the Budget Committee, who provided excellent and very helpful advice during floor consideration of this bill.

Finally, as always, we owe a debt to Billy Piper, on Senator MCCONNELL's staff. Billy came in at crucial times to resolve a number of important issues.

That completes action on the Foreign Operations bill for fiscal year 2002.

Mr. LEAHY. Madam President, I know of no other amendments.

I ask unanimous consent that with respect to H.R. 2506, the foreign operations appropriations bill, upon the disposition of all amendments, the bill be read a third time and the Senate vote on passage of the bill; that upon passage, the Senate insist on its amendments, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, with the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Madam President, I ask for the yeas and nays on final passage.

The PRESIDING OFFICER (Ms. CANTWELL). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. KYL) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 2, as follows:

[Roll Call Vote No. 312 Leg.]

YEAS—96

Akaka	Bingaman	Campbell
Allard	Bond	Cantwell
Allen	Boxer	Carnahan
Baucus	Breaux	Carper
Bayh	Brownback	Chafee
Bennett	Bunning	Cleland
Biden	Burns	Clinton
Cochran	Hatch	Nelson (NE)
Collins	Helms	Nickles
Conrad	Hollings	Reed
Corzine	Hutchinson	Reid
Craig	Hutchison	Roberts
Crapo	Inhofe	Rockefeller
Daschle	Inouye	Santorum
Dayton	Jeffords	Sarbanes
DeWine	Johnson	Schumer
Dodd	Kennedy	Sessions
Domenici	Kerry	Shelby
Dorgan	Kohl	Smith (NH)
Durbin	Leahy	Smith (OR)
Edwards	Levin	Snowe
Ensign	Lieberman	Specter
Enzi	Lincoln	Stabenow
Feingold	Lott	Stevens
Feinstein	Lugar	Thomas
Fitzgerald	McCain	Thompson
Frist	McConnell	Thurmond
Gramm	Mikulski	Torricelli
Grassley	Miller	Voinovich
Gregg	Murkowski	Warner
Hagel	Murray	Wellstone
Harkin	Nelson (FL)	Wyden

NAYS—2

Byrd Graham

NOT VOTING—2

Kyl Landrieu

The bill (H.R. 2506) was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. REID. Madam President, I move to reconsider the vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment, requests a conference with the House on the disagreeing votes of the two Houses, and the Chair appoints. Mr. LEAHY, Mr. INOUYE, Mr. HARKIN, Ms. MIKULSKI, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, Mr. REED of Rhode Island, Mr. BYRD, Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. CAMPBELL, Mr. BOND, and Mr. STEVENS conferees on the part of the Senate.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MCCONNELL. Madam President, I want to take this opportunity to thank the staff of my good friend from Vermont, Senator LEAHY, with whom we have worked on this bill for these many years. They are Tim Rieser, Mark Lippert, and J.P. Dowd. I also extend my thanks to Jennifer Chartrand, Billy Piper of my personal staff, and Paul Grove, who replaced my long-time staffer, Robert Cleveland of the Foreign Operations Subcommittee. He has done a superb job with his first bill. I thank them all from the bottom of my heart.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DASCHLE. Madam President, I compliment the distinguished chairman and ranking member for their excellent work. This is not an easy bill. Oftentimes, it is one that keeps us occupied for days, if not weeks. I thank them for their leadership, and I am very grateful for the fact that we were able to get this bill done.

Also, I thank the distinguished Senator from Vermont, Senator LEAHY, for his work on the global AIDS matter. Were it not for him, we would not have had the additional resources that are so critical right now, this year, from this country. He did an outstanding job in that regard, too. While he is not on the floor at the moment, I thank him personally for all of his work.

As I announced earlier, it is our intention to take up the counterterrorism legislation. It has now passed in the House. We have had a good debate in the Senate. I would like to proceed with a unanimous consent request that would accommodate a good deal of debate again on a bill. I know there may be a colloquy involved. Let me proceed with the unanimous consent request, and I ask the cooperation of all Senators. I will propound the request now.

UNANIMOUS CONSENT AGREEMENT—H.R. 3162

Mr. DASCHLE. I ask unanimous consent that at 10 o'clock Thursday, October 25, the Senate proceed to the consideration of H.R. 3162, the counterterrorism bill; that no amendments or motions be in order to the bill, except a motion to table the motion to reconsider the vote on final passage of the bill; that there be 5 hours and 10 minutes for debate, with the time controlled as follows: 90 minutes each for the chairman and ranking member of the Judiciary Committee, or their designees; 10 minutes each, controlled by Senators LEVIN and WELLSTONE; 20 minutes under the control of Senator SARBANES; 60 minutes under the control of Senator FEINGOLD; 15 minutes under the control of Senator GRAHAM of Florida; 15 minutes under the control of Senator SPECTER; that upon the use or yielding back of time, the bill be read the third time, the Senate then vote on final passage of the bill, with this action occurring with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object, Madam President, I thank the distinguished majority leader for giving me this opportunity. He and I have discussed at length the concern that I have that is shared by Senator SMITH of Oregon. I want to take a minute or two to describe what is so important to us and have a discussion briefly with the distinguished majority leader.

In my home State of Oregon, we have not been able to do a covert investigation into dangerous criminal activity such as terrorism in more than a year. The hands of our prosecutors are tied. Senator Smith and I, along with a number of other colleagues and prosecutors, believe very strongly that it is critically important as part of this antiterrorism effort that we allow the prosecutors to go forward and do wiretaps, stings, and essentially undercover operations. We have not been able to get such a provision into this